

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 2-3.11c, 2-3.25a, 2-3.25b, 2-3.25d, 2-3.31, 2-3.66, 2-3.89,
6 2-3.117a, 2-3.137, 3-14.21, 10-20.26, 18-3, 18-12, 26-3d,
7 27-17, 27-24.2, 27-24.4, 27-24.5, 27-24.6, and 27A-8 as
8 follows:

9 (105 ILCS 5/2-3.11c)

10 Sec. 2-3.11c. Teacher supply and demand report. Through
11 January 1, 2009, to ~~To~~ report annually, on or before January 1,
12 on the relative supply and demand for education staff of the
13 public schools to the Governor, to the General Assembly, and to
14 institutions of higher education that prepare teachers,
15 administrators, school service personnel, other certificated
16 individuals, and other professionals employed by school
17 districts or joint agreements. After the report due on January
18 1, 2009 is submitted, future reports shall be submitted once
19 every 3 years, with the first report being submitted on or
20 before January 1, 2011. The report shall contain the following
21 information:

22 (1) the relative supply and demand for teachers,
23 administrators, and other certificated and

1 non-certificated personnel by field, content area, and
2 levels;

3 (2) State and regional analyses of fields, content
4 areas, and levels with an over-supply or under-supply of
5 educators; and

6 (3) projections of likely high demand and low demand
7 for educators, in a manner sufficient to advise the public,
8 individuals, and institutions regarding career
9 opportunities in education.

10 (Source: P.A. 91-102, eff. 7-12-99.)

11 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

12 Sec. 2-3.25a. "School district" defined; additional
13 standards.

14 (a) For the purposes of this Section and Sections 3.25b,
15 3.25c, 3.25d, 3.25e, and 3.25f of this Code, "school district"
16 includes other public entities responsible for administering
17 public schools, such as cooperatives, joint agreements,
18 charter schools, special charter districts, regional offices
19 of education, local agencies, and the Department of Human
20 Services.

21 (b) In addition to the standards established pursuant to
22 Section 2-3.25, the State Board of Education shall develop
23 recognition standards for student performance and school
24 improvement in all public schools operated by school districts.
25 The indicators to determine adequate yearly progress shall be

1 limited to the State assessment of student performance in
2 reading and mathematics, student attendance rates at the
3 elementary school level, graduation rates at the high school
4 level, and participation rates on student assessments. ~~Unless~~
5 ~~the federal government formally disapproves of such policy~~
6 ~~through the submission and review process for the Illinois~~
7 ~~Accountability Workbook, the indicators to determine adequate~~
8 ~~yearly progress for children with disabilities shall be based~~
9 ~~on their individualized education plans.~~ The standards shall be
10 designed to permit the measurement of student performance and
11 school improvement by schools and school districts compared to
12 student performance and school improvement for the preceding
13 academic years.

14 (Source: P.A. 93-470, eff. 8-8-03; 94-666, eff. 8-23-05.)

15 (105 ILCS 5/2-3.25b) (from Ch. 122, par. 2-3.25b)

16 Sec. 2-3.25b. Recognition levels. The State Board of
17 Education shall, consistent with adopted recognition
18 standards, provide for levels of recognition or
19 nonrecognition. The State Board of Education shall promulgate
20 rules governing the procedures whereby school districts may
21 appeal a recognition level.

22 The State Board of Education shall have the authority to
23 collect from schools and school districts the information,
24 data, test results, student performance and school improvement
25 indicators as may be necessary to implement and carry out the

1 purposes of this Act. Schools and school districts that fail to
2 submit accurate data within the State Board of Education's
3 timeframes may have federal funds withheld.

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

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

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

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

1 or subsequent annual calculation in the ~~same subgroup and in~~
2 ~~the~~ same subject or in their participation rate, attendance
3 rate, or graduation rate shall remain on academic watch status.
4 Schools on academic early warning or academic watch status that
5 meet adequate yearly progress criteria for 2 consecutive
6 calculations ~~one annual calculation~~ shall be considered as
7 having met expectations and shall be removed from any status
8 designation.

9 The school district of a school placed on either academic
10 early warning status or academic watch status may appeal the
11 status to the State Board of Education in accordance with
12 Section 2-3.25m of this Code.

13 A school district that has one or more schools on academic
14 early warning or academic watch status shall prepare a revised
15 School Improvement Plan or amendments thereto setting forth the
16 district's expectations for removing each school from academic
17 early warning or academic watch status and for improving
18 student performance in the affected school or schools.
19 Districts operating under Article 34 of this Code may prepare
20 the School Improvement Plan required under Section 34-2.4 of
21 this Code.

22 The revised School Improvement Plan for a school that is
23 initially placed on academic early warning status or that
24 remains on academic early warning status after a third annual
25 calculation must be approved by the school board (and by the
26 school's local school council in a district operating under

1 Article 34 of this Code, unless the school is on probation
2 pursuant to subsection (c) of Section 34-8.3 of this Code).

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

9 The revised School Improvement Plan for a school that
10 remains on academic watch status after a fifth annual
11 calculation must be approved by the school board (and by the
12 school's local school council in a district operating under
13 Article 34 of this Code, unless the school is on probation
14 pursuant to subsection (c) of Section 34-8.3 of this Code). In
15 addition, the district must develop a school restructuring plan
16 for the school that must be approved by the school board (and
17 by the school's local school council in a district operating
18 under Article 34 of this Code).

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

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

1 Accountability Workbook, those school districts that do not
2 meet 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. Districts 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. Districts 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. Districts on academic watch
16 status that do not meet adequate yearly progress criteria for a
17 fifth or subsequent annual calculation in the ~~same subgroup and~~
18 ~~in the~~ same subject or in their participation rate, attendance
19 rate, or graduation rate shall remain on academic watch status.
20 Districts on academic early warning or academic watch status
21 that 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 A district placed on either academic early warning status
25 or academic watch status may appeal the status to the State
26 Board of Education in accordance with Section 2-3.25m of this

1 Code.

2 Districts on academic early warning or academic watch
3 status shall prepare a District Improvement Plan or amendments
4 thereto setting forth the district's expectations for removing
5 the district from academic early warning or academic watch
6 status and for improving student performance in the district.

7 All District Improvement Plans must be approved by the
8 school board.

9 (c) All revised School and District Improvement Plans shall
10 be developed in collaboration with parents, staff in the
11 affected school or school district, and outside experts. All
12 revised School and District Improvement Plans shall be
13 developed, submitted, and monitored pursuant to rules adopted
14 by the State Board of Education. The revised Improvement Plan
15 shall address measurable outcomes for improving student
16 performance so that such performance meets adequate yearly
17 progress criteria as specified by the State Board of Education.
18 All school districts required to revise a School Improvement
19 Plan in accordance with this Section shall establish a peer
20 review process for the evaluation of School Improvement Plans.

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

24 (e) The State Board of Education, from any moneys it may
25 have available for this purpose, must implement and administer
26 a grant program that provides 2-year grants to school districts

1 on the academic watch list and other school districts that have
2 the lowest achieving students, as determined by the State Board
3 of Education, to be used to improve student achievement. In
4 order to receive a grant under this program, a school district
5 must establish an accountability program. The accountability
6 program must involve the use of statewide testing standards and
7 local evaluation measures. A grant shall be automatically
8 renewed when achievement goals are met. The Board may adopt any
9 rules necessary to implement and administer this grant program.
10 (Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666,
11 eff. 8-23-05; 94-875, eff. 7-1-06.)

