



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3239

Introduced 2/1/2012, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-18.43a new

Amends the Chicago School District Article of the School Code. Provides that there shall be a moratorium on school closings, consolidations, and phase-outs in the school district in the 2012-2013 school year. Provides that any of these actions that are subsequently appropriate must be carried out no sooner than the end of the 2013-2014 school year, subject to any new set of requirements adopted by the General Assembly. During this moratorium period, requires the district to establish policies that address and remedy the academic performance of schools in which Illinois Standards Achievement Test scores reflect students performing at or below 75%. Requires these policies to establish clear criteria or processes for establishing criteria for making school facility decisions and include clear criteria for setting priorities with respect to school openings, school closings, school consolidations, school turnarounds, school phase-outs, school construction, school repairs, school modernizations, school boundary changes, and other related school facility decisions, including the encouragement of multiple community uses for school space. Effective immediately.

LRB097 18974 NHT 64213 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 adding Section
5 34-18.43a as follows:

6 (105 ILCS 5/34-18.43a new)

7 Sec. 34-18.43a. Moratorium on school closings,
8 consolidations, and phase-outs.

9 (a) The General Assembly recognizes all of the following:

10 (1) The Illinois Constitution indicates that a
11 "fundamental goal of the People of the State is the
12 educational development of all persons to the limits of
13 their capacities".

14 (2) Quality educational facilities are essential for
15 fostering the maximum educational development of all
16 persons through their educational experience from
17 prekindergarten through high school.

18 (3) The public school is a major institution in
19 communities that offers resources and opportunities for
20 many stakeholders, including not only families with
21 children who seek and deserve a quality education, but also
22 the entire community that seeks educational improvement.

23 (4) The equitable and efficient use of available

1 facilities-related resources among different schools,
2 among racial, ethnic, income, and disability groups, and
3 among various types of schools is essential to maximize the
4 development of quality educational facilities for all
5 children, youth, and adults.

6 (5) The closing or opening of schools, as well as
7 school repairs, school additions, school phase-outs,
8 school consolidations, and school boundary changes, often
9 have profound impacts on education in a community. These
10 decisions should be carried out only according to clear
11 system-wide criteria and with the genuine involvement of
12 local school councils, parents, educators, and the
13 community in decision making.

14 (6) The General Assembly has previously stated that it
15 intended to make the individual school in the school
16 district the essential unit for educational governance and
17 improvement and to place the primary responsibility for
18 school governance and improvement in the hands of parents,
19 teachers, and community residents at each school. A
20 facility policy must be consistent with these principles.

21 (7) The school district has failed to address the needs
22 of schools placed on academic probation and failed to
23 adhere to the requirements of this Code and established
24 policies regarding the closure, consolidation, and
25 phase-out of its schools.

26 (b) Because of the finality of school closings,

1 consolidations, and phase-outs and their wide-reaching
2 effects, there shall be a moratorium on these actions in the
3 school district in the 2012-2013 school year, and any of these
4 actions that are subsequently appropriate must be carried out
5 no sooner than the end of the 2013-2014 school year, subject to
6 any new set of requirements adopted by the General Assembly.
7 During this moratorium period, the district shall establish
8 policies that address and remedy the academic performance of
9 schools in which Illinois Standards Achievement Test scores
10 reflect students performing at or below 75%. These policies
11 must establish clear criteria or processes for establishing
12 criteria for making school facility decisions and include clear
13 criteria for setting priorities with respect to school
14 openings, school closings, school consolidations, school
15 turnarounds, school phase-outs, school construction, school
16 repairs, school modernizations, school boundary changes, and
17 other related school facility decisions, including the
18 encouragement of multiple community uses for school space.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.