



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0209

Introduced 01/21/11, by Rep. Kenneth Dunkin

SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-3.3

105 ILCS 5/34-6

from Ch. 122, par. 34-6

Amends the Chicago School District Article of the School Code. Requires a chief executive officer and a general superintendent of schools to have a Master of Education degree and hold a current teaching certificate issued under the School Code.

LRB097 02956 NHT 42980 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 34-3.3 and 34-6 as follows:

6 (105 ILCS 5/34-3.3)

7 Sec. 34-3.3. Chicago School Reform Board of Trustees;
8 powers and duties; chief operating, fiscal, educational, and
9 purchasing officers. The General Assembly finds that an
10 education crisis exists in the Chicago Public Schools and that
11 a 5-member Chicago School Reform Board of Trustees shall be
12 established for a 4 year period to bring educational and
13 financial stability to the system. The Trustees and their chief
14 executive officer are empowered and directed to: (i) increase
15 the quality of educational services in the Chicago Public
16 Schools; (ii) reduce the cost of non-educational services and
17 implement cost-saving measures including the privatization of
18 services where deemed appropriate; (iii) develop a long-term
19 financial plan that to the maximum extent possible reflects a
20 balanced budget for each year; (iv) streamline and strengthen
21 the management of the system, including a responsible
22 school-based budgeting process, in order to refocus resources
23 on student achievement; (v) ensure ongoing academic

1 improvement in schools through the establishment of an Academic
2 Accountability Council and a strong school improvement and
3 recognition process; (vi) enact policies and procedures that
4 ensure the system runs in an ethical as well as efficient
5 manner; (vii) establish within 60 days after the effective date
6 of this amendatory Act of 1995, develop, and implement a
7 process for the selection of a local school council advisory
8 board for the Trustees in which those individuals active on
9 Local School Councils serve an advisory role to the Trustees;
10 (viii) establish any organizational structures, including
11 regional offices, that it deems necessary to ensure the
12 efficient and effective operation of the system; and (ix)
13 provide for such other local school council advisory bodies as
14 the Trustees deem appropriate to function in an advisory
15 capacity to any other organizations or offices established by
16 the Trustees under clause (viii) of this Section.

17 (a) Unless otherwise provided in this Article, the Trustees
18 shall have all powers and duties exercised and performed by the
19 Chicago Board of Education at the time the terms of its members
20 are abolished as provided in subsection (a) of Section 34-3.

21 (b) The Mayor shall appoint a chief executive officer who
22 shall be a person of recognized administrative ability and
23 management experience, who shall be responsible for the
24 management of the system, and who shall have all other powers
25 and duties of the general superintendent as set forth in this
26 Article 34. The chief executive officer shall make

1 recommendations to the Trustees with respect to contracts,
2 policies, and procedures. Beginning on July 1, 2012, a chief
3 executive officer must have a Master of Education degree and
4 hold a current teaching certificate issued under Article 21 of
5 this Code, and failure to hold a current teaching certificate
6 constitutes a resignation from and creates a vacancy in the
7 office.

8 (c) The chief executive officer shall appoint, with the
9 approval of the Trustees, a chief operating officer, a chief
10 fiscal officer, a chief educational officer, and a chief
11 purchasing officer to serve until June 30, 1999. These officers
12 shall be assigned duties and responsibilities by the chief
13 executive officer. The chief operating officer, the chief
14 fiscal officer, the chief educational officer, and the chief
15 purchasing officer may be granted authority to hire a specific
16 number of employees to assist in meeting immediate
17 responsibilities. The chief executive officer may remove any
18 officer, subject to the approval of the Trustees. Conditions of
19 employment for such personnel shall not be subject to the
20 provisions of Section 34-85.

21 (d) Upon the expiration on June 30, 1999 of the terms of
22 office of the chief executive, operating, fiscal, educational,
23 and purchasing officers appointed under this Section and the
24 appointment of a new Chicago Board of Education under
25 subsection (b) of Section 34-3, the board may retain,
26 reorganize, or abolish any or all of those offices and appoint

1 qualified successors to fill any of those offices that it does
2 not abolish.

3 (e) The Trustees shall report to the State Superintendent
4 of Education with respect to its performance, the nature of the
5 reforms which it has instituted, the effect those reforms have
6 had in the operation of the central administrative office and
7 in the performance of pupils, staff, and members of the local
8 school councils at the several attendance centers within the
9 district, and such other matters as the Trustees deem necessary
10 to help assure continuing improvement in the public school
11 system of the district. The reports shall be public documents
12 and shall be made annually, beginning with the school year that
13 commences in 1995 and concluding in the school year beginning
14 in 1999.

15 (Source: P.A. 89-15, eff. 5-30-95.)

16 (105 ILCS 5/34-6) (from Ch. 122, par. 34-6)

17 Sec. 34-6. Superintendent of schools. After June 30, 1999,
18 the board may, by a vote of a majority of its full membership,
19 appoint a general superintendent of schools to serve pursuant
20 to a performance-based contract for a term ending on June 30th
21 of the third calendar year after his or her appointment. He
22 shall be the chief administrative officer of the board and
23 shall have charge and control, subject to the approval of the
24 board and to other provisions of this Article, of all
25 departments and the employees therein of public schools, except

1 the law department. He shall negotiate contracts with all labor
2 organizations which are exclusive representatives of
3 educational employees employed under the Illinois Educational
4 Labor Relations Act. All contracts shall be subject to approval
5 of the Board of Education. The board may conduct a national
6 search for a general superintendent. An incumbent general
7 superintendent may not be precluded from being included in such
8 national search. Persons appointed pursuant to this Section
9 shall be exempt from the provisions and requirements of
10 Sections 21-1, 21-1a and 21-7.1. However, the contract of any
11 general superintendent of schools entered into after the
12 effective date of this amendatory Act of the 97th General
13 Assembly shall require that the general superintendent have a
14 Master of Education degree and hold a current teaching
15 certificate issued under Article 21 of this Code and that the
16 failure to hold a current teaching certificate constitutes a
17 resignation from and creates a vacancy in that position.

18 (Source: P.A. 89-15, eff. 5-30-95.)