12 (105 ILCS 5/2-3.31) (from Ch. 122, par. 2-3.31)

13 Sec. 2-3.31. Data Division ~~Research~~ department. To
14 maintain a Data Division ~~research~~ department staffed with
15 competent, full-time persons whose duty it shall be to secure,
16 compile, catalog, publish and preserve information and data
17 relative to the public school system of Illinois, making such
18 comparison as will assist the General Assembly in determining
19 the priorities of educational programs to be of value to the
20 public school system of Illinois and of other states.
21 (Source: Laws 1965, p. 1985.)

22 (105 ILCS 5/2-3.66) (from Ch. 122, par. 2-3.66)

23 Sec. 2-3.66. Truants' alternative and optional education
24 programs. To establish ~~pilot~~ projects to offer modified

1 instructional programs or other services designed to prevent
2 students from dropping out of school, including programs
3 pursuant to Section 2-3.41, and to serve as a part time or full
4 time option in lieu of regular school attendance and to award
5 grants to local school districts, educational service regions
6 or community college districts from appropriated funds to
7 assist districts in establishing such projects. The education
8 agency may operate its own program or enter into a contract
9 with another not-for-profit entity to implement the program.
10 The ~~pilot~~ projects shall allow dropouts, up to and including
11 age 21, potential dropouts, including truants, uninvolved,
12 unmotivated and disaffected students, as defined by State Board
13 of Education rules and regulations, to enroll, as an
14 alternative to regular school attendance, in an optional
15 education program which may be established by school board
16 policy and is in conformance with rules adopted by the State
17 Board of Education. Truants' Alternative and Optional
18 Education programs funded pursuant to this Section shall be
19 planned by a student, the student's parents or legal guardians,
20 unless the student is 18 years or older, and school officials
21 and shall culminate in an individualized optional education
22 plan. Such plan shall focus on academic or vocational skills,
23 or both, and may include, but not be limited to, evening
24 school, summer school, community college courses, adult
25 education, preparation courses for the high school level test
26 of General Educational Development, vocational training, work

1 experience, programs to enhance self concept and parenting
2 courses. School districts which are awarded grants pursuant to
3 this Section shall be authorized to provide day care services
4 to children of students who are eligible and desire to enroll
5 in programs established and funded under this Section, but only
6 if and to the extent that such day care is necessary to enable
7 those eligible students to attend and participate in the
8 programs and courses which are conducted pursuant to this
9 Section. ~~The Board shall report on the status of the pilot~~
10 ~~projects pursuant to Section 1A-4.~~ School districts and
11 regional offices of education may claim general State aid under
12 Section 18-8.05 for students enrolled in truants' alternative
13 and optional education programs, provided that such students
14 are receiving services that are supplemental to a program
15 leading to a high school diploma and are otherwise eligible to
16 be claimed for general State aid under Section 18-8.05.

17 (Source: P.A. 90-802, eff. 12-15-98.)

18 (105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

19 Sec. 2-3.89. Programs concerning services to at-risk
20 children and their families.

21 (a) The State Board of Education may provide grants to
22 eligible entities, as defined by the State Board of Education,
23 to establish programs which offer coordinated services to
24 at-risk infants and toddlers and their families. Each program
25 shall include a parent education program relating to the

1 development and nurturing of infants and toddlers and case
2 management services to coordinate existing services available
3 in the region served by the program. These services shall be
4 provided through the implementation of an individual family
5 service plan. Each program will have a community involvement
6 component to provide coordination in the service system.

7 (b) The State Board of Education shall administer the
8 programs through the grants to public school districts and
9 other eligible entities. These grants must be used to
10 supplement, not supplant, funds received from any other source.
11 School districts and other eligible entities receiving grants
12 pursuant to this Section shall conduct voluntary, intensive,
13 research-based, and comprehensive prevention services, as
14 defined by the State Board of Education, for expecting parents
15 and families with children from birth to age 3 who are at-risk
16 of academic failure. A public school district that receives a
17 grant under this Section may subcontract with other eligible
18 entities.

19 (c) The State Board of Education shall report to the
20 General Assembly by July 1, 2006 and every 2 years thereafter, using the most current data available, on the status of
21 programs funded under this Section, including without
22 limitation characteristics of participants, services
23 delivered, program models used, unmet needs, and results of the
24 programs funded.
25

26 (Source: P.A. 94-506, eff. 8-8-05.)

1 (105 ILCS 5/2-3.117a)

2 Sec. 2-3.117a. School Technology Revolving Loan Program.

3 (a) The State Board of Education is authorized to
4 administer a School Technology Revolving Loan Program from
5 funds appropriated from the School Technology Revolving Loan
6 Fund for the purpose of making the financing of school
7 technology hardware improvements affordable and making the
8 integration of technology in the classroom possible. School
9 technology loans shall be made available to public school
10 districts, charter schools, area vocational centers, and
11 laboratory schools to purchase technology hardware for
12 eligible grade levels on a 2-year rotating basis: grades 9
13 through 12 in fiscal year 2004 and each second year thereafter
14 and grades K through 8 in fiscal year 2005 and each second year
15 thereafter.

16 The State Board of Education shall determine the interest
17 rate the loans shall bear which shall not be greater than 50%
18 of the rate for the most recent date shown in the 20 G.O. Bonds
19 Index of average municipal bond yields as published in the most
20 recent edition of The Bond Buyer, published in New York, New
21 York. The repayment period for School Technology Revolving
22 Loans shall not exceed 3 years. Participants shall use at least
23 90% of the loan proceeds for technology hardware investments
24 for students and staff (including computer hardware,
25 technology networks, related wiring, and other items as defined

1 in rules adopted by the State Board of Education) and up to 10%
2 of the loan proceeds for computer furniture. No participant
3 whose equalized assessed valuation per pupil in average daily
4 attendance is at the 99th percentile and above for all
5 districts of the same type shall be eligible to receive a
6 School Technology Revolving Loan under the provisions of this
7 Section for that year.

8 The State Board of Education shall have the authority to
9 adopt all rules necessary for the implementation and
10 administration of the School Technology Revolving Loan
11 Program, including, but not limited to, rules defining
12 application procedures, prescribing a maximum amount per pupil
13 that may be requested annually by districts, requiring
14 appropriate local commitments for technology investments,
15 prescribing a mechanism for disbursing loan funds in the event
16 requests exceed available funds, specifying collateral, and
17 prescribing actions necessary to protect the State's interest
18 in the event of default, foreclosure, or noncompliance with the
19 terms and conditions of the loans.

20 (b) There is created in the State treasury the School
21 Technology Revolving Loan Fund. The State Board shall have the
22 authority to make expenditures from the Fund pursuant to
23 appropriations made for the purposes of this Section, including
24 refunds. There shall be deposited into the Fund such amounts,
25 including but not limited to:

26 (1) Transfers from the School Infrastructure Fund;

1 (2) All receipts, including principal and interest
2 payments, from any loan made from the Fund;

3 (3) All proceeds of assets of whatever nature received
4 by the State Board as a result of default or delinquency
5 with respect to loans made from the Fund;

6 (4) Any appropriations, grants, or gifts made to the
7 Fund; and

8 (5) Any income received from interest on investments of
9 money in the Fund.

10 (Source: P.A. 93-368, eff. 7-24-03.)

11 (105 ILCS 5/2-3.137)

12 Sec. 2-3.137. Inspection and review of school facilities;
13 task force.

14 (a) The State Board of Education shall adopt rules for the
15 documentation of school plan reviews and inspections of school
16 facilities, including the responsible individual's signature.
17 Such documents shall be kept on file by the regional
18 superintendent of schools. The State Board of Education shall
19 also adopt rules for the qualifications of persons performing
20 the reviews and inspections, which must be consistent with the
21 recommendations in the task force's report issued to the
22 Governor and the General Assembly under subsection (b) of this
23 Section. Those qualifications shall include requirements for
24 training, education, and at least 2 years of relevant
25 experience.

