

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 2-3.25a, 7-2a, 7-14A, 10-22.22b, 10-22.22c, 10-22.22d,  
6 11E-110, 18-12, and 21B-30 as follows:

7 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

8 Sec. 2-3.25a. "School district" defined; additional  
9 standards.

10 (a) For the purposes of this Section and Sections 3.25b,  
11 3.25c, 3.25d, 3.25e, and 3.25f of this Code, "school district"  
12 includes other public entities responsible for administering  
13 public schools, such as cooperatives, joint agreements,  
14 charter schools, special charter districts, regional offices  
15 of education, local agencies, and the Department of Human  
16 Services.

17 (b) In addition to the standards established pursuant to  
18 Section 2-3.25, the State Board of Education shall develop  
19 recognition standards for student performance and school  
20 improvement for all school districts and their individual  
21 schools, which must be an outcomes-based, balanced  
22 accountability measure. The State Board of Education is  
23 prohibited from having separate performance standards for

1 students based on race or ethnicity.

2 Subject to the availability of federal, State, public, or  
3 private funds, the balanced accountability measure must be  
4 designed to focus on 2 components, student performance and  
5 professional practice. The student performance component shall  
6 count for 30% of the total balanced accountability measure, and  
7 the professional practice component shall count for 70% of the  
8 total balanced accountability measure. The student performance  
9 component shall focus on student outcomes and closing the  
10 achievement gaps within each school district and its individual  
11 schools using a Multiple Measure Index and Annual Measurable  
12 Objectives, as set forth in Section 2-3.25d of this Code. The  
13 professional practice component shall focus on the degree to  
14 which a school district, as well as its individual schools, is  
15 implementing evidence-based, best professional practices and  
16 exhibiting continued improvement. Beginning with the 2015-2016  
17 school year, the balanced accountability measure shall consist  
18 of only the student performance component, which shall account  
19 for 100% of the total balanced accountability measure. From the  
20 2017-2018 ~~2016-2017~~ school year through the 2022-2023  
21 ~~2021-2022~~ school year, the State Board of Education and a  
22 Balanced Accountability Measure Committee shall identify a  
23 number of school districts per the designated school years to  
24 begin implementing the balanced accountability measure, which  
25 includes both the student performance and professional  
26 practice components. By the 2022-2023 ~~2021-2022~~ school year,

1 all school districts must be implementing the balanced  
2 accountability measure, which includes both components. The  
3 Balanced Accountability Measure Committee shall consist of the  
4 following individuals: a representative of a statewide  
5 association representing regional superintendents of schools,  
6 a representative of a statewide association representing  
7 principals, a representative of an association representing  
8 principals in a city having a population exceeding 500,000, a  
9 representative of a statewide association representing school  
10 administrators, a representative of a statewide professional  
11 teachers' organization, a representative of a different  
12 statewide professional teachers' organization, an additional  
13 representative from either statewide professional teachers'  
14 organization, a representative of a professional teachers'  
15 organization in a city having a population exceeding 500,000, a  
16 representative of a statewide association representing school  
17 boards, and a representative of a school district organized  
18 under Article 34 of this Code. The head of each association or  
19 entity listed in this paragraph shall appoint its respective  
20 representative. The State Superintendent of Education, in  
21 consultation with the Committee, may appoint no more than 2  
22 additional individuals to the Committee, which individuals  
23 shall serve in an advisory role and must not have voting or  
24 other decision-making rights. The Committee is abolished on  
25 June 1, 2023 ~~2022~~.

26 Using a Multiple Measure Index consistent with subsection

1 (a) of Section 2-3.25d of this Code, the student performance  
2 component shall consist of the following subcategories, each of  
3 which must be valued at 10%:

4 (1) achievement status;

5 (2) achievement growth; and

6 (3) Annual Measurable Objectives, as set forth in  
7 subsection (b) of Section 2-3.25d of this Code.

8 Achievement status shall measure and assess college and career  
9 readiness, as well as the graduation rate. Achievement growth  
10 shall measure the school district's and its individual schools'  
11 student growth via this State's growth value tables. Annual  
12 Measurable Objectives shall measure the degree to which school  
13 districts, as well as their individual schools, are closing  
14 their achievement gaps among their student population and  
15 subgroups.

16 The professional practice component shall consist of the  
17 following subcategories:

18 (A) compliance;

19 (B) evidence-based best practices; and

20 (C) contextual improvement.

21 Compliance, which shall count for 10%, shall measure the degree  
22 to which a school district and its individual schools meet the  
23 current State compliance requirements. Evidence-based best  
24 practices, which shall count for 30%, shall measure the degree  
25 to which school districts and their individual schools are  
26 adhering to a set of evidence-based quality standards and best

1 practice for effective schools that include (i) continuous  
2 improvement, (ii) culture and climate, (iii) shared  
3 leadership, (iv) governance, (v) education and employee  
4 quality, (vi) family and community connections, and (vii)  
5 student and learning development and are further developed in  
6 consultation with the State Board of Education and the Balanced  
7 Accountability Measure Committee set forth in this subsection  
8 (b). Contextual improvement, which shall count for 30%, shall  
9 provide school districts and their individual schools the  
10 opportunity to demonstrate improved outcomes through local  
11 data, including without limitation school climate, unique  
12 characteristics, and barriers that impact the educational  
13 environment and hinder the development and implementation of  
14 action plans to address areas of school district and individual  
15 school improvement. Each school district, in good faith  
16 cooperation with its teachers or, where applicable, the  
17 exclusive bargaining representatives of its teachers, shall  
18 develop 2 measurable objectives to demonstrate contextual  
19 improvement, each of which must be equally weighted. Each  
20 school district shall begin such good faith cooperative  
21 development of these objectives no later than 6 months prior to  
22 the beginning of the school year in which the school district  
23 is to implement the professional practice component of the  
24 balanced accountability measure. The professional practice  
25 component must be scored using trained peer review teams that  
26 observe and verify school district practices using an

1 evidence-based framework.

