



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0152

Introduced 1/18/2011, by Rep. Monique D. Davis

SYNOPSIS AS INTRODUCED:

New Act

20 ILCS 5/5-15

was 20 ILCS 5/3

20 ILCS 5/5-20

was 20 ILCS 5/4

20 ILCS 5/5-338 new

105 ILCS 5/1A-3.5 new

110 ILCS 205/5.5 new

110 ILCS 805/2-9.5 new

Creates the Department of Education Act and amends the Civil Administrative Code of Illinois, the School Code, the Board of Higher Education Act, and the Public Community College Act. Creates the Department of Education, with a Secretary of Education as its head. Provides that, in order to create continuity between all levels of education, the Department shall oversee the State Board of Education, the Board of Higher Education, and the Illinois Community College Board and coordinate and streamline the functions of these boards. Requires the Department to create an Elementary and Secondary Education Division and a Vocational Education Division within the Department. Requires the State Board of Education, the Board of Higher Education, and the Illinois Community College Board to report directly to the Department, to comply with all requests from the Department, and to exercise those powers and perform those duties assigned to whichever board by the Department, with the Elementary and Secondary Education Division being the appropriate authority with respect to matters regarding elementary and secondary education and the Vocational Education Division being the appropriate authority with respect to matters regarding vocational education.

LRB097 05654 NHT 45716 b

FISCAL NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the
5 Department of Education Act.

6 Section 5. Department defined. In this Act, "Department"
7 means the Department of Education.

8 Section 10. General powers and duties.

9 (a) The Department shall begin operation on July 1, 2012.
10 The Department shall exercise the rights, powers, duties, and
11 functions provided by law.

12 (b) The Department may employ persons, provide
13 facilities, contract for goods and services, and adopt rules as
14 necessary to carry out its functions and purposes, all in
15 accordance with applicable law.

16 (c) In order to create continuity between all levels of
17 education, the Department shall oversee the State Board of
18 Education, the Board of Higher Education, and the Illinois
19 Community College Board and coordinate and streamline the
20 functions of these boards.

21 (d) The Department shall create an Elementary and Secondary
22 Education Division and a Vocational Education Division within

1 the Department.

2 Section 90. The Civil Administrative Code of Illinois is
3 amended by changing Sections 5-15 and 5-20 and by adding
4 Section 5-338 as follows:

5 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

6 Sec. 5-15. Departments of State government. The
7 Departments of State government are created as follows:

8 The Department on Aging.

9 The Department of Agriculture.

10 The Department of Central Management Services.

11 The Department of Children and Family Services.

12 The Department of Commerce and Economic Opportunity.

13 The Department of Corrections.

14 The Department of Education.

15 The Department of Employment Security.

16 The Illinois Emergency Management Agency.

17 The Department of Financial and Professional Regulation.

18 The Department of Healthcare and Family Services.

19 The Department of Human Rights.

20 The Department of Human Services.

21 The Illinois Power Agency.

22 The Department of Juvenile Justice.

23 The Department of Labor.

24 The Department of the Lottery.

1 The Department of Natural Resources.

2 The Department of Public Health.

3 The Department of Revenue.

4 The Department of State Police.

5 The Department of Transportation.

6 The Department of Veterans' Affairs.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-481, eff. 8-28-07;
8 95-777, eff. 8-4-08; 96-328, eff. 8-11-09.)

9 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

10 Sec. 5-20. Heads of departments. Each department shall have
11 an officer as its head who shall be known as director or
12 secretary and who shall, subject to the provisions of the Civil
13 Administrative Code of Illinois, execute the powers and
14 discharge the duties vested by law in his or her respective
15 department.

16 The following officers are hereby created:

17 Director of Aging, for the Department on Aging.

18 Director of Agriculture, for the Department of
19 Agriculture.

20 Director of Central Management Services, for the
21 Department of Central Management Services.

22 Director of Children and Family Services, for the
23 Department of Children and Family Services.

24 Director of Commerce and Economic Opportunity, for the
25 Department of Commerce and Economic Opportunity.

1 Director of Corrections, for the Department of
2 Corrections.

3 Secretary of Education, for the Department of Education.

4 Director of the Illinois Emergency Management Agency, for
5 the Illinois Emergency Management Agency.

6 Director of Employment Security, for the Department of
7 Employment Security.

8 Secretary of Financial and Professional Regulation, for
9 the Department of Financial and Professional Regulation.

10 Director of Healthcare and Family Services, for the
11 Department of Healthcare and Family Services.

12 Director of Human Rights, for the Department of Human
13 Rights.

14 Secretary of Human Services, for the Department of Human
15 Services.

16 Director of the Illinois Power Agency, for the Illinois
17 Power Agency.

18 Director of Juvenile Justice, for the Department of
19 Juvenile Justice.

20 Director of Labor, for the Department of Labor.

21 Director of the Lottery, for the Department of the Lottery.

22 Director of Natural Resources, for the Department of
23 Natural Resources.

24 Director of Public Health, for the Department of Public
25 Health.

26 Director of Revenue, for the Department of Revenue.

1 Director of State Police, for the Department of State
2 Police.

3 Secretary of Transportation, for the Department of
4 Transportation.

5 Director of Veterans' Affairs, for the Department of
6 Veterans' Affairs.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-481, eff. 8-28-07;
8 95-777, eff. 8-4-08; 96-328, eff. 8-11-09.)

9 (20 ILCS 5/5-338 new)

10 Sec. 5-338. In the Department of Education. The Secretary
11 of Education shall receive an annual salary as set by the
12 Compensation Review Board.

13 Section 95. The School Code is amended by adding Section
14 1A-3.5 as follows:

15 (105 ILCS 5/1A-3.5 new)

16 Sec. 1A-3.5. Report to Department of Education. The State
17 Board of Education shall report directly to the Department of
18 Education, shall comply with all requests from the Department
19 of Education, and shall exercise those powers and perform those
20 duties assigned to the State Board of Education by the
21 Department of Education, with the Elementary and Secondary
22 Education Division of the Department of Education being the
23 appropriate authority with respect to matters regarding

1 elementary and secondary education and the Vocational
2 Education Division of the Department of Education being the
3 appropriate authority with respect to matters regarding
4 vocational education.

5 Section 100. The Board of Higher Education Act is amended
6 by adding Section 5.5 as follows:

7 (110 ILCS 205/5.5 new)

8 Sec. 5.5. Report to Department of Education. The Board
9 shall report directly to the Department of Education, shall
10 comply with all requests from the Department of Education, and
11 shall exercise those powers and perform those duties assigned
12 to the Board by the Department of Education.

13 Section 105. The Public Community College Act is amended by
14 adding Section 2-9.5 as follows:

15 (110 ILCS 805/2-9.5 new)

16 Sec. 2-9.5. Report to Department of Education. The State
17 Board shall report directly to the Department of Education,
18 shall comply with all requests from the Department of
19 Education, and shall exercise those powers and perform those
20 duties assigned to the State Board by the Department of
21 Education, with the Vocational Education Division of the
22 Department of Education being the appropriate authority with

1 respect to matters regarding vocational education.