1 (a-5) Rules adopted by the State Board of Education in
2 accordance with subsection (a) of this Section shall require
3 fees to be collected for use in defraying costs associated with
4 the administration of these and other provisions contained in
5 the Health/Life Safety Code for Public Schools required by
6 Section 2-3.12 of this Code.

7 (b) The State Board of Education shall convene a task force
8 for the purpose of reviewing the documents required under rules
9 adopted under subsection (a) of this Section and making
10 recommendations regarding training and accreditation of
11 individuals performing reviews or inspections required under
12 Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,
13 including regional superintendents of schools and others
14 performing reviews or inspections under the authority of a
15 regional superintendent (such as consultants, municipalities,
16 and fire protection districts).

17 The task force shall consist of all of the following
18 members:

19 (1) The Executive Director of the Capital Development
20 Board or his or her designee and a staff representative of
21 the Division of Building Codes and Regulations.

22 (2) The State Superintendent of Education or his or her
23 designee.

24 (3) A person appointed by the State Board of Education.

25 (4) A person appointed by an organization representing
26 school administrators.

1 (5) A person appointed by an organization representing
2 suburban school administrators and school board members.

3 (6) A person appointed by an organization representing
4 architects.

5 (7) A person appointed by an organization representing
6 regional superintendents of schools.

7 (8) A person appointed by an organization representing
8 fire inspectors.

9 (9) A person appointed by an organization representing
10 Code administrators.

11 (10) A person appointed by an organization
12 representing plumbing inspectors.

13 (11) A person appointed by an organization that
14 represents both parents and teachers.

15 (12) A person appointed by an organization
16 representing municipal governments in the State.

17 (13) A person appointed by the State Fire Marshal from
18 his or her office.

19 (14) A person appointed by an organization
20 representing fire chiefs.

21 (15) The Director of Public Health or his or her
22 designee.

23 (16) A person appointed by an organization
24 representing structural engineers.

25 (17) A person appointed by an organization
26 representing professional engineers.

1 The task force shall issue a report of its findings to the
2 Governor and the General Assembly no later than January 1,
3 2006.

4 (Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07;
5 95-331, eff. 8-21-07.)

6 (105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)
7 Sec. 3-14.21. Inspection of schools.

8 (a) The regional superintendent shall inspect and survey
9 all public schools under his or her supervision and notify the
10 board of education, or the trustees of schools in a district
11 with trustees, in writing before July 30, whether or not the
12 several schools in their district have been kept as required by
13 law, using forms provided by the State Board of Education which
14 are based on the Health/Life Safety Code for Public Schools
15 adopted under Section 2-3.12. The regional superintendent
16 shall report his or her findings to the State Board of
17 Education on forms provided by the State Board of Education.

18 (b) If the regional superintendent determines that a school
19 board has failed in a timely manner to correct urgent items
20 identified in a previous life-safety report completed under
21 Section 2-3.12 or as otherwise previously ordered by the
22 regional superintendent, the regional superintendent shall
23 order the school board to adopt and submit to the regional
24 superintendent a plan for the immediate correction of the
25 building violations. This plan shall be adopted following a

1 public hearing that is conducted by the school board on the
2 violations and the plan and that is preceded by at least 7
3 days' prior notice of the hearing published in a newspaper of
4 general circulation within the school district. If the regional
5 superintendent determines in the next annual inspection that
6 the plan has not been completed and that the violations have
7 not been corrected, the regional superintendent shall submit a
8 report to the State Board of Education with a recommendation
9 that the State Board withhold from payments of general State
10 aid due to the district an amount necessary to correct the
11 outstanding violations. The State Board, upon notice to the
12 school board and to the regional superintendent, shall consider
13 the report at a meeting of the State Board, and may order that
14 a sufficient amount of general State aid be withheld from
15 payments due to the district to correct the violations. This
16 amount shall be paid to the regional superintendent who shall
17 contract on behalf of the school board for the correction of
18 the outstanding violations.

19 (c) The Office of the State Fire Marshal or a qualified
20 fire official, as defined in Section 2-3.12 of this Code, to
21 whom the State Fire Marshal has delegated his or her authority
22 shall conduct an annual fire safety inspection of each school
23 building in this State. The State Fire Marshal or the fire
24 official shall coordinate its inspections with the regional
25 superintendent. The inspection shall be based on the fire
26 safety code authorized in Section 2-3.12 of this Code. Any

1 violations shall be reported in writing to the regional
2 superintendent ~~and school board~~ and shall reference the
3 specific code sections where a discrepancy has been identified
4 within 15 days after the inspection has been conducted. The
5 regional superintendent shall address those violations that
6 are not corrected in a timely manner pursuant to subsection (b)
7 of this Section. The inspection must be at no cost to the
8 school district.

9 (d) If a municipality or, in the case of an unincorporated
10 area, a county or, if applicable, a fire protection district
11 wishes to perform new construction inspections under the
12 jurisdiction of a regional superintendent, then the entity must
13 register this wish with the regional superintendent. These
14 inspections must be based on the building code authorized in
15 Section 2-3.12 of this Code. The inspections must be at no cost
16 to the school district.

17 (Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07.)

18 (105 ILCS 5/10-20.26) (from Ch. 122, par. 10-20.26)

19 Sec. 10-20.26. Report of teacher dismissals. To send an
20 annual report, on or before October ~~September~~ 15, to the State
21 Board of Education which discloses the number of probationary
22 teachers and the number of teachers in contractual continued
23 service who have been dismissed or removed as a result of the
24 board's decision to decrease the number of teachers employed or
25 to discontinue any type of teaching service. The report will

1 also list the number in each teacher category which were
2 subsequently reemployed by the board.

3 (Source: P.A. 82-980.)

4 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

5 Sec. 18-3. Tuition of children from orphanages and
6 children's homes. When the children from any home for orphans,
7 dependent, abandoned or maladjusted children maintained by any
8 organization or association admitting to such home children
9 from the State in general or when children residing in a school
10 district wherein the State of Illinois maintains and operates
11 any welfare or penal institution on property owned by the State
12 of Illinois, which contains houses, housing units or housing
13 accommodations within a school district, attend grades
14 kindergarten through 12 of the public schools maintained by
15 that school district, the State Superintendent of Education
16 shall direct the State Comptroller to pay a specified amount
17 sufficient to pay the annual tuition cost of such children who
18 attended such public schools during the regular school year
19 ending on June 30. The Comptroller shall pay the amount after
20 receipt of a voucher submitted by the State Superintendent of
21 Education.

22 The amount of the tuition for such children attending the
23 public schools of the district shall be determined by the State
24 Superintendent of Education by multiplying the number of such
25 children in average daily attendance in such schools by 1.2

1 times the total annual per capita cost of administering the
2 schools of the district. Such total annual per capita cost
3 shall be determined by totaling all expenses of the school
4 district in the educational, operations and maintenance, bond
5 and interest, transportation, Illinois municipal retirement,
6 and rent funds for the school year preceding the filing of such
7 tuition claims less expenditures not applicable to the regular
8 K-12 program, less offsetting revenues from State sources
9 except those from the common school fund, less offsetting
10 revenues from federal sources except those from federal
11 impaction aid, less student and community service revenues,
12 plus a depreciation allowance; and dividing such total by the
13 average daily attendance for the year.

