



## 98TH GENERAL ASSEMBLY

### State of Illinois

### 2013 and 2014

### HB3742

by Rep. Cynthia Soto

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-200  
105 ILCS 5/34-210

Amends the Chicago School District Article of the School Code. Makes changes concerning the Educational Facility Master Plan. Provides that updates to the plan must be reviewed and approved 2 1/2 years after the approval of the initial plan (instead of requiring updates 2 1/2 years after approval). Provides that the first revision to the plan must be completed and approved on or before January 1, 2015, and the district is prohibited from completing any sale of vacant school buildings identified in the initial master plan until this first revision is approved. Requires each revision and update to the plan to include certain data and analysis. Requires the chief executive officer to prepare a summary for each school prior to approving a plan or update; specifies what the summary must include. Requires the district to hold local school council meetings, meet with its community action councils, work with a task force, the Chicago Teachers Union, and the Chicago Principals & Administrators Association, and hold public hearings before the approval of a plan or update. With respect to the first revision and update to the plan, provides that the revised draft master plan must be published on or before October 1, 2014 and must be immediately followed by a public comment period of at least 15 days. Effective immediately.

LRB098 14518 NHT 49270 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 34-200 and 34-210 as follows:

6 (105 ILCS 5/34-200)

7 Sec. 34-200. Definitions. For the purposes of Sections  
8 34-200 through 34-235 of this Article:

9 "Capital improvement plan" means a plan that identifies  
10 capital projects to be started or finished within the  
11 designated period, excluding projects funded by locally raised  
12 capital not exceeding \$10,000.

13 "Community action council" means any of the 8 regional  
14 councils created by the district serving the areas of Austin,  
15 Bronzeville, Englewood, Far South/Roseland, East Humboldt  
16 Park, West Humboldt Park, North Lawndale, and South Shore.

17 "Community area" means a geographic area of the City of  
18 Chicago defined by the chief executive officer as part of the  
19 development of the educational facilities master plan.

20 "Space utilization" means the percentage achieved by  
21 dividing the school's actual enrollment by its design capacity.

22 "School closing" or "school closure" means the closing of a  
23 school, the effect of which is the assignment and transfer of

1 all students enrolled at that school to one or more designated  
2 receiving schools.

3 "School consolidation" means the consolidation of 2 or more  
4 schools by closing one or more schools and reassigning the  
5 students to another school.

6 "Phase-out" means the gradual cessation of enrollment in  
7 certain grades each school year until a school closes or is  
8 consolidated with another school.

9 "School action" means any school closing; school  
10 consolidation; co-location; boundary change that requires  
11 reassignment of students, unless the reassignment is to a new  
12 school with an attendance area boundary and is made to relieve  
13 overcrowding; or phase-out.

14 (Source: P.A. 97-473, eff. 1-1-12; 97-474, eff. 8-22-11;  
15 97-813, eff. 7-13-12.)

16 (105 ILCS 5/34-210)

17 Sec. 34-210. The Educational Facility Master Plan.

18 (a) In accordance with the schedule set forth in this  
19 Article, the chief executive officer or his or her designee  
20 shall prepare a 10-year educational facility master plan every  
21 5 years, with updates reviewed and approved 2 1/2 years after  
22 the approval of the initial 10-year plan, with the first such  
23 educational facility master plan to be approved on or before  
24 October 1, 2013. Notwithstanding the schedule established  
25 under this Section, the first revision must be completed and

1 approved on or before January 1, 2015, and the district is  
2 prohibited from completing any sale of vacant school buildings  
3 identified in the initial master plan until this first revision  
4 is approved.

5 (b) The educational facility master plan shall provide  
6 community area level plans and individual school master plans  
7 with options for addressing the facility and space needs for  
8 each facility operated by the district over a 10-year period.

9 (c) The data, information, and analysis that shall inform  
10 the educational facility master plan shall be published on the  
11 district's Internet website and shall include the following:

12 (1) a description of the district's guiding  
13 educational goals and standards;

14 (2) a brief description of the types of instructional  
15 programs and services delivered in each school;

16 (3) a description of the process, procedure, and  
17 timeline for community participation in the development of  
18 the plan;

19 (4) the enrollment capacity of each school and its rate  
20 of utilization;

21 (5) a report on the assessment of individual building  
22 and site conditions;

23 (6) a data table with historical and projected  
24 enrollment data by school by grade;

25 (7) community analysis, including a study of current  
26 and projected demographics, land usage, transportation

1 plans, residential housing and commercial development,  
2 private schools, plans for water and sewage service  
3 expansion or redevelopment, and institutions of higher  
4 education;

5 (8) an analysis of the facility needs and requirements  
6 of the district; and

7 (9) identification of potential sources of funding for  
8 the implementation of the Educational Facility Master  
9 Plan.

10 (c-5) Each revision and update to the educational facility  
11 master plan must include data and analysis addressing all of  
12 the following:

13 (1) A school-to-school comparison of  
14 facility-investment needs and past capital investments  
15 that ranks and projects the future time frame for  
16 addressing schools' facility needs.

17 (2) A full inventory of the district's vacant and  
18 closed school buildings and other real estate deemed by the  
19 district to be excess or surplus, with values for each  
20 property, common street address, and proposed future  
21 re-uses or dispositions that have been recommended by the  
22 district, the public, or third parties for each.

23 (3) The plans developed by the community action  
24 councils.

