

# HB3195



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3195

Introduced 2/24/2011, by Rep. Esther Golar

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-8.3

from Ch. 122, par. 34-8.3

Amends the School Code. Makes a technical change in a Section concerning the Chicago school district.

LRB097 08956 NHT 49089 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 34-8.3 as follows:

6 (105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

7 Sec. 34-8.3. Remediation and probation of attendance  
8 centers.

9 (a) The general superintendent shall monitor the ~~the~~  
10 performance of the attendance centers within the district and  
11 shall identify attendance centers, pursuant to criteria that  
12 the board shall establish, in which:

13 (1) there is a failure to develop, implement, or comply  
14 with a school improvement plan;

15 (2) there is a pervasive breakdown in the educational  
16 program as indicated by factors, including, but not limited  
17 to, the absence of improvement in student reading and math  
18 achievement scores, an increased drop-out rate, a  
19 decreased graduation rate, and a decrease in rate of  
20 student attendance;

21 (3) (blank); or

22 (4) there is a failure or refusal to comply with the  
23 provisions of this Act, other applicable laws, collective

1 bargaining agreements, court orders, or with Board rules  
2 which the Board is authorized to promulgate.

3 (b) If the general superintendent identifies a  
4 nonperforming school as described herein, he or she shall place  
5 the attendance center on remediation by developing a  
6 remediation plan for the center. The purpose of the remediation  
7 plan shall be to correct the deficiencies in the performance of  
8 the attendance center by one or more of the following methods:

9 (1) drafting a new school improvement plan;

10 (2) applying to the board for additional funding for  
11 training for the local school council;

12 (3) directing implementation of a school improvement  
13 plan;

14 (4) mediating disputes or other obstacles to reform or  
15 improvement at the attendance center.

16 If, however, the general superintendent determines that  
17 the problems are not able to be remediated by these methods,  
18 the general superintendent shall place the attendance center on  
19 probation. The board shall establish guidelines that determine  
20 the factors for placing an attendance center on probation.

21 (c) Each school placed on probation shall have a school  
22 improvement plan and school budget for correcting deficiencies  
23 identified by the board. The plan shall include specific steps  
24 that the local school council and school staff must take to  
25 correct identified deficiencies and specific objective  
26 criteria by which the school's subsequent progress will be

1 determined. The school budget shall include specific  
2 expenditures directly calculated to correct educational and  
3 operational deficiencies identified at the school by the  
4 probation team.

5 (d) Schools placed on probation that, after a maximum of  
6 one year, fail to make adequate progress in correcting  
7 deficiencies are subject to the following actions by the  
8 general superintendent with the approval of the board, after  
9 opportunity for a hearing:

10 (1) Ordering new local school council elections.

11 (2) Removing and replacing the principal.

12 (3) Replacement of faculty members, subject to the  
13 provisions of Section 24A-5.

14 (4) Reconstitution of the attendance center and  
15 replacement and reassignment by the general superintendent  
16 of all employees of the attendance center.

17 (5) Intervention under Section 34-8.4.

18 (5.5) Operating an attendance center as a contract  
19 turnaround school.

20 (6) Closing of the school.

21 (e) Schools placed on probation shall remain on probation  
22 from year to year until deficiencies are corrected, even if  
23 such schools make acceptable annual progress. The board shall  
24 establish, in writing, criteria for determining whether or not  
25 a school shall remain on probation. If academic achievement  
26 tests are used as the factor for placing a school on probation,

1 the general superintendent shall consider objective criteria,  
2 not just an increase in test scores, in deciding whether or not  
3 a school shall remain on probation. These criteria shall  
4 include attendance, test scores, student mobility rates,  
5 poverty rates, bilingual education eligibility, special  
6 education, and English language proficiency programs, with  
7 progress made in these areas being taken into consideration in  
8 deciding whether or not a school shall remain on probation.

9 (f) Where the board has reason to believe that violations  
10 of civil rights, or of civil or criminal law have occurred, or  
11 when the general superintendent deems that the school is in  
12 educational crisis it may take immediate corrective action,  
13 including the actions specified in this Section, without first  
14 placing the school on remediation or probation. Nothing  
15 described herein shall limit the authority of the board as  
16 provided by any law of this State. The board shall develop  
17 criteria governing the determination regarding when a school is  
18 in educational crisis.

19 (g) All persons serving as subdistrict superintendent on  
20 May 1, 1995 shall be deemed by operation of law to be serving  
21 under a performance contract which expires on June 30, 1995,  
22 and the employment of each such person as subdistrict  
23 superintendent shall terminate on June 30, 1995. The board  
24 shall have no obligation to compensate any such person as a  
25 subdistrict superintendent after June 30, 1995.

26 (h) The general superintendent shall, in consultation with

1 local school councils, conduct an annual evaluation of each  
2 principal in the district pursuant to guidelines promulgated by  
3 the Board of Education.

4 (Source: P.A. 96-105, eff. 7-30-09.)