14 Annually on or before July 15 the superintendent of the
15 district shall certify to the State Superintendent of Education
16 the following:

17 1. The name of the home and of the organization or
18 association maintaining it; or the legal description of the
19 real estate upon which the house, housing units, or housing
20 accommodations are located and that no taxes or service
21 charges or other payments authorized by law to be made in
22 lieu of taxes were collected therefrom or on account
23 thereof during either of the calendar years included in the
24 school year for which claim is being made;

25 2. The number of children from the home or living in
26 such houses, housing units or housing accommodations and

1 attending the schools of the district;

2 3. The total number of children attending the schools
3 of the district;

4 4. The per capita tuition charge of the district; and

5 5. The computed amount of the tuition payment claimed
6 as due.

7 Whenever the persons in charge of such home for orphans,
8 dependent, abandoned or maladjusted children have received
9 from the parent or guardian of any such child or by virtue of
10 an order of court a specific allowance for educating such
11 child, such persons shall pay to the school board in the
12 district where the child attends school such amount of the
13 allowance as is necessary to pay the tuition required by such
14 district for the education of the child. If the allowance is
15 insufficient to pay the tuition in full the State
16 Superintendent of Education shall direct the Comptroller to pay
17 to the district the difference between the total tuition
18 charged and the amount of the allowance.

19 Whenever the facilities of a school district in which such
20 house, housing units or housing accommodations are located, are
21 limited, pupils may be assigned by that district to the schools
22 of any adjacent district to the limit of the facilities of the
23 adjacent district to properly educate such pupils as shall be
24 determined by the school board of the adjacent district, and
25 the State Superintendent of Education shall direct the
26 Comptroller to pay a specified amount sufficient to pay the

1 annual tuition of the children so assigned to and attending
2 public schools in the adjacent districts and the Comptroller
3 shall draw his warrant upon the State Treasurer for the payment
4 of such amount for the benefit of the adjacent school districts
5 in the same manner as for districts in which the houses,
6 housing units or housing accommodations are located.

7 The school district shall certify to the State
8 Superintendent of Education the report of claims due for such
9 tuition payments on or before July 15. The State Superintendent
10 of Education shall direct the Comptroller to pay to the
11 district, on or before August 15, the amount due the district
12 for the school year in accordance with the calculation of the
13 claim as set forth in this Section.

14 Summer session costs shall be reimbursed based on the
15 actual expenditures for providing these services. On or before
16 November 1 of each year, the superintendent of each eligible
17 school district shall certify to the State Superintendent of
18 Education the claim of the district for the summer session
19 following the regular school year just ended. The State
20 Superintendent of Education shall transmit to the Comptroller
21 no later than December 15th of each year vouchers for payment
22 of amounts due to school districts for summer session.

23 Claims for tuition for children from any home for orphans
24 or dependent, abandoned, or maladjusted children beginning
25 with the 1993-1994 school year shall be paid on a current year
26 basis. On September 30, December 31, and March 31, the State

1 Board of Education shall voucher payments for districts with
2 those students based on an estimated cost calculated from the
3 prior year's claim. Final claims for those students for the
4 regular school term must be received at the State Board of
5 Education by July 15 following the end of the regular school
6 year. Final claims for those students shall be vouchered by
7 August 15. During fiscal year 1994 both the 1992-1993 school
8 year and the 1993-1994 school year shall be paid in order to
9 change the cycle of payment from a reimbursement basis to a
10 current year funding basis of payment. However,
11 notwithstanding any other provisions of this Section or the
12 School Code, beginning with fiscal year 1994 and each fiscal
13 year thereafter, if the amount appropriated for any fiscal year
14 is less than the amount required for purposes of this Section,
15 the amount required to eliminate any insufficient
16 reimbursement for each district claim under this Section shall
17 be reimbursed on August 30 of the next fiscal year. Payments
18 required to eliminate any insufficiency for prior fiscal year
19 claims shall be made before any claims are paid for the current
20 fiscal year.

21 If a school district makes a claim for reimbursement under
22 Section ~~18-4 or~~ 14-7.03 it shall not include in any claim filed
23 under this Section children residing on the property of State
24 institutions included in its claim under Section ~~18-4 or~~
25 14-7.03.

26 Any child who is not a resident of Illinois who is placed

1 in a child welfare institution, private facility, State
2 operated program, orphanage or children's home shall have the
3 payment for his educational tuition and any related services
4 assured by the placing agent.

5 In order to provide services appropriate to allow a student
6 under the legal guardianship or custodianship of the State to
7 participate in local school district educational programs,
8 costs may be incurred in appropriate cases by the district that
9 are in excess of 1.2 times the district per capita tuition
10 charge allowed under the provisions of this Section. In the
11 event such excess costs are incurred, they must be documented
12 in accordance with cost rules established under the authority
13 of this Section and may then be claimed for reimbursement under
14 this Section.

15 Planned services for students eligible for this funding
16 must be a collaborative effort between the appropriate State
17 agency or the student's group home or institution and the local
18 school district.

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

20 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

21 Sec. 18-12. Dates for filing State aid claims. The school
22 board of each school district shall require teachers,
23 principals, or superintendents to furnish from records kept by
24 them such data as it needs in preparing and certifying to the
25 regional superintendent its school district report of claims

1 provided in Sections 18-8.05 through 18-9 as required by the
2 State Superintendent of Education. The district claim shall be
3 based on the latest available equalized assessed valuation and
4 tax rates, as provided in Section 18-8.05 and shall use the
5 average daily attendance as determined by the method outlined
6 in Section 18-8.05 and shall be certified and filed with the
7 regional superintendent by June 21 for districts with an
8 official school calendar end date before June 15 or within 2
9 weeks following the official school calendar end date for
10 districts with a school year end date of June 15 or later. The
11 regional superintendent shall certify and file with the State
12 Superintendent of Education district State aid claims by July 1
13 for districts with an official school calendar end date before
14 June 15 or no later than July 15 for districts with an official
15 school calendar end date of June 15 or later. Failure to so
16 file by these deadlines constitutes a forfeiture of the right
17 to receive payment by the State until such claim is filed and
18 vouchered for payment. The regional superintendent of schools
19 shall certify the county report of claims by July 15; and the
20 State Superintendent of Education shall voucher for payment
21 those claims to the State Comptroller as provided in Section
22 18-11.

23 Except as otherwise provided in this Section, if any school
24 district fails to provide the minimum school term specified in
25 Section 10-19, the State aid claim for that year shall be
26 reduced by the State Superintendent of Education in an amount

1 equivalent to 1/176 or .56818% for each day less than the
2 number of days required by this Code.

3 If the State Superintendent of Education determines that
4 the failure to provide the minimum school term was occasioned
5 by an act or acts of God, or was occasioned by conditions
6 beyond the control of the school district which posed a
7 hazardous threat to the health and safety of pupils, the State
8 aid claim need not be reduced.

9 If a school district is precluded from providing the
10 minimum hours of instruction required for a full day of
11 attendance due to an adverse weather condition or a condition
12 beyond the control of the school district that poses a
13 hazardous threat to the health and safety of students, then the
14 partial day of attendance may be counted if (i) the school
15 district has provided at least one hour of instruction prior to
16 the closure of the school district, (ii) a school building has
17 provided at least one hour of instruction prior to the closure
18 of the school building, or (iii) the normal start time of the
19 school district is delayed.

20 If, prior to providing any instruction, a school district
21 must close one or more but not all school buildings after
22 consultation with a local emergency response agency or due to a
23 condition beyond the control of the school district, then the
24 school district may claim attendance for up to 2 school days
25 based on the average attendance of the 3 school days
26 immediately preceding the closure of the affected school

1 building. The partial or no day of attendance described in this
2 Section and the reasons therefore shall be certified within a
3 month of the closing or delayed start by the school district
4 superintendent to the regional superintendent of schools for
5 forwarding to the State Superintendent of Education for
6 approval.