25 (4) School-level master plans that project future  
26 changes in building or campus configurations and projected

1 facility improvements, whether currently funded or not;  
2 identify the needed amount unfunded; and list all current  
3 and projected funding sources.

4 (5) Identification and mapping of colleges and  
5 universities in the City of Chicago and any partnerships  
6 that they may have or that have been proposed with the  
7 district's schools.

8 (6) A comprehensive analysis of current, planned, and  
9 projected housing and community development initiatives,  
10 including those sponsored or subsidized by government  
11 agencies, including the Chicago Low-Income Housing Trust  
12 Fund, the City of Chicago Department of Housing and  
13 Economic Development, the Chicago Housing Authority, the  
14 Illinois Housing Development Authority, the Cook County  
15 Land Bank, the U.S. Department of Housing and Urban  
16 Development, or others, and by private developers that have  
17 put forth housing and community development projects.

18 (7) All current and future proposed charter schools, by  
19 location and charter operator, and the district's signed  
20 agreement with the Bill & Melinda Gates Foundation's  
21 charter pact.

22 (d) On or before May 1, 2013, the chief executive officer  
23 or his or her designee shall prepare and distribute for comment  
24 a preliminary draft of the Educational Facility Master Plan.  
25 The draft plan shall be distributed to the City of Chicago, the  
26 County of Cook, the Chicago Park District, the Chicago Housing

1 Authority, the Chicago Transit Authority, attendance centers  
2 operated by the district, and charter schools operating within  
3 the district. Each attendance center shall make the draft plan  
4 available to the local school council or alternative advisory  
5 body and to the parents, guardians, and staff of the school.  
6 The draft plan also shall be distributed to each State Senator  
7 and State Representative with a district in the City of  
8 Chicago, to the Mayor of the City of Chicago, and to each  
9 alderman of the City.

10 (d-5) At least 7 months prior to approving an educational  
11 facility master plan or update, the chief executive officer  
12 shall prepare a summary for each school to be distributed to  
13 the principal and the parents or guardians of any school  
14 attendee. This summary shall include all of the following:

15 (1) The school's and community's enrollment  
16 projections.

17 (2) The school's facility condition assessment and  
18 space utilization report and the last 5 years of past  
19 capital investments in the school.

20 (3) Any capital improvements for the school in the  
21 current fiscal year's capital budget and in the district's  
22 5-year capital improvement plan.

23 (4) A summary of the district's master plan community  
24 area needs and proposals for the community area to which  
25 the district has assigned the school.

26 (5) A complete inventory of all closed and vacant

1 school facilities in the community area to which the  
2 district has assigned the school.

3 (d-10) At least 7 months, but no later than 4 months,  
4 before approving an educational facility master plan or update,  
5 the district must hold at least 2 local school council meetings  
6 open to all parents of each school to review the current master  
7 plan, propose revisions, and develop and recommend a  
8 school-level master plan. The same data that accompanied the  
9 summary to parents and guardians in subsection (d-5) of this  
10 Section must be provided and presented at these local school  
11 council meetings and must be available for public inspection at  
12 each school site. The district must meet at least 2 times with  
13 its community action councils to elicit proposals for  
14 completing and revising the master plan. The district must  
15 provide each community action council with a list of all closed  
16 and vacant school facilities in its planning area and solicit  
17 proposals for the future re-use or disposition of those  
18 facilities. Community action councils must be provided with the  
19 same data provided to parents and guardians for all of the  
20 schools within their planning area. During this period, the  
21 district must work with a task force, the Chicago Teachers  
22 Union, and the Chicago Principals & Administrators Association  
23 to obtain input from educators regarding revisions to the  
24 master plan.

25 (e) The chief executive or his or her designee shall  
26 publish a procedure for conducting public hearings and



1 submitting public comments on the draft plan. At least 7  
2 months, but no later than 4 months, before approving an  
3 educational facility master plan or update, the district must  
4 hold public hearings in each of the 30 community areas defined  
5 by the district in the master plan on the current master plan  
6 and elicit the public's proposals for revisions. The district  
7 must provide the public with 30 days advance notice of the date  
8 of each hearing. The public hearing notice must specify that  
9 the district is seeking the public's proposals for the future  
10 re-use or disposition of any closed school facility in their  
11 community area.

12 (f) After consideration of public input on the draft plan,  
13 the chief executive officer or his or her designee shall  
14 prepare and publish a report describing the process used to  
15 incorporate public input in the development of the final plan  
16 to be recommended to the Board.

17 (g) The chief executive officer shall present the final  
18 plan and report to the Board for final consideration and  
19 approval.

20 (h) The final approved Educational Facility Master Plan  
21 shall be published on the district's website.

22 (h-5) The first revision and update to the Educational  
23 Facility Master Plan must be approved on or before January 1,  
24 2015. Notwithstanding any other dates included in this Section,  
25 the revised draft master plan must be published on or before  
26 October 1, 2014 and must be immediately followed by a public

1 comment period of at least 15 days.

2 (i) No later than January 1, 2016, and every 5 years  
3 thereafter, the chief executive officer or his or her designee  
4 shall prepare and submit for public comment a draft revised  
5 Educational Facility Master Plan following the procedures  
6 required for development of the original plan.

7 (j) This proposed revised plan shall reflect the progress  
8 achieved during the first 2 1/2 years of the Educational  
9 Facility Master Plan.

10 (Source: P.A. 97-473, eff. 1-1-12; 97-474, eff. 8-22-11;  
11 97-1133, eff. 11-30-12.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.