



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4265

by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.4	from Ch. 122, par. 10-21.4
105 ILCS 5/10-23.8	from Ch. 122, par. 10-23.8

Amends the School Boards Article of the School Code. Provides that in certain school districts with boundaries that lie in 3 counties, the school board may appoint a chief executive officer to serve as its superintendent. Provides that the chief executive officer shall have all powers and duties of the superintendent. Makes corresponding changes.

LRB099 13429 SXM 37351 b

FISCAL NOTE ACT
MAY APPLY

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 10-21.4 and 10-23.8 as follows:

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

7 Sec. 10-21.4. Superintendent - Duties. Except in districts
8 in which there is only one school with fewer ~~less~~ than four
9 teachers, to employ a superintendent or a chief executive
10 officer who shall have charge of the administration of the
11 schools under the direction of the board of education. In
12 addition to the administrative duties, the superintendent
13 shall make recommendations to the board concerning the budget,
14 building plans, the locations of sites, the selection,
15 retention and dismissal of teachers and all other employees,
16 the selection of textbooks, instructional material and courses
17 of study. However, in districts under a Financial Oversight
18 Panel pursuant to Section 1A-8 for violating a financial plan,
19 the duties and responsibilities of the superintendent in
20 relation to the financial and business operations of the
21 district shall be approved by the Panel. In the event the Board
22 refuses or fails to follow a directive or comply with an
23 information request of the Panel, the performance of those

1 duties shall be subject to the direction of the Panel. The
2 superintendent shall also notify the State Board of Education,
3 the board and the chief administrative official, other than the
4 alleged perpetrator himself, in the school where the alleged
5 perpetrator serves, that any person who is employed in a school
6 or otherwise comes into frequent contact with children in the
7 school has been named as a perpetrator in an indicated report
8 filed pursuant to the Abused and Neglected Child Reporting Act,
9 approved June 26, 1975, as amended. The superintendent shall
10 keep or cause to be kept the records and accounts as directed
11 and required by the board, aid in making reports required by
12 the board, and perform such other duties as the board may
13 delegate to him.

14 In addition, each year at a time designated by the State
15 Superintendent of Education, each superintendent shall report
16 to the State Board of Education the number of high school
17 students in the district who are enrolled in accredited courses
18 (for which high school credit will be awarded upon successful
19 completion of the courses) at any community college, together
20 with the name and number of the course or courses which each
21 such student is taking.

22 The provisions of this section shall also apply to board of
23 director districts.

24 In school districts with boundaries that lie in 3 counties,
25 one county of which has a population exceeding 1,000,000
26 inhabitants, the school board may, by a vote of a majority of

1 its full membership, appoint a chief executive officer to serve
2 as its superintendent, who shall be a person of recognized
3 administrative ability and management experience, be
4 responsible for the management of the district, and have all
5 other powers and duties of the superintendent as set forth in
6 this Code, but who shall be exempt from the provisions and
7 requirements of Section 21B-15 of this Code.

8 Notice of intent not to renew a contract must be given in
9 writing stating the specific reason therefor by April 1 of the
10 contract year unless the contract specifically provides
11 otherwise. Failure to do so will automatically extend the
12 contract for an additional year. Within 10 days after receipt
13 of notice of intent not to renew a contract, the superintendent
14 may request a closed session hearing on the dismissal. At the
15 hearing the superintendent has the privilege of presenting
16 evidence, witnesses and defenses on the grounds for dismissal.
17 The provisions of this paragraph shall not apply to a district
18 under a Financial Oversight Panel pursuant to Section 1A-8 for
19 violating a financial plan.

20 (Source: P.A. 97-256, eff. 1-1-12.)

21 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

22 Sec. 10-23.8. Superintendent contracts. After the
23 effective date of this amendatory Act of 1997 and the
24 expiration of contracts in effect on the effective date of this
25 amendatory Act, school districts may only employ a

1 superintendent or chief executive officer under either a
2 contract for a period not exceeding one year or a
3 performance-based contract for a period not exceeding 5 years.

4 Performance-based contracts shall be linked to student
5 performance and academic improvement within the schools of the
6 districts. No performance-based contract shall be extended or
7 rolled-over prior to its scheduled expiration unless all the
8 performance and improvement goals contained in the contract
9 have been met. Each performance-based contract shall include
10 the goals and indicators of student performance and academic
11 improvement determined and used by the local school board to
12 measure the performance and effectiveness of the
13 superintendent and such other information as the local school
14 board may determine.

15 By accepting the terms of a multi-year contract, the
16 superintendent or chief executive officer waives all rights
17 granted him or her under Sections 24-11 through 24-16 of this
18 Act only for the term of the multi-year contract. Upon
19 acceptance of a multi-year contract, the superintendent or
20 chief executive officer shall not lose any previously acquired
21 tenure credit with the district.

22 (Source: P.A. 90-548, eff. 1-1-98; 91-314, eff. 1-1-00.)