2       The balanced accountability measure shall combine the  
3 student performance and professional practice components into  
4 one summative score based on 100 points at the school district  
5 and individual-school level. A school district shall be  
6 designated as "Exceeds Standards - Exemplar" if the overall  
7 score is 100 to 90, "Meets Standards - Proficient" if the  
8 overall score is 89 to 75, "Approaching Standards - Needs  
9 Improvement" if the overall score is 74 to 60, and "Below  
10 Standards - Unsatisfactory" if the overall score is 59 to 0.  
11 The balanced accountability measure shall also detail both  
12 incentives that reward school districts for continued improved  
13 performance, as provided in Section 2-3.25c of this Code, and  
14 consequences for school districts that fail to provide evidence  
15 of continued improved performance, which may include  
16 presentation of a barrier analysis, additional school board and  
17 administrator training, or additional State assistance. Based  
18 on its summative score, a school district may be exempt from  
19 the balanced accountability measure for one or more school  
20 years. The State Board of Education, in collaboration with the  
21 Balanced Accountability Measure Committee set forth in this  
22 subsection (b), shall adopt rules that further implementation  
23 in accordance with the requirements of this Section.

24 (Source: P.A. 99-84, eff. 1-1-16; 99-193, eff. 7-30-15; revised  
25 10-9-15.)

1 (105 ILCS 5/7-2a) (from Ch. 122, par. 7-2a)

2 Sec. 7-2a. (a) Except as provided in subsection (b) of this  
3 Section, any petition for dissolution filed under this Article  
4 must specify the school district or districts to which all of  
5 the territory of the district proposed to be dissolved will be  
6 annexed. Any petition for dissolution may be made by the board  
7 of education of the district or a majority of the legal voters  
8 residing in the district proposed to be dissolved. No petition  
9 from any other district affected by the proposed dissolution  
10 shall be required.

11 (b) Any school district with a population of less than  
12 5,000 residents or an enrollment of less than 750 students, as  
13 determined by the district's current fall housing report filed  
14 with the State Board of Education, shall be dissolved and its  
15 territory annexed as provided in Section 7-11 by the regional  
16 board of school trustees upon the filing with the regional  
17 board of school trustees of a petition adopted by resolution of  
18 the board of education or a petition signed by a majority of  
19 the registered voters of the district seeking such dissolution.  
20 No petition shall be adopted or signed under this subsection  
21 until the board of education or the petitioners, as the case  
22 may be, shall have given at least 10 days' notice to be  
23 published once in a newspaper having general circulation in the  
24 district and shall have conducted a public informational  
25 meeting to inform the residents of the district of the proposed  
26 dissolution and to answer questions concerning the proposed

1 dissolution. The petition shall be filed with and decided  
2 solely by the regional board of school trustees of the region  
3 in which the regional superintendent of schools has supervision  
4 of the school district being dissolved. The regional board of  
5 school trustees shall not act on a petition filed by a board of  
6 education if within 45 days after giving notice of the hearing  
7 required under Section 7-11 a petition in opposition to the  
8 petition of the board to dissolve, signed by a majority of the  
9 registered voters of the district, is filed with the regional  
10 board of school trustees. The regional board of school trustees  
11 shall have no authority to deny dissolution requested in a  
12 proper petition for dissolution filed under this subsection  
13 (b), but shall exercise its discretion in accordance with  
14 Section 7-11 on the issue of annexing the territory of a  
15 district being dissolved, giving consideration to but not being  
16 bound by the wishes expressed by the residents of the various  
17 school districts that may be affected by such annexation.

18 When dissolution and annexation become effective for  
19 purposes of administration and attendance as determined  
20 pursuant to Section 7-11, the positions of teachers in  
21 contractual continued service in the district being dissolved  
22 are transferred to an annexing district or to annexing  
23 districts pursuant to the provisions of subsection (h) of  
24 Section 24-11 of this Code ~~Section 24-12~~ relative to teachers  
25 having contractual continued service status whose positions  
26 are transferred from one board to the control of a different



1 board, and those said provisions of subsection (h) of Section  
2 24-11 of this Code ~~Section 24-12~~ shall apply to said  
3 transferred teachers. In the event that the territory is added  
4 to 2 or more districts, the decision on which positions shall  
5 be transferred to which annexing districts shall be made giving  
6 consideration to the proportionate percent of pupils  
7 transferred and the annexing districts' staffing needs, and the  
8 transfer of specific individuals into such positions shall be  
9 based upon the request of those teachers in order of seniority  
10 in the dissolving district. The contractual continued service  
11 status of any teacher thereby transferred to an annexing  
12 district is not lost and the different board is subject to this  
13 Act with respect to such transferred teacher in the same manner  
14 as if such teacher was that district's employee and had been  
15 its employee during the time such teacher was actually employed  
16 by the board of the dissolving district from which the position  
17 was transferred.

18 (Source: P.A. 98-125, eff. 8-2-13.)

19 (105 ILCS 5/7-14A) (from Ch. 122, par. 7-14A)

20 Sec. 7-14A. Annexation Compensation. There shall be no  
21 accounting made after a mere change in boundaries when no new  
22 district is created, except that those districts whose  
23 enrollment increases by 90% or more as a result of annexing  
24 territory detached from another district pursuant to this  
25 Article are eligible for supplementary State aid payments in

1 accordance with Section 11E-135 of this Code. Eligible annexing  
2 districts shall apply to the State Board of Education for  
3 supplementary State aid payments by submitting enrollment  
4 figures for the year immediately preceding and the year  
5 immediately following the effective date of the boundary change  
6 for both the district gaining territory and the district losing  
7 territory. Copies of any intergovernmental agreements between  
8 the district gaining territory and the district losing  
9 territory detailing any transfer of fund balances and staff  
10 must also be submitted. In all instances of changes in  
11 boundaries, the district losing territory shall not count the  
12 average daily attendance of pupils living in the territory  
13 during the year preceding the effective date of the boundary  
14 change in its claim for reimbursement under Section 18-8.05 of  
15 this Code ~~18-8~~ for the school year following the effective date  
16 of the change in boundaries and the district receiving the  
17 territory shall count the average daily attendance of pupils  
18 living in the territory during the year preceding the effective  
19 date of the boundary change in its claim for reimbursement  
20 under Section 18-8.05 of this Code ~~18-8~~ for the school year  
21 following the effective date of the change in boundaries. The  
22 changes to this Section made by this amendatory Act of the 95th  
23 General Assembly are intended to be retroactive and applicable  
24 to any annexation taking effect on or after July 1, 2004.