7 ~~If the State Superintendent of Education determines that~~
8 ~~the failure to provide the minimum school term was due to a~~
9 ~~school being closed on or after September 11, 2001 for more~~
10 ~~than one half day of attendance due to a bioterrorism or~~
11 ~~terrorism threat that was investigated by a law enforcement~~
12 ~~agency, the State aid claim shall not be reduced.~~

13 ~~If, during any school day, (i) a school district has~~
14 ~~provided at least one clock hour of instruction but must close~~
15 ~~the schools due to adverse weather conditions or due to a~~
16 ~~condition beyond the control of the school district that poses~~
17 ~~a hazardous threat to the health and safety of pupils prior to~~
18 ~~providing the minimum hours of instruction required for a full~~
19 ~~day of attendance, (ii) the school district must delay the~~
20 ~~start of the school day due to adverse weather conditions and~~
21 ~~this delay prevents the district from providing the minimum~~
22 ~~hours of instruction required for a full day of attendance, or~~
23 ~~(iii) a school district has provided at least one clock hour of~~
24 ~~instruction but must dismiss students from one or more~~
25 ~~recognized school buildings due to a condition beyond the~~
26 ~~control of the school district, the partial day of attendance~~

1 ~~may be counted as a full day of attendance. If a school~~
2 ~~district closes one or more recognized school buildings due to~~
3 ~~a condition beyond the control of the district prior to~~
4 ~~providing any instruction, then the district may claim a full~~
5 ~~day of attendance for a maximum of 2 school days based on the~~
6 ~~average of the 3 prior school days of attendance immediately~~
7 ~~preceding the closure of the school building. The partial or no~~
8 ~~day of attendance and the reasons therefor shall be certified~~
9 ~~in writing within a month of the closing or delayed start by~~
10 ~~the local school district superintendent to the Regional~~
11 ~~Superintendent of Schools for forwarding to the State~~
12 ~~Superintendent of Education for approval.~~

13 ~~If a school building is ordered to be closed by the school~~
14 ~~board, in consultation with a local emergency response agency,~~
15 ~~due to a condition that poses a hazardous threat to the health~~
16 ~~and safety of pupils, then the school district shall have a~~
17 ~~grace period of 4 days in which the general State aid claim~~
18 ~~shall not be reduced so that alternative housing of the pupils~~
19 ~~may be located.~~

20 No exception to the requirement of providing a minimum
21 school term may be approved by the State Superintendent of
22 Education pursuant to this Section unless a school district has
23 first used all emergency days provided for in its regular
24 calendar.

25 If the State Superintendent of Education declares that an
26 energy shortage exists during any part of the school year for

1 the State or a designated portion of the State, a district may
2 operate the school attendance centers within the district 4
3 days of the week during the time of the shortage by extending
4 each existing school day by one clock hour of school work, and
5 the State aid claim shall not be reduced, nor shall the
6 employees of that district suffer any reduction in salary or
7 benefits as a result thereof. A district may operate all
8 attendance centers on this revised schedule, or may apply the
9 schedule to selected attendance centers, taking into
10 consideration such factors as pupil transportation schedules
11 and patterns and sources of energy for individual attendance
12 centers.

13 ~~No State aid claim may be filed for any district unless the~~
14 ~~district superintendent executes and files with the State~~
15 ~~Superintendent of Education, in the method prescribed by the~~
16 ~~Superintendent, certification that the district has complied~~
17 ~~with the requirements of Section 10-22.5 in regard to the~~
18 ~~nonsegregation of pupils on account of color, creed, race, sex~~
19 ~~or nationality.~~

20 ~~No State aid claim may be filed for any district unless the~~
21 ~~district superintendent executes and files with the State~~
22 ~~Superintendent of Education, in the method prescribed by the~~
23 ~~Superintendent, a sworn statement that to the best of his or~~
24 ~~her knowledge or belief the employing or assigning personnel~~
25 ~~have complied with Section 24-4 in all respects.~~

26 Electronically submitted State aid claims shall be

1 submitted by duly authorized district or regional individuals
2 over a secure network that is password protected. The
3 electronic submission of a State aid claim must be accompanied
4 with an affirmation that all of the provisions of Sections
5 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
6 all respects.

7 (Source: P.A. 94-1105, eff. 6-1-07; 95-152, eff. 8-14-07;
8 95-811, eff. 8-13-08; 95-876, eff. 8-21-08.)

9 (105 ILCS 5/26-3d) (from Ch. 122, par. 26-3d)

10 Sec. 26-3d. All regional superintendents, ~~and all~~ district
11 superintendents, and special education joint agreement
12 directors in any municipality of 500,000 or more inhabitants
13 shall collect data concerning truants, chronic truants, and
14 truant minor pupils ~~from school districts and truant officers~~
15 as designated by the State Board of Education. On or before
16 August 15 of each year, this data must be submitted to the
17 State Board of Education.

18 (Source: P.A. 84-1420.)

19 (105 ILCS 5/27-17) (from Ch. 122, par. 27-17)

20 Sec. 27-17. Safety education. School boards of public
21 schools and all boards in charge of educational institutions
22 supported wholly or partially by the State may provide
23 instruction in safety education in all grades and include such
24 instruction in the courses of study regularly taught therein.

1 In this section "safety education" means and includes
2 instruction in the following:

3 1. automobile safety, including traffic regulations,
4 highway safety, and the consequences of alcohol consumption and
5 the operation of a motor vehicle;

6 2. safety in the home;

7 3. safety in connection with recreational activities;

8 4. safety in and around school buildings;

9 5. safety in connection with vocational work or training;

10 and

11 6. cardio-pulmonary resuscitation for students ~~pupils~~
12 enrolled in grades 9 through 11.

13 Instruction shall be given in safety education in each of
14 grades one through 8, equivalent to one class period each week,
15 and in at least one of the years in grades 10 through 12.

16 Such boards may make suitable provisions in the schools and
17 institutions under their jurisdiction for instruction in
18 safety education for not less than 16 hours during each school
19 year.

20 The curriculum in all State universities shall contain
21 instruction in safety education for teachers that is
22 appropriate to the grade level of the teaching certificate.
23 This instruction may be by specific courses in safety education
24 or may be incorporated in existing subjects taught in the
25 university.

26 (Source: P.A. 95-168, eff. 8-14-07; 95-371, eff. 8-23-07;

1 95-876, eff. 8-21-08.)

2 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

3 Sec. 27-24.2. Driver education course. Any school district
4 which maintains grades 9 through 12 shall offer a driver
5 education course in any such school which it operates. Its
6 curriculum shall include content dealing with Chapters 11, 12,
7 13, 15, and 16 of the Illinois Vehicle Code, the rules adopted
8 pursuant to those Chapters insofar as they pertain to the
9 operation of motor vehicles, and the portions of the Litter
10 Control Act relating to the operation of motor vehicles. The
11 course of instruction given in grades 10 through 12 shall
12 include an emphasis on the development of knowledge, attitudes,
13 habits, and skills necessary for the safe operation of motor
14 vehicles, including motorcycles insofar as they can be taught
15 in the classroom, and instruction on distracted driving as a
16 major traffic safety issue. In addition, the course shall
17 include instruction on special hazards existing at and required
18 safety and driving precautions that must be observed at
19 emergency situations, highway construction and maintenance
20 zones, and railroad crossings and the approaches thereto. The
21 course of instruction required of each eligible student at the
22 high school level shall consist of a minimum of 30 clock hours
23 of classroom instruction and a minimum of 6 clock hours of
24 individual behind-the-wheel instruction in a dual control car
25 on public roadways taught by a driver education instructor

