



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2768

Introduced 2/21/2013, by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.4a
105 ILCS 5/22-20

from Ch. 122, par. 10-21.4a
from Ch. 122, par. 22-20

Amends the School Code. In a Section concerning a principal's duties (in a school district other than the Chicago school district), provides that it shall be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use or possession of weapons or by illegal gang activity. Specifically includes illegal gang activity as a criminal offense for which courts and law enforcement agencies must report to the principal of a public school whenever a child enrolled therein is detained.

LRB098 07026 NHT 37085 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Sections
5 10-21.4a and 22-20 as follows:

6 (105 ILCS 5/10-21.4a) (from Ch. 122, par. 10-21.4a)

7 Sec. 10-21.4a. Principals and assistant principals -
8 Duties. To employ principals and assistant principals who hold
9 valid supervisory or administrative certificates. The
10 principal, with the assistance of any assistant principals,
11 shall supervise the operation of attendance centers as the
12 board shall determine necessary. In an attendance center having
13 fewer than 4 teachers, a head teacher who does not qualify as a
14 principal may be assigned in the place of a principal.

15 The principal, with the assistance of any assistant
16 principals, shall assume administrative responsibilities and
17 instructional leadership, under the supervision of the
18 superintendent, and in accordance with reasonable rules and
19 regulations of the board, for the planning, operation and
20 evaluation of the educational program of the attendance area to
21 which he or she is assigned. However, in districts under a
22 Financial Oversight Panel pursuant to Section 1A-8 for
23 violating a financial plan, the duties and responsibilities of

1 principals and assistant principals in relation to the
2 financial and business operations of the district shall be
3 approved by the Panel. In the event the Board refuses or fails
4 to follow a directive or comply with an information request of
5 the Panel, the performance of those duties shall be subject to
6 the direction of the Panel.

7 School boards shall specify in their formal job description
8 for principals that his or her primary responsibility is in the
9 improvement of instruction. A majority of the time spent by a
10 principal shall be spent on curriculum and staff development
11 through both formal and informal activities, establishing
12 clear lines of communication regarding school goals,
13 accomplishments, practices and policies with parents and
14 teachers.

15 Unless residency within a school district is made an
16 express condition of a person's employment or continued
17 employment as a principal or assistant principal of that school
18 district at the time of the person's initial employment as a
19 principal or assistant principal of that district, residency
20 within that school district may not at any time thereafter be
21 made a condition of that person's employment or continued
22 employment as a principal or assistant principal of the
23 district, without regard to whether the person's initial
24 employment as a principal or assistant principal of the
25 district began before or begins on or after the effective date
26 of this amendatory Act of 1996 and without regard to whether

1 that person's residency within or outside of the district began
2 or was changed before or begins or changes on or after that
3 effective date. In no event shall residency within a school
4 district be considered in determining the compensation of a
5 principal or assistant principal or the assignment or transfer
6 of a principal or assistant principal to an attendance center
7 of the district.

8 School boards shall ensure that their principals and
9 assistant principals are evaluated on their instructional
10 leadership ability and their ability to maintain a positive
11 education and learning climate.

12 It shall also be the responsibility of the principal to
13 utilize resources of proper law enforcement agencies when the
14 safety and welfare of students and teachers are threatened by
15 illegal use of drugs and alcohol, by illegal use or possession
16 of weapons, or by illegal gang activity.

17 The principal shall submit recommendations to the
18 superintendent concerning the appointment, retention,
19 promotion and assignment of all personnel assigned to the
20 attendance center.

21 (Source: P.A. 97-217, eff. 7-28-11.)

22 (105 ILCS 5/22-20) (from Ch. 122, par. 22-20)

23 Sec. 22-20. All courts and law enforcement agencies of the
24 State of Illinois and its political subdivisions shall report
25 to the principal of any public school in this State whenever a

1 child enrolled therein is detained for proceedings under the
2 Juvenile Court Act of 1987, as heretofore and hereafter
3 amended, or for any criminal offense, including illegal gang
4 activity, or any violation of a municipal or county ordinance.
5 The report shall include the basis for detaining the child,
6 circumstances surrounding the events which led to the child's
7 detention, and status of proceedings. The report shall be
8 updated as appropriate to notify the principal of developments
9 and the disposition of the matter.

10 The information derived thereby shall be kept separate from
11 and shall not become a part of the official school record of
12 such child and shall not be a public record. Such information
13 shall be used solely by the appropriate school official or
14 officials whom the school has determined to have a legitimate
15 educational or safety interest to aid in the proper
16 rehabilitation of the child and to protect the safety of
17 students and employees in the school.

18 (Source: P.A. 97-1104, eff. 1-1-13.)