25 (Source: P.A. 95-707, eff. 1-11-08.)

1 (105 ILCS 5/10-22.22b) (from Ch. 122, par. 10-22.22b)

2 Sec. 10-22.22b. (a) The provisions of this subsection shall  
3 not apply to the deactivation of a high school facility under  
4 subsection (c). Where in its judgment the interests of the  
5 district and of the students therein will be best served, to  
6 deactivate any high school facility or elementary school  
7 facility in the district and send the students of such high  
8 school in grades 9 through 12 or such elementary school in  
9 grades kindergarten through 8, as applicable, to schools in  
10 other districts. Such action may be taken only with the  
11 approval of the voters in the district and the approval, by  
12 proper resolution, of the school board of the receiving  
13 district. The board of the district contemplating deactivation  
14 shall, by proper resolution, cause the proposition to  
15 deactivate the school facility to be submitted to the voters of  
16 the district at a regularly scheduled election. Notice shall be  
17 published at least 10 days prior to the date of the election at  
18 least once in one or more newspapers published in the district  
19 or, if no newspaper is published in the district, in one or  
20 more newspapers with a general circulation within the district.  
21 The notice shall be substantially in the following form:

22 NOTICE OF REFERENDUM TO  
23 DEACTIVATE THE ... SCHOOL FACILITY  
24 IN SCHOOL DISTRICT NO. ....

25 Notice is hereby given that on (insert date), a referendum  
26 will be held in ..... County (Counties) for the purpose of

1 voting for or against the proposition to deactivate the .....  
 2 School facility in School District No. .... and to send  
 3 pupils in ..... School to School District(s) No. ....

4 The polls will be open at .... o'clock ... m., and close at  
 5 .... o'clock ... m. of the same day.

6 .....

7 Dated (insert date).

8 The proposition shall be in substantially the following form:

9 -----

10 Shall the Board	
11 of Education of School	
12 District No. ....,	YES
13 ..... County, Illinois, be	
14 authorized to deactivate	-----
15 the .... School facility	
16 and to send pupils in .....	NO
17 School to School	
18 District(s) No. ....?	

19 -----

20 If the majority of those voting upon the proposition in the  
 21 district contemplating deactivation vote in favor of the  
 22 proposition, the board of that district, upon approval of the  
 23 board of the receiving district, shall execute a contract with  
 24 the receiving district providing for the reassignment of  
 25 students to the receiving district. If the deactivating

1 district seeks to send its students to more than one district,  
2 it shall execute a contract with each receiving district. The  
3 length of the contract shall be for 2 school years, but the  
4 districts may renew the contract for additional one year or 2  
5 year periods. Contract renewals shall be executed by January 1  
6 of the year in which the existing contract expires. If the  
7 majority of those voting upon the proposition do not vote in  
8 favor of the proposition, the school facility may not be  
9 deactivated.

10 The sending district shall pay to the receiving district an  
11 amount agreed upon by the 2 districts.

12 When the deactivation of school facilities becomes  
13 effective pursuant to this Section, the provisions of  
14 subsection (h) of Section 24-11 of this Code ~~Section 24-12~~  
15 relative to the contractual continued service status of  
16 teachers having contractual continued service whose positions  
17 are transferred from one board to the control of a different  
18 board shall apply, and the positions at the school facilities  
19 being deactivated held by teachers, as that term is defined in  
20 subsection (a) of Section 24-11 of this Code, having  
21 contractual continued service with the school district at the  
22 time of the deactivation shall be transferred to the control of  
23 the board or boards who shall be receiving the district's  
24 students on the following basis:

25 (1) positions of such teachers in contractual  
26 continued service that were full time positions shall be

1 transferred to the control of whichever of such boards such  
2 teachers shall request with the teachers making such  
3 requests proceeding in the order of those with the greatest  
4 length of continuing service with the board to those with  
5 the shortest length of continuing service with the board,  
6 provided that the number selecting one board over another  
7 board or other boards shall not exceed that proportion of  
8 the school students going to such board or boards; and

9 (2) positions of such teachers in contractual  
10 continued service that were full time positions and as to  
11 which there is no selection left under subparagraph 1  
12 hereof shall be transferred to the appropriate board.

13 The contractual continued service status of any teacher  
14 thereby transferred to another district is not lost and the  
15 receiving board is subject to the School Code with respect to  
16 such transferred teacher in the same manner as if such teacher  
17 was the district's employee during the time such teacher was  
18 actually employed by the board of the deactivating district  
19 from which the position was transferred.

20 When the deactivation of school facilities becomes  
21 effective pursuant to this Section, the provisions of  
22 subsection (b) of Section 10-23.5 of this Code relative to the  
23 transfer of educational support personnel employees shall  
24 apply, and the positions at the school facilities being  
25 deactivated that are held by educational support personnel  
26 employees at the time of the deactivation shall be transferred

1 to the control of the board or boards that will be receiving  
2 the district's students on the following basis:

3 (A) positions of such educational support personnel  
4 employees that were full-time positions shall be  
5 transferred to the control of whichever of the boards the  
6 employees request, with the educational support personnel  
7 employees making these requests proceeding in the order of  
8 those with the greatest length of continuing service with  
9 the board to those with the shortest length of continuing  
10 service with the board, provided that the number selecting  
11 one board over another board or other boards must not  
12 exceed that proportion of students going to such board or  
13 boards; and

14 (B) positions of such educational support personnel  
15 employees that were full-time positions and as to which  
16 there is no selection left under subdivision (A) shall be  
17 transferred to the appropriate board.

18 The length of continuing service of any educational support  
19 personnel employee thereby transferred to another district is  
20 not lost and the receiving board is subject to this Code with  
21 respect to that transferred educational support personnel  
22 employee in the same manner as if the educational support  
23 personnel employee was the district's employee during the time  
24 the educational support personnel employee was actually  
25 employed by the board of the deactivating district from which  
26 the position was transferred.