1 endorsed by the State Board of Education. Both the classroom
2 instruction part and the practice driving part of such driver
3 education course shall be open to a resident or non-resident
4 student pupil attending a non-public school in the district
5 wherein the course is offered ~~and to each resident of the~~
6 ~~district who acquires or holds a currently valid driver's~~
7 ~~license during the term of the course and who is at least 15~~
8 ~~but has not reached 21 years of age, without regard to whether~~
9 ~~any such person is enrolled in any other course offered in any~~
10 ~~school that the district operates.~~ Each student attending any
11 public or non-public high school in the district must receive a
12 passing grade in at least 8 courses during the previous 2
13 semesters prior to enrolling in a driver education course, or
14 the student shall not be permitted to enroll in the course;
15 provided that the local superintendent of schools (with respect
16 to a student attending a public high school in the district) or
17 chief school administrator (with respect to a student attending
18 a non-public high school in the district) may waive the
19 requirement if the superintendent or chief school
20 administrator, as the case may be, deems it to be in the best
21 interest of the student. A ~~Any school district required to~~
22 ~~offer a driver education course or courses as provided in this~~
23 ~~Section also is authorized to offer either the classroom~~
24 ~~instruction part or the practice driving part or both such~~
25 ~~parts of a driver education course to any resident of the~~
26 ~~district who is over age 55; provided that any such school~~

1 ~~district which elects to offer either or both parts of such~~
2 ~~course to such residents shall be entitled to make either or~~
3 ~~both parts of such course available to such residents at any~~
4 ~~attendance center or centers within the district designated by~~
5 ~~the school board; and provided further that no part of any such~~
6 ~~driver education course shall be offered to any resident of the~~
7 ~~district over age 55 unless space therein remains available~~
8 ~~after all persons to whom such part of the driver education~~
9 ~~course is required to be open as provided in this Section and~~
10 ~~who have requested such course have registered therefor, and~~
11 ~~unless such resident of the district over age 55 is a person~~
12 ~~who has not previously been licensed as a driver under the laws~~
13 ~~of this or any other state or country. However, a student may~~
14 be allowed to commence the classroom instruction part of such
15 driver education course prior to reaching age 15 if such
16 student then will be eligible to complete the entire course
17 within 12 months after being allowed to commence such classroom
18 instruction.

19 ~~Such a driver education course shall include classroom~~
20 ~~instruction on distracted driving as a major traffic safety~~
21 ~~issue. Such a driver education course may include classroom~~
22 ~~instruction on the safety rules and operation of motorcycles or~~
23 ~~motor driven cycles.~~

24 Such a course may be commenced immediately after the
25 completion of a prior course. Teachers of such courses shall
26 meet the certification requirements of this Act and regulations

1 of the State Board as to qualifications.

2 Subject to rules of the State Board of Education, the
3 school district may charge a reasonable fee, not to exceed \$50,
4 to students who participate in the course, unless a student is
5 unable to pay for such a course, in which event the fee for
6 such a student must be waived. The total amount from driver
7 education fees and reimbursement from the State for driver
8 education must not exceed the total cost of the driver
9 education program in any year and must be deposited into the
10 school district's driver education fund as a separate line item
11 budget entry. All moneys deposited into the school district's
12 driver education fund must be used solely for the funding of a
13 high school driver education program approved by the State
14 Board of Education that uses driver education instructors
15 endorsed by the State Board of Education.

16 (Source: P.A. 95-339, eff. 8-21-07.)

17 (105 ILCS 5/27-24.4) (from Ch. 122, par. 27-24.4)

18 Sec. 27-24.4. Reimbursement amount. Each school district
19 shall be entitled to reimbursement, ~~for each student pupil,~~
20 ~~excluding each resident of the district over age 55,~~ who
21 finishes either the classroom instruction part or the practice
22 driving part of a driver education course that meets the
23 minimum requirements of this Act. Reimbursement under this Act
24 is payable from the Drivers Education Fund in the State
25 treasury.

1 Each year all funds appropriated from the Drivers Education
2 Fund to the State Board of Education, with the exception of
3 those funds necessary for administrative purposes of the State
4 Board of Education, shall be distributed in the manner provided
5 in this paragraph to school districts by the State Board of
6 Education for reimbursement of claims from the previous school
7 year. As soon as may be after each quarter of the year, if
8 moneys are available in the Drivers Education Fund in the State
9 treasury for payments under this Section, the State Comptroller
10 shall draw his or her warrants upon the State Treasurer as
11 directed by the State Board of Education. The warrant for each
12 quarter shall be in an amount equal to one-fourth of the total
13 amount to be distributed to school districts for the year.
14 Payments shall be made to school districts as soon as may be
15 after receipt of the warrants.

16 The base reimbursement amount shall be calculated by the
17 State Board by dividing the total amount appropriated for
18 distribution by the total of: (a) the number of students,
19 ~~excluding residents of the district over age 55,~~ who have
20 completed the classroom instruction part for whom valid claims
21 have been made times 0.2; plus (b) the number of students,
22 ~~excluding residents of the district over age 55,~~ who have
23 completed the practice driving instruction part for whom valid
24 claims have been made times 0.8.

25 The amount of reimbursement to be distributed on each claim
26 shall be 0.2 times the base reimbursement amount for each

1 validly claimed student, ~~excluding residents of the district~~
2 ~~over age 55~~, who has completed the classroom instruction part,
3 plus 0.8 times the base reimbursement amount for each validly
4 claimed student, ~~excluding residents of the district over age~~
5 ~~55~~, who has completed the practice driving instruction part.
6 The school district which is the residence of a student ~~pupil~~
7 who attends a nonpublic school in another district that has
8 furnished the driver education course shall reimburse the
9 district offering the course, the difference between the actual
10 per capita cost of giving the course the previous school year
11 and the amount reimbursed by the State.

12 By April 1 the nonpublic school shall notify the district
13 offering the course of the names and district numbers of the
14 nonresident students desiring to take such course the next
15 school year. The district offering such course shall notify the
16 district of residence of those students affected by April 15.
17 The school district furnishing the course may claim the
18 nonresident student ~~pupil~~ for the purpose of making a claim for
19 State reimbursement under this Act.

20 (Source: P.A. 94-440, eff. 8-4-05; 94-525, eff. 1-1-06; 95-331,
21 eff. 8-21-07; 95-793, eff. 1-1-09.)

22 (105 ILCS 5/27-24.5) (from Ch. 122, par. 27-24.5)

23 Sec. 27-24.5. Submission of claims. The district shall
24 report on forms prescribed by the State Board, on an ongoing
25 basis, a list of students by name, birth date and sex, with the

1 date the behind-the-wheel instruction or the classroom
2 instruction or both were completed and with the status of the
3 course completion.

4 The State shall not reimburse any district for any student
5 who has repeated any part of the course more than once or who
6 did not meet the age requirements of this Act during the period
7 that the student was instructed in any part of the drivers
8 education course; ~~nor shall the State reimburse any district
9 for any resident of the district over age 55.~~

10 (Source: P.A. 94-440, eff. 8-4-05.)

11 (105 ILCS 5/27-24.6) (from Ch. 122, par. 27-24.6)

12 Sec. 27-24.6. Attendance records. The school board shall
13 require the teachers of drivers education courses to keep daily
14 attendance records for students ~~pupils, excluding residents of
15 the district over age 55,~~ attending such courses in the same
16 manner as is prescribed in Section 24-18 of this Act and such
17 records shall be used to prepare and certify claims made under
18 the Driver Education Act. Claims for reimbursement shall be
19 made under oath or affirmation of the chief school
20 administrator for the district employed by the school board or
21 authorized driver education personnel employed by the school
22 board.

23 Whoever submits a false claim under the Driver Education
24 Act or makes a false record upon which a claim is based shall
25 be fined in an amount equal to the sum falsely claimed.

1 (Source: P.A. 93-55, eff. 7-1-03.)

