



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4301

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 Code. In provisions requiring a school board (other than the Chicago school district) to employ a superintendent, allows the school board in a school district with boundaries that lie in 3 counties, one county of which has a population exceeding 1,000,000 inhabitants, that has on staff properly licensed assistant superintendents or directors in the areas of instruction, finance, special education, assessments, and career and technology education, to instead appoint a chief executive officer to serve as its superintendent. Requires this chief executive officer to be a person of recognized administrative ability and management experience, hold a master's degree, have been employed with the school district for a minimum of 5 years in an administrative capacity, be responsible for the management of the district, and have all other powers and duties of a superintendent. Exempts the chief executive officer from provisions of the School Code concerning educator qualifications for a period of 5 years. Allows the school board to reappoint the chief executive officer after the 5-year period if the chief executive officer has made substantial progress towards a standard or alternative administrative license, if a program for such is available. Makes related changes.

LRB099 14498 SXM 38615 b

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 4 ~~four~~
9 teachers, to employ a superintendent, who shall have charge of
10 the administration of the schools under the direction of the
11 board of education. However, in any school district with
12 boundaries that lie in 3 counties, one county of which has a
13 population exceeding 1,000,000 inhabitants, that has on staff
14 properly licensed assistant superintendents or directors in
15 the areas of instruction, finance, special education,
16 assessments, and career and technology education, the school
17 board may instead, by a vote of a majority of its full
18 membership, appoint a chief executive officer to serve as its
19 superintendent, who shall be a person of recognized
20 administrative ability and management experience, hold a
21 master's degree, have been employed with the school district
22 for a minimum of 5 years in an administrative capacity, be
23 responsible for the management of the district, and have all

1 other powers and duties of a superintendent as set forth in
2 this Code, but who shall be exempt from the provisions and
3 requirements of Section 21B-15 of this Code for a period of 5
4 years. The school board may reappoint this chief executive
5 officer after the 5-year period if the chief executive officer
6 has made substantial progress towards a standard or alternative
7 administrative license, if a program for such is available.

8 In addition to the administrative duties, the
9 superintendent shall make recommendations to the board
10 concerning the budget, building plans, the locations of sites,
11 the selection, retention and dismissal of teachers and all
12 other employees, the selection of textbooks, instructional
13 material and courses of study. However, in districts under a
14 Financial Oversight Panel pursuant to Section 1A-8 for
15 violating a financial plan, the duties and responsibilities of
16 the superintendent in relation to the financial and business
17 operations of the district shall be approved by the Panel. In
18 the event the Board refuses or fails to follow a directive or
19 comply with an information request of the Panel, the
20 performance of those duties shall be subject to the direction
21 of the Panel. The superintendent shall also notify the State
22 Board of Education, the board and the chief administrative
23 official, other than the alleged perpetrator himself, in the
24 school where the alleged perpetrator serves, that any person
25 who is employed in a school or otherwise comes into frequent
26 contact with children in the school has been named as a

1 perpetrator in an indicated report filed pursuant to the Abused
2 and Neglected Child Reporting Act, approved June 26, 1975, as
3 amended. The superintendent shall keep or cause to be kept the
4 records and accounts as directed and required by the board, aid
5 in making reports required by the board, and perform such other
6 duties as the board may delegate to him.

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

15 The provisions of this Section ~~section~~ shall also apply to
16 board of director districts.

17 Notice of intent not to renew a contract must be given in
18 writing stating the specific reason therefor by April 1 of the
19 contract year unless the contract specifically provides
20 otherwise. Failure to do so will automatically extend the
21 contract for an additional year. Within 10 days after receipt
22 of notice of intent not to renew a contract, the superintendent
23 may request a closed session hearing on the dismissal. At the
24 hearing the superintendent has the privilege of presenting
25 evidence, witnesses and defenses on the grounds for dismissal.
26 The provisions of this paragraph shall not apply to a district

1 under a Financial Oversight Panel pursuant to Section 1A-8 for
2 violating a financial plan.

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

4 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

5 Sec. 10-23.8. Superintendent contracts. After the
6 effective date of this amendatory Act of 1997 and the
7 expiration of contracts in effect on the effective date of this
8 amendatory Act, school districts may only employ a
9 superintendent or, if authorized by law, a chief executive
10 officer under either a contract for a period not exceeding one
11 year or a performance-based contract for a period not exceeding
12 5 years.

13 Performance-based contracts shall be linked to student
14 performance and academic improvement within the schools of the
15 districts. No performance-based contract shall be extended or
16 rolled-over prior to its scheduled expiration unless all the
17 performance and improvement goals contained in the contract
18 have been met. Each performance-based contract shall include
19 the goals and indicators of student performance and academic
20 improvement determined and used by the local school board to
21 measure the performance and effectiveness of the
22 superintendent and such other information as the local school
23 board may determine.

24 By accepting the terms of a multi-year contract, the
25 superintendent or chief executive officer waives all rights

1 granted him or her under Sections 24-11 through 24-16 of this
2 Act only for the term of the multi-year contract. Upon
3 acceptance of a multi-year contract, the superintendent or
4 chief executive officer shall not lose any previously acquired
5 tenure credit with the district.

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