1 (b) The provisions of this subsection shall not apply to  
 2 the reactivation of a high school facility which is deactivated  
 3 under subsection (c). The sending district may, with the  
 4 approval of the voters in the district, reactivate the school  
 5 facility which was deactivated. The board of the district  
 6 seeking to reactivate the school facility shall, by proper  
 7 resolution, cause the proposition to reactivate to be submitted  
 8 to the voters of the district at a regularly scheduled  
 9 election. Notice shall be published at least 10 days prior to  
 10 the date of the election at least once in one or more  
 11 newspapers published in the district or, if no newspaper is  
 12 published in the district, in one or more newspapers with a  
 13 general circulation within the district. The notice shall be  
 14 substantially in the following form:

15 NOTICE OF REFERENDUM TO  
 16 REACTIVATE THE ..... SCHOOL FACILITY  
 17 IN SCHOOL DISTRICT NO. ....

18 Notice is hereby given that on (insert date), a referendum  
 19 will be held in ..... County (Counties) for the purpose of  
 20 voting for or against the proposition to reactivate the .....  
 21 School facility in School District No. .... and to discontinue  
 22 sending pupils of School District No. .... to School  
 23 District(s) No. ....

24 The polls will be opened at ... o'clock .. m., and closed  
 25 at ... o'clock .. m. of the same day.

26 .....



1 Dated (insert date).

2 The proposition shall be in substantially the following form:

3 -----

4 Shall the Board

5 of Education of School

YES

6 District No. ....,

7 ..... County, Illinois,

8 be authorized to

-----

9 reactivate the .... School

10 facility and to discontinue sending

11 pupils of School District No. ....

NO

12 to School District(s) No. ....?

13 -----

14 (c) The school board of any unit school district which  
15 experienced a strike by a majority of its certified employees  
16 that endured for over 6 months during the regular school term  
17 of the 1986-1987 school year, and which during the ensuing  
18 1987-1988 school year had an enrollment in grades 9 through 12  
19 of less than 125 students may, when in its judgment the  
20 interests of the district and of the students therein will be  
21 best served thereby, deactivate the high school facilities  
22 within the district for the regular term of the 1988-1989  
23 school year and, for that school year only, send the students  
24 of such high school in grades 9 through 12 to schools in  
25 adjoining or adjacent districts. Such action may only be taken:

1 (a) by proper resolution of the school board deactivating its  
2 high school facilities and the approval, by proper resolution,  
3 of the school board of the receiving district or districts, and  
4 (b) pursuant to a contract between the sending and each  
5 receiving district, which contract or contracts: (i) shall  
6 provide for the reassignment of all students of the deactivated  
7 high school in grades 9 through 12 to the receiving district or  
8 districts; (ii) shall apply only to the regular school term of  
9 the 1988-1989 school year; (iii) shall not be subject to  
10 renewal or extension; and (iv) shall require the sending  
11 district to pay to the receiving district the cost of educating  
12 each student who is reassigned to the receiving district, such  
13 costs to be an amount agreed upon by the sending and receiving  
14 district but not less than the per capita cost of maintaining  
15 the high school in the receiving district during the 1987-1988  
16 school year. Any high school facility deactivated pursuant to  
17 this subsection for the regular school term of the 1988-1989  
18 school year shall be reactivated by operation of law as of the  
19 end of the regular term of the 1988-1989 school year. The  
20 status as a unit school district of a district which  
21 deactivates its high school facilities pursuant to this  
22 subsection shall not be affected by reason of such deactivation  
23 of its high school facilities and such district shall continue  
24 to be deemed in law a school district maintaining grades  
25 kindergarten through 12 for all purposes relating to the levy,  
26 extension, collection and payment of the taxes of the district

1 under Article 17 for the 1988-1989 school year.

2 (d) Whenever a school facility is reactivated pursuant to  
3 the provisions of this Section, then all teachers in  
4 contractual continued service who were honorably dismissed or  
5 transferred as part of the deactivation process, in addition to  
6 other rights they may have under the School Code, shall be  
7 recalled or transferred back to the original district.

8 (Source: P.A. 94-213, eff. 7-14-05; 95-110, eff. 1-1-08;  
9 95-148, eff. 8-14-07; 95-876, eff. 8-21-08.)

10 (105 ILCS 5/10-22.22c) (from Ch. 122, par. 10-22.22c)

11 Sec. 10-22.22c. (a) Subject to the following provisions of  
12 this Section two or more contiguous school districts each of  
13 which has an enrollment in grades 9 through 12 of less than 600  
14 students may, when in their judgment the interest of the  
15 districts and of the students therein will be best served,  
16 jointly operate one or more cooperative high schools. Such  
17 action shall be taken for a minimum period of 20 school years,  
18 and may be taken only with the approval of the voters of each  
19 district. A district with 600 or more students enrolled in  
20 grades 9 through 12 may qualify for inclusion with one or more  
21 districts having less than 600 such students by receiving a  
22 size waiver from the State Board of Education based on a  
23 finding that such inclusion would significantly increase the  
24 educational opportunities of the district's students, and by  
25 meeting the other prerequisites of this Section. The board of

1 each district contemplating such joint operation shall, by  
 2 proper resolution, cause the proposition to enter into such  
 3 joint operation to be submitted to the voters of the district  
 4 at a regularly scheduled election. Notice shall be published at  
 5 least 10 days prior to the date of the election at least once  
 6 in one or more newspapers published in the district or, if no  
 7 newspaper is published in the district, in one or more  
 8 newspapers with a general circulation within the district. The  
 9 notice shall be substantially in the following form:

10 NOTICE OF REFERENDUM FOR SCHOOL DISTRICT

11 NO. .... AND SCHOOL DISTRICT NO. ....

12 TO JOINTLY OPERATE (A) COOPERATIVE HIGH  
 13 SCHOOL (SCHOOLS)

14 Notice is hereby given that on (insert date), a referendum  
 15 will be held in ..... County (Counties) for the purpose of  
 16 voting for or against the proposition for School District No.  
 17 ..... and School District No. .... to jointly operate (a)  
 18 cooperative high school (schools).