2 (105 ILCS 5/27A-8)

3 Sec. 27A-8. Evaluation of charter proposals.

4 (a) This Section does not apply to a charter school
5 established by referendum under Section 27A-6.5. In evaluating
6 any charter school proposal submitted to it, the local school
7 board shall give preference to proposals that:

8 (1) demonstrate a high level of local pupil, parental,
9 community, business, and school personnel support;

10 (2) set rigorous levels of expected pupil achievement
11 and demonstrate feasible plans for attaining those levels
12 of achievement; and

13 (3) are designed to enroll and serve a substantial
14 proportion of at-risk children; provided that nothing in
15 the Charter Schools Law shall be construed as intended to
16 limit the establishment of charter schools to those that
17 serve a substantial portion of at-risk children or to in
18 any manner restrict, limit, or discourage the
19 establishment of charter schools that enroll and serve
20 other pupil populations under a nonexclusive,
21 nondiscriminatory admissions policy.

22 (b) In the case of a proposal to establish a charter school
23 by converting an existing public school or attendance center to
24 charter school status, evidence that the proposed formation of
25 the charter school has received majority support from certified

1 teachers and from parents and guardians in the school or
2 attendance center affected by the proposed charter, and, if
3 applicable, from a local school council, shall be demonstrated
4 by a petition in support of the charter school signed by
5 certified teachers and a petition in support of the charter
6 school signed by parents and guardians and, if applicable, by a
7 vote of the local school council held at a public meeting. In
8 the case of all other proposals to establish a charter school,
9 evidence of sufficient support to fill the number of pupil
10 seats set forth in the proposal may be demonstrated by a
11 petition in support of the charter school signed by parents and
12 guardians of students eligible to attend the charter school. In
13 all cases, the individuals, organizations, or entities who
14 initiate the proposal to establish a charter school may elect,
15 in lieu of including any petition referred to in this
16 subsection as a part of the proposal submitted to the local
17 school board, to demonstrate that the charter school has
18 received the support referred to in this subsection by other
19 evidence and information presented at the public meeting that
20 the local school board is required to convene under this
21 Section.

22 (c) Within 45 days of receipt of a charter school proposal,
23 the local school board shall convene a public meeting to obtain
24 information to assist the board in its decision to grant or
25 deny the charter school proposal.

26 (d) Notice of the public meeting required by this Section

1 shall be published in a community newspaper published in the
2 school district in which the proposed charter is located and,
3 if there is no such newspaper, then in a newspaper published in
4 the county and having circulation in the school district. The
5 notices shall be published not more than 10 days nor less than
6 5 days before the meeting and shall state that information
7 regarding a charter school proposal will be heard at the
8 meeting. Copies of the notice shall also be posted at
9 appropriate locations in the school or attendance center
10 proposed to be established as a charter school, the public
11 schools in the school district, and the local school board
12 office.

13 (e) Within 30 days of the public meeting, the local school
14 board shall vote, in a public meeting, to either grant or deny
15 the charter school proposal.

16 (f) Within 7 days of the public meeting required under
17 subsection (e), the local school board shall file a report with
18 the State Board granting or denying the proposal. Within 30 ~~14~~
19 days of receipt of the local school board's report, the State
20 Board shall determine whether the approved charter proposal is
21 consistent with the provisions of this Article and, if the
22 approved proposal complies, certify the proposal pursuant to
23 Section 27A-6.

24 (Source: P.A. 90-548, eff. 1-1-98; 91-407, eff. 8-3-99.)

25 Section 10. The Childhood Hunger Relief Act is amended by

1 changing Section 20 as follows:

2 (105 ILCS 126/20)

3 Sec. 20. Summer food service program.

4 (a) The State Board of Education shall promulgate a State
5 plan for summer food service programs, in accordance with 42
6 U.S.C. Sec. 1761 and any other applicable federal laws and
7 regulations, by February 1, 2008.

8 (b) On or before February 15, 2008, and each year
9 thereafter, a school district must promulgate a plan to have a
10 summer breakfast or lunch (or both) food service program for
11 each school (i) in which at least 50% of the students are
12 eligible for free or reduced-price school meals and (ii) that
13 has a summer school program. The plan must be implemented
14 during the summer of 2008 and each year thereafter as long as
15 the school district has a school or schools that meet the above
16 criteria. Each summer food service program must operate for the
17 duration of the school's summer school program. If the school
18 district has one or more elementary schools that qualify, the
19 summer food service program must be operated in a manner that
20 ensures all eligible students receive services. If a school in
21 which at least 50% of the students are eligible for free or
22 reduced-price school meals is not open during the summer
23 months, the school shall provide information regarding the
24 number of children in the school who are eligible for free or
25 reduced-price school meals upon request by a not-for-profit

1 entity.

2 (c) Summer food service programs established under this
3 Section shall be supported by federal funds and commodities and
4 other available State and local resources.

5 (d) A school district shall be allowed to opt out of the
6 summer food service program requirement of this Section if it
7 is determined that, due to circumstances specific to that
8 school district, the expense reimbursement would not fully
9 cover the costs of implementing and operating a summer food
10 service program. The school district shall petition its
11 regional superintendent of schools by January 15 to request to
12 be exempt from the summer food service program requirement. The
13 petition shall include all legitimate costs associated with
14 implementing and operating a summer food service program, the
15 estimated reimbursement from State and federal sources, and any
16 unique circumstances the school district can verify that exist
17 that would cause the implementation and operation of such a
18 program to be cost prohibitive.

19 The regional superintendent of schools shall review the
20 petition. He or she shall convene a public hearing to hear
21 testimony from the school district and interested community
22 members. The regional superintendent shall, by March 1, inform
23 the school district of his or her decision, along with the
24 reasons why the exemption was granted or denied, in writing. If
25 the regional superintendent grants an exemption to the school
26 district, then the school district is relieved from the

1 requirement to establish and implement a summer food service
2 program.

3 If the regional superintendent of schools does not grant an
4 exemption to the school district, then the school district
5 shall implement and operate a summer food service program in
6 accordance with this Section the summer following the current
7 school year. However, the school district or a resident of the
8 school district may appeal the decision of the regional
9 superintendent to the State Superintendent of Education. No
10 later than April 1 of each year, the State Superintendent shall
11 hear appeals on the decisions of regional superintendents of
12 schools. The State Superintendent shall make a final decision
13 at the conclusion of the hearing on the school district's
14 request for an exemption from the summer food service program
15 requirement. If the State Superintendent grants an exemption to
16 the school district, then the school district is relieved from
17 the requirement to implement and operate a summer food service
18 program. If the State Superintendent does not grant an
19 exemption to the school district, then the school district
20 shall implement and operate a summer food service program in
21 accordance with this Section the summer following the current
22 school year.

23 (Source: P.A. 95-155, eff. 8-14-07.)

24 Section 15. The School Safety Drill Act is amended by
25 changing Section 25 as follows:

1 (105 ILCS 128/25)

2 Sec. 25. Annual review.

3 (a) Each public school district, through its school board
4 or the board's designee, shall conduct a minimum of one annual
5 meeting at which it will review each school building's
6 emergency and crisis response plans, protocols, and procedures
7 and each building's compliance with the school safety drill
8 programs. The purpose of this annual review shall be to review
9 and update the emergency and crisis response plans, protocols,
10 and procedures and the school safety drill programs of the
11 district and each of its school buildings.

12 (b) Each school board or the board's designee is required
13 to participate in the annual review and to invite each of the
14 following parties to the annual review and provide each party
15 with a minimum of 30-days' notice before the date of the annual
16 review:

17 (1) The principal of each school within the school
18 district or his or her official designee.