19 The polls will be open at ..... o'clock ... m., and close  
 20 at ..... o'clock ... m., of the same day.

21 A ..... B .....

22 Dated (insert date).

23 Regional Superintendent of Schools

24 The proposition shall be in substantially the following  
 25 form:

1 -----

2 Shall the Board of Education of

3 School District No. ...., ..... YES

4 County (Counties), Illinois be

5 authorized to enter with

6 into an agreement with School -----

7 District No. ...., .... County

8 (Counties), Illinois to jointly

9 operate (a) cooperative high NO

10 school (schools)?

11 -----

12 If the majority of those voting on the proposition in each  
13 district vote in favor of the proposition, the school boards of  
14 the participating districts may, if they agree on terms,  
15 execute a contract for such joint operation subject to the  
16 following provisions of this Section.

17 (b) The agreement for joint operation of any such  
18 cooperative high school shall include, but not be limited to,  
19 provisions for administration, staff, programs, financing,  
20 facilities, and transportation. Such agreements may be  
21 modified, extended, or terminated by approval of each of the  
22 participating districts, provided that a district may withdraw  
23 from the agreement during its initial 20-year term only if the  
24 district is reorganizing with one or more districts under other  
25 provisions of this Code. Even if 2 or more of the participating  
26 district boards approve an extension of the agreement, any

1 other participating district shall, upon failure of its board  
2 to approve such extension, disengage from such participation at  
3 the end of the then current agreement term.

4 (c) A governing board, which shall govern the operation of  
5 any such cooperative high school, shall be composed of an equal  
6 number of board members from each of the participating  
7 districts, except that where all participating district boards  
8 concur, membership on the governing board may be apportioned to  
9 reflect the number of students in each respective district who  
10 attend the cooperative high school. The membership of the  
11 governing board shall be not less than 6 nor more than 10 and  
12 shall be set by the agreement entered into by the participating  
13 districts. The school board of each participating district  
14 shall select, from its membership, its representatives on the  
15 governing board. The governing board shall prepare and adopt a  
16 budget for the cooperative high school. The governing board  
17 shall administer the cooperative high school in accordance with  
18 the agreement of the districts and shall have the power to  
19 hire, supervise, and terminate staff; to enter into contracts;  
20 to adopt policies for the school; and to take all other actions  
21 necessary and proper for the operation of the school. However,  
22 the governing board may not levy taxes or incur any  
23 indebtedness except within the annual budget approved by the  
24 participating districts.

25 (d) (Blank).

26 (e) Each participating district shall pay its per capita

1 cost of educating the students residing in its district and  
2 attending any such cooperative high school into the budget for  
3 the maintenance and operation of the cooperative high school.

4 The manner of determining per capita cost shall be set  
5 forth in the agreement. Each district shall pay the amount owed  
6 the governing board under the terms of the agreement from the  
7 fund that the district would have used if the district had  
8 incurred the costs directly and may levy taxes and issue bonds  
9 as otherwise authorized for these purposes in order to make  
10 payments to the governing board.

11 (f) Additional school districts having an enrollment in  
12 grades 9 through 12 of less than 600 students may be added to  
13 the agreement in accordance with the process described in  
14 subsection (a) of this Section. In the event additional  
15 districts are added, a new contract shall be executed in  
16 accordance with the provisions of this Section.

17 (g) Upon formation of the cooperative high school, the  
18 school board of each participating district shall:

19 (1) confer and coordinate with each other and the  
20 governing board, if the governing board is then in  
21 existence, as to staffing needs for the cooperative high  
22 school;

23 (2) in consultation with any exclusive employee  
24 representatives and the governing board, if the governing  
25 board is then in existence, establish a combined list of  
26 teachers in all participating districts, categorized by

1 positions, showing the length of service and the  
2 contractual continued service status, if any, of each  
3 teacher in each participating district who is qualified to  
4 hold any such positions at the cooperative high school, and  
5 then distribute this list to the exclusive employee  
6 representatives on or before February 1 of the school year  
7 prior to the commencement of the operation of the  
8 cooperative high school or within 30 days after the date of  
9 the referendum election if the proposition receives a  
10 majority of those voting in each district, whichever occurs  
11 first. This list is in addition to and not a substitute for  
12 any ~~the~~ list mandated by Section 24-12 of this Code; and

13 (3) transfer to the governing board of the cooperative  
14 high school the employment and the position of so many of  
15 the full-time or part-time high school teachers employed by  
16 a participating district as are jointly determined by the  
17 school boards of the participating districts and the  
18 governing board, if the governing board is then in  
19 existence, to be needed at the cooperative high school,  
20 provided that these teacher transfers shall be done:

21 (A) by categories listed on the seniority list  
22 mentioned in subdivision (2) of this subsection (g);

23 (B) in each category, by having teachers in  
24 contractual continued service being transferred before  
25 any teachers who are not in contractual continued  
26 service; and



1           (C) in order from greatest seniority first through  
2           lesser amounts of seniority.

3           A teacher who is not in contractual continued service shall  
4           not be transferred if there is a teacher in contractual  
5           continued service in the same category who is qualified to hold  
6           the position that is to be filled.

7           If there are more teachers who have entered upon  
8           contractual continued service than there are available  
9           positions at the cooperative high school or within other  
10          assignments in the district, a school board shall first remove  
11          or dismiss all teachers who have not entered upon contractual  
12          continued service before removing or dismissing any teacher who  
13          has entered upon contractual continued service and who is  
14          legally qualified (i) to hold a position at the cooperative  
15          high school planned to be held by a teacher who has not entered  
16          upon contractual continued service or (ii) to hold another  
17          position in the participating district. As between teachers who  
18          have entered upon contractual continued service, the teacher or  
19          teachers with the shorter length of continuing service in any  
20          of the participating districts shall be dismissed first. Any  
21          teacher dismissed as a result of such a decrease shall be paid  
22          all earned compensation on or before the third business day  
23          following the last day of pupil attendance in the regular  
24          school term. If the school board that has dismissed a teacher  
25          or the governing board has any vacancies for the following  
26          school term or within one calendar year from the beginning of

1 the following school term, the positions thereby becoming  
2 available shall be tendered to the teachers so removed or  
3 dismissed so far as they are legally qualified to hold such  
4 positions. However, if the number of honorable dismissal  
5 notices in all participating districts exceeds 15% of full-time  
6 equivalent positions filled by certified employees (excluding  
7 principals and administrative personnel) during the preceding  
8 school year in all participating districts and if the school  
9 board that has dismissed a teacher or the governing board has  
10 any vacancies for the following school term or within 2  
11 calendar years from the beginning of the following school term,  
12 the positions so becoming available shall be tendered to the  
13 teachers who were so notified, removed, or dismissed whenever  
14 these teachers are legally qualified to hold such positions.

15 The provisions of subsection (h) of Section 24-11 ~~Section~~  
16 ~~24-12~~ of this Code concerning teachers whose positions are  
17 transferred from one board to the control of a different board  
18 shall apply to the teachers who are transferred. The  
19 contractual continued service of any transferred teacher is not  
20 lost and the governing board is subject to this Code with  
21 respect to the teacher in the same manner as if the teacher had  
22 been the governing board's employee during the time the teacher  
23 was actually employed by the board of the district from which  
24 the position and the teacher's employment were transferred. The  
25 time spent in employment with a participating district by any  
26 teacher who has not yet entered upon contractual continued

1 service and who is transferred to the governing board is not  
2 lost when computing the time necessary for the teacher to enter  
3 upon contractual continued service, and the governing board is  
4 subject to this Code with respect to the teacher in the same  
5 manner as if the teacher had been the governing board's  
6 employee during the time the teacher was actually employed by  
7 the school board from which the position and the teacher's  
8 employment were transferred.

9 If the cooperative high school is dissolved, any teacher  
10 who was transferred from a participating district shall be  
11 transferred back to the district and subsection (h) of Section  
12 24-11 ~~Section 24-12~~ of this Code shall apply. In that case, a  
13 district is subject to this Code in the same manner as if the  
14 teacher transferred back had been continuously in the service  
15 of the receiving district.

16 (h) Upon formation of the cooperative high school, the  
17 school board of each participating district shall:

18 (1) confer and coordinate with each other and the  
19 governing board, if the governing board is then in  
20 existence, as to needs for educational support personnel  
21 for the cooperative high school;

22 (2) in consultation with any exclusive employee  
23 representative or bargaining agent and the governing  
24 board, if the governing board is then in existence,  
25 establish a combined list of educational support personnel  
26 in participating districts, categorized by positions,

1 showing the length of continuing service of each full-time  
2 educational support personnel employee who is qualified to  
3 hold any such position at the cooperative high school, and  
4 then distribute this list to the exclusive employee  
5 representative or bargaining agent on or before February 1  
6 of the school year prior to the commencement of the  
7 operation of the cooperative high school or within 30 days  
8 after the date of the referendum election if the  
9 proposition receives a majority of those voting in each  
10 district, whichever occurs first; and

11 (3) transfer to the governing board of the cooperative  
12 high school the employment and the positions of so many of  
13 the full-time educational support personnel employees  
14 employed by a participating district as are jointly  
15 determined by the school boards of the participating  
16 districts and the governing board, if the governing board  
17 is then in existence, to be needed at the cooperative high  
18 school, provided that the full-time educational personnel  
19 employee transfers shall be done by categories on the  
20 seniority list mentioned in subdivision (2) of this  
21 subsection (h) and done in order from greatest seniority  
22 first through lesser amounts of seniority.

23 If there are more full-time educational support personnel  
24 employees than there are available positions at the cooperative  
25 high school or in the participating district, a school board  
26 shall first remove or dismiss those educational support

1 personnel employees with the shorter length of continuing  
2 service in any of the participating districts, within the  
3 respective category of position. The governing board is subject  
4 to this Code with respect to the educational support personnel  
5 employee as if the educational support personnel employee had  
6 been the governing board's employee during the time the  
7 educational support personnel employee was actually employed  
8 by the school board of the district from which the employment  
9 and position were transferred. Any educational support  
10 personnel employee dismissed as a result of such a decrease  
11 shall be paid all earned compensation on or before the third  
12 business day following his or her last day of employment. If  
13 the school board that has dismissed the educational support  
14 personnel employee or the governing board has any vacancies for  
15 the following school term or within one calendar year from the  
16 beginning of the following school term, the positions thereby  
17 becoming available within a specific category of position shall  
18 be tendered to the employees so removed or dismissed from that  
19 category of position so far as they are legally qualified to  
20 hold such positions. If the cooperative high school is  
21 dissolved, any educational support personnel employee who was  
22 transferred from a participating district shall be transferred  
23 back to the district and Section 10-23.5 of this Code shall  
24 apply. In that case, a district is subject to this Code in the  
25 same manner as if the educational support personnel employee  
26 transferred back had been continuously in the service of the

1 receiving district.

2 (i) Two or more school districts not contiguous to each  
3 other, each of which has an enrollment in grades 9 through 12  
4 of less than 600 students, may jointly operate one or more  
5 cooperative high schools if the following requirements are met  
6 and documented within 2 calendar years prior to the proposition  
7 filing date, pursuant to subsection (a) of this Section:

8 (1) the distance between each district administrative  
9 office is documented as no more than 30 miles;

10 (2) every district contiguous to the district wishing  
11 to operate one or more cooperative high schools under the  
12 provisions of this Section determines that it is not  
13 interested in participating in such joint operation,  
14 through a vote of its school board, and documents that  
15 non-interest in a letter to the districts wishing to form  
16 the cooperative high school containing approved minutes  
17 that record the school board vote;

18 (3) documentation of meeting these requirements is  
19 attached to the board resolution required under subsection  
20 (a) of this Section; and

21 (4) all other provisions of this Section are followed.

22 (Source: P.A. 98-125, eff. 8-2-13.)