19 (2) Representatives from any other education-related
20 organization or association deemed appropriate by the
21 school district.

22 (3) Representatives from all local first responder
23 organizations to participate, advise, and consult in the
24 review process, including, but not limited to:

25 (A) the appropriate local fire department or

1 district;

2 (B) the appropriate local law enforcement agency;

3 (C) the appropriate local emergency medical
4 services agency if the agency is a separate, local
5 first responder unit; and

6 (D) any other member of the first responder or
7 emergency management community that has contacted the
8 district superintendent or his or her designee during
9 the past year to request involvement in a school's
10 emergency planning or drill process.

11 (4) The school board or its designee may also choose to
12 invite to the annual review any other persons whom it
13 believes will aid in the review process, including, but not
14 limited to, any members of any other education-related
15 organization or the first responder or emergency
16 management community.

17 (c) Upon the conclusion of the annual review, the school
18 board or the board's designee shall sign a one page report,
19 which may be in either a check-off format or a narrative
20 format, that does the following:

21 (1) summarizes the review's recommended changes to the
22 existing school safety plans and drill plans;

23 (2) lists the parties that participated in the annual
24 review, and includes the annual review's attendance
25 record;

26 (3) certifies that an effective review of the emergency

1 and crisis response plans, protocols, and procedures and
2 the school safety drill programs of the district and each
3 of its school buildings has occurred;

4 (4) states that the school district will implement
5 those plans, protocols, procedures, and programs, during
6 the academic year; and

7 (5) includes the authorization of the school board or
8 the board's designee.

9 (d) The school board or its designee shall send a copy of
10 the report to each party that participates in the annual review
11 process and to the appropriate regional superintendent of
12 schools. If any of the participating parties have comments on
13 the certification document, those parties shall submit their
14 comments in writing to the appropriate regional
15 superintendent. The regional superintendent shall maintain a
16 record of these comments. The certification document may be in
17 a check-off format or narrative format, at the discretion of
18 the district superintendent.

19 (e) The review must occur at least once during the fiscal
20 ~~calendar~~ year, at a specific time chosen at the school district
21 superintendent's discretion.

22 (Source: P.A. 94-600, eff. 8-16-05.)

23 Section 20. The Higher Education Student Assistance Act is
24 amended by changing Section 65.60 as follows:

1 (110 ILCS 947/65.60)

2 Sec. 65.60. Administration of federal scholarship
3 programs. The State Board of Education shall be the
4 administrator of the Robert C. Byrd federal scholarship
5 program. The State Board of Education is not precluded from
6 establishing an agreement with the Illinois Student Assistance
7 Commission or any other State agency or other entity to perform
8 tasks pertaining to the Robert C. Byrd federal scholarship
9 program. ~~There are hereby transferred to the Commission from~~
10 ~~the State Board of Education all authority and responsibility~~
11 ~~previously exercised by the State Board of Education with~~
12 ~~respect to the administration within this State of the Christa~~
13 ~~McAuliffe and Robert C. Byrd federal scholarship programs, and~~
14 ~~the Commission hereafter shall administer on behalf of the~~
15 ~~State of Illinois and in accordance with all applicable rules~~
16 ~~and regulations the conduct and operation of the Christa~~
17 ~~McAuliffe and Robert C. Byrd federal scholarship programs~~
18 ~~within this State.~~

19 ~~The State Board of Education shall transfer to the~~
20 ~~Commission, as the successor to the State Board of Education~~
21 ~~for all purposes of administering the Christa McAuliffe and~~
22 ~~Robert C. Byrd federal scholarship programs, all books,~~
23 ~~accounts, records, papers, documents, contracts, agreements,~~
24 ~~and pending business in the possession or under the control of~~
25 ~~the State Board of Education and relating to its administration~~
26 ~~of those programs in this State. All pending applications made~~

1 ~~prior to the effective date of this amendatory Act of 1993 for~~
2 ~~scholarship awards under those programs and all scholarships~~
3 ~~awarded under those programs prior to the effective date of~~
4 ~~this amendatory Act of 1993 shall be unaffected by the transfer~~
5 ~~to the Commission of all responsibilities and authority~~
6 ~~formerly exercised by the State Board of Education with respect~~
7 ~~to those programs. The State Board of Education shall furnish~~
8 ~~to the Commission such other information as the Commission may~~
9 ~~request to assist it in administering this Section.~~

10 (Source: P.A. 88-228.)

11 (105 ILCS 5/2-3.13 rep.)

12 (105 ILCS 5/3-15.16 rep.)

13 (105 ILCS 5/10-20.29 rep.)

14 (105 ILCS 5/Art. 14B rep.)

15 (105 ILCS 5/14B-1 rep.)

16 (105 ILCS 5/14B-2 rep.)

17 (105 ILCS 5/14B-3 rep.)

18 (105 ILCS 5/14B-4 rep.)

19 (105 ILCS 5/14B-5 rep.)

20 (105 ILCS 5/14B-6 rep.)

21 (105 ILCS 5/14B-7 rep.)

22 (105 ILCS 5/14B-8 rep.)

23 (105 ILCS 5/27-23 rep.)

24 Section 25. The School Code is amended by repealing
25 Sections 2-3.13, 3-15.16, 10-20.29, and 27-23 and Article 14B.

1 (105 ILCS 130/Act rep.)

2 Section 30. The Sex Education Act is repealed.

3 (105 ILCS 430/Act rep.)

4 Section 35. The Recognized Normal School Act is repealed.

5 Section 99. Effective date. This Act takes effect July 1,
6 2009.

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3	105 ILCS 5/2-3.11c	
4	105 ILCS 5/2-3.25a	from Ch. 122, par. 2-3.25a
5	105 ILCS 5/2-3.25b	from Ch. 122, par. 2-3.25b
6	105 ILCS 5/2-3.25d	from Ch. 122, par. 2-3.25d
7	105 ILCS 5/2-3.31	from Ch. 122, par. 2-3.31
8	105 ILCS 5/2-3.66	from Ch. 122, par. 2-3.66
9	105 ILCS 5/2-3.89	from Ch. 122, par. 2-3.89
10	105 ILCS 5/2-3.117a	
11	105 ILCS 5/2-3.137	
12	105 ILCS 5/3-14.21	from Ch. 122, par. 3-14.21
13	105 ILCS 5/10-20.26	from Ch. 122, par. 10-20.26
14	105 ILCS 5/18-3	from Ch. 122, par. 18-3
15	105 ILCS 5/18-12	from Ch. 122, par. 18-12
16	105 ILCS 5/26-3d	from Ch. 122, par. 26-3d
17	105 ILCS 5/27-17	from Ch. 122, par. 27-17
18	105 ILCS 5/27-24.2	from Ch. 122, par. 27-24.2
19	105 ILCS 5/27-24.4	from Ch. 122, par. 27-24.4
20	105 ILCS 5/27-24.5	from Ch. 122, par. 27-24.5
21	105 ILCS 5/27-24.6	from Ch. 122, par. 27-24.6
22	105 ILCS 5/27A-8	
23	105 ILCS 126/20	
24	105 ILCS 128/25	
25	110 ILCS 947/65.60	

- 1 105 ILCS 5/2-3.13 rep.
- 2 105 ILCS 5/3-15.16 rep.
- 3 105 ILCS 5/10-20.29 rep.
- 4 105 ILCS 5/Art. 14B rep.
- 5 105 ILCS 5/14B-1 rep.
- 6 105 ILCS 5/14B-2 rep.
- 7 105 ILCS 5/14B-3 rep.
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- 12 105 ILCS 5/14B-8 rep.
- 13 105 ILCS 5/27-23 rep.
- 14 105 ILCS 130/Act rep.
- 15 105 ILCS 430/Act rep.