23 (105 ILCS 5/10-22.22d)

24 Sec. 10-22.22d. Pilot cooperative elementary school and  
25 pilot cooperative high school.

1           (a) Subject to the provisions of this Section, 2 contiguous  
2 school districts that are (i) located all or in part in  
3 Vermilion County; (ii) have an enrollment in grades 6-8 of less  
4 than 150 during the 2008-2009 school year and in grades 9-12 of  
5 less than 400 during the 2008-2009 school year; and (iii) have  
6 a Junior High School serving grades 6, 7, and 8 in one of the  
7 districts may, when in their judgment the interest of the  
8 districts and of the students will be best served, jointly  
9 pilot a cooperative elementary school or cooperative high  
10 school, or both.

11           The board of each district contemplating a joint operation  
12 shall, by proper resolution, cause the proposition to enter  
13 into such joint operation for a period not to exceed 3 years.

14           The school boards of the participating districts may, if  
15 they agree on terms, execute a contract for such joint  
16 operation subject to the provisions of this Section.

17           (b) The agreement for joint operation of any such  
18 cooperative elementary school or cooperative high school, or  
19 both, shall include, but not be limited to, provisions for  
20 administration, staff, programs, financing, facilities, and  
21 transportation. Agreements may be modified, by approval of each  
22 of the participating districts, provided that a district may  
23 withdraw from the agreement only if the district is  
24 reorganizing with one or more districts under other provisions  
25 of this Code.

26           (c) A governing board, which shall govern the operation of

1 any such cooperative elementary school or cooperative high  
2 school, or both, shall be apportioned to reflect the number of  
3 students in each respective district who attend the cooperative  
4 elementary school or cooperative high school, or both. The  
5 membership of the governing board shall be 5 members. The  
6 school board of each participating district shall select, from  
7 its membership, its representatives on the governing board. The  
8 governing board shall prepare and adopt a budget for the  
9 cooperative elementary school or cooperative high school, or  
10 both. The governing board shall administer the cooperative  
11 elementary school or cooperative high school, or both, in  
12 accordance with the agreement of the districts and shall have  
13 the power to hire, supervise, and terminate staff; to enter  
14 into contracts; to adopt policies for the school or schools;  
15 and to take all other actions necessary and proper for the  
16 operation of the school or schools. The governing board may not  
17 levy taxes or incur any indebtedness except within the annual  
18 budget approved by the participating districts.

19 (d) Each participating district shall pay its per capita  
20 cost of educating the students residing in its district and  
21 attending any cooperative elementary school or cooperative  
22 high school into the budget for the maintenance and operation  
23 of the cooperative elementary school or cooperative high  
24 school, or both.

25 The manner of determining per capita cost shall be set  
26 forth in the agreement. Each district shall pay the amount owed



1 the governing board under the terms of the agreement from the  
2 fund that the district would have used if the district had  
3 incurred the costs directly and may levy taxes and issue bonds  
4 as otherwise authorized for these purposes in order to make  
5 payments to the governing board.

6 (e) Upon formation of the cooperative elementary school or  
7 cooperative high school, or both, the school board of each  
8 participating district shall:

9 (1) confer and coordinate with each other and the  
10 governing board, if the governing board is then in  
11 existence, as to staffing needs for the cooperative  
12 elementary school or cooperative high school, or both;

13 (2) in consultation with any exclusive employee  
14 representatives and the governing board, if the governing  
15 board is then in existence, establish a combined list of  
16 teachers in all participating districts, categorized by  
17 positions, showing the length of service and the  
18 contractual continued service status, if any, of each  
19 teacher in each participating district who is qualified to  
20 hold any positions at the cooperative elementary school or  
21 cooperative high school, or both, and then distribute this  
22 list to the exclusive employee representatives on or before  
23 February 1 of the school year prior to the commencement of  
24 the operation of the cooperative elementary school or  
25 cooperative high school, or both, or within 30 days after  
26 the date of the board resolutions, whichever occurs first;

1           this list is in addition to and not a substitute for the  
2           list mandated by Section 24-12 of this Code; and

3           (3) transfer to the governing board of the cooperative  
4           elementary school or cooperative high school, or both, the  
5           employment and the position of so many of the full-time or  
6           part-time school teachers employed by a participating  
7           district as are jointly determined by the school boards of  
8           the participating districts and the governing board, if the  
9           governing board is then in existence, to be needed at the  
10          cooperative school or schools, provided that these teacher  
11          transfers shall be done:

12                   (A) by categories listed on the seniority list  
13                   mentioned in item (2) of this subsection (e);

14                   (B) in each category, by having teachers in  
15                   contractual continued service being transferred before  
16                   any teachers who are not in contractual continued  
17                   service; and

18                   (C) in order from greatest seniority first through  
19                   lesser amounts of seniority.

20          A teacher who is not in contractual continued service shall  
21          not be transferred if there is a teacher in contractual  
22          continued service in the same category who is qualified to hold  
23          the position that is to be filled.

24          If there are more teachers who have entered upon  
25          contractual continued service than there are available  
26          positions at the cooperative elementary school or cooperative

1 high school, or both or within other assignments in the  
2 district, a school board shall first remove or dismiss all  
3 teachers who have not entered upon contractual continued  
4 service before removing or dismissing any teacher who has  
5 entered upon contractual continued service and who is legally  
6 qualified (i) to hold a position at the cooperative elementary  
7 school or cooperative high school, or both planned to be held  
8 by a teacher who has not entered upon contractual continued  
9 service or (ii) to hold another position in the participating  
10 district. As between teachers who have entered upon contractual  
11 continued service, the teacher or teachers with the shorter  
12 length of continuing service in any of the participating  
13 districts shall be dismissed first. Any teacher dismissed as a  
14 result of such a decrease shall be paid all earned compensation  
15 on or before the third business day following the last day of  
16 pupil attendance in the regular school term. If the school  
17 board that has dismissed a teacher or the governing board has  
18 any vacancies for the following school term or within one  
19 calendar year from the beginning of the following school term,  
20 then the positions thereby becoming available shall be tendered  
21 to the teachers so removed or dismissed so far as they are  
22 legally qualified to hold such positions. If the number of  
23 honorable dismissal notices in all participating districts  
24 exceeds 15% of full-time equivalent positions filled by  
25 certified employees (excluding principals and administrative  
26 personnel) during the preceding school year in all

1 participating districts and if the school board that has  
2 dismissed a teacher or the governing board has any vacancies  
3 for the following school term or within 2 calendar years from  
4 the beginning of the following school term, the positions so  
5 becoming available shall be tendered to the teachers who were  
6 so notified, removed, or dismissed whenever these teachers are  
7 legally qualified to hold those positions.

8 The provisions of subsection (h) of Section 24-11 ~~Section~~  
9 ~~24-12~~ of this Code concerning teachers whose positions are  
10 transferred from one board to the control of a different board  
11 shall apply to the teachers who are transferred. The  
12 contractual continued service of any transferred teacher is not  
13 lost and the governing board is subject to this Code with  
14 respect to the teacher in the same manner as if the teacher had  
15 been the governing board's employee during the time the teacher  
16 was actually employed by the board of the district from which  
17 the position and the teacher's employment were transferred. The  
18 time spent in employment with a participating district by any  
19 teacher who has not yet entered upon contractual continued  
20 service and who is transferred to the governing board is not  
21 lost when computing the time necessary for the teacher to enter  
22 upon contractual continued service, and the governing board is  
23 subject to this Code with respect to the teacher in the same  
24 manner as if the teacher had been the governing board's  
25 employee during the time the teacher was actually employed by  
26 the school board from which the position and the teacher's

1 employment were transferred.

2 At the conclusion of the pilot program, any teacher who was  
3 transferred from a participating district shall be transferred  
4 back to the district and subsection (h) of Section 24-11  
5 ~~Section 24-12~~ of this Code shall apply. In that case, a  
6 district is subject to this Code in the same manner as if the  
7 teacher transferred back had been continuously in the service  
8 of the receiving district.

9 (f) Upon formation of the cooperative elementary school or  
10 cooperative high school, or both, the school board of each  
11 participating district shall:

12 (1) confer and coordinate with each other and the  
13 governing board, if the governing board is then in  
14 existence, as to needs for educational support personnel  
15 for the cooperative elementary school or cooperative high  
16 school, or both;

17 (2) in consultation with any exclusive employee  
18 representative or bargaining agent and the governing  
19 board, if the governing board is then in existence,  
20 establish a combined list of educational support personnel  
21 in participating districts, categorized by positions,  
22 showing the length of continuing service of each full-time  
23 educational support personnel employee who is qualified to  
24 hold any such position at the cooperative elementary school  
25 or cooperative high school, or both, and then distribute  
26 this list to the exclusive employee representative or

1 bargaining agent on or before February 1 of the school year  
2 prior to the commencement of the operation of the  
3 cooperative elementary school or cooperative high school,  
4 or both or within 30 days after the date of the board  
5 resolutions, whichever occurs first; and

6 (3) transfer to the governing board of the cooperative  
7 elementary school or cooperative high school, or both the  
8 employment and the positions of so many of the full-time  
9 educational support personnel employees employed by a  
10 participating district as are jointly determined by the  
11 school boards of the participating districts and the  
12 governing board, if the governing board is then in  
13 existence, to be needed at the cooperative elementary  
14 school or cooperative high school, or both, provided that  
15 the full-time educational personnel employee transfers  
16 shall be done by categories on the seniority list mentioned  
17 in item (2) of this subsection (f) and done in order from  
18 greatest seniority first through lesser amounts of  
19 seniority.

20 If there are more full-time educational support personnel  
21 employees than there are available positions at the cooperative  
22 elementary school or cooperative high school, or both or in the  
23 participating district, then a school board shall first remove  
24 or dismiss those educational support personnel employees with  
25 the shorter length of continuing service in any of the  
26 participating districts, within the respective category of

1 position. The governing board is subject to this Code with  
2 respect to the educational support personnel employee as if the  
3 educational support personnel employee had been the governing  
4 board's employee during the time the educational support  
5 personnel employee was actually employed by the school board of  
6 the district from which the employment and position were  
7 transferred. Any educational support personnel employee  
8 dismissed as a result of such a decrease shall be paid all  
9 earned compensation on or before the third business day  
10 following his or her last day of employment. If the school  
11 board that has dismissed the educational support personnel  
12 employee or the governing board has any vacancies for the  
13 following school term or within one calendar year from the  
14 beginning of the following school term, then the positions  
15 thereby becoming available within a specific category of  
16 position shall be tendered to the employees so removed or  
17 dismissed from that category of position so far as they are  
18 legally qualified to hold such positions. At the conclusion of  
19 the pilot, any educational support personnel employee who was  
20 transferred from a participating district shall be transferred  
21 back to the district and Section 10-23.5 of this Code shall  
22 apply. In that case, a district is subject to this Code in the  
23 same manner as if the educational support personnel employee  
24 transferred back had been continuously in the service of the  
25 receiving district.

26 (g) This Section repeals 3 years after the beginning date

1 of operation of a pilot cooperative elementary school or a  
2 pilot cooperative high school.

3 (Source: P.A. 96-1328, eff. 7-27-10.)

4 (105 ILCS 5/11E-110)

5 Sec. 11E-110. Teachers in contractual continued service;  
6 educational support personnel employees.

7 (a) When a school district conversion or multi-unit  
8 conversion becomes effective for purposes of administration  
9 and attendance, as determined pursuant to Section 11E-70 of  
10 this Code, the provisions of subsection (h) of Section 24-11  
11 ~~Section 24-12~~ of this Code relative to the contractual  
12 continued service status of teachers having contractual  
13 continued service whose positions are transferred from one  
14 school board to the control of a new or different school board  
15 shall apply, and the positions held by teachers, as that term  
16 is defined in subsection (a) of Section 24-11 of this Code,  
17 having contractual continued service with the unit district at  
18 the time of its dissolution shall be transferred on the  
19 following basis:

20 (1) positions of teachers in contractual continued  
21 service that, during the 5 school years immediately  
22 preceding the effective date of the change, as determined  
23 under Section 11E-70 of this Code, were full-time positions  
24 in which all of the time required of the position was spent  
25 in one or more of grades 9 through 12 shall be transferred



1 to the control of the school board of the new high school  
2 district or combined high school - unit district, as the  
3 case may be;

4 (2) positions of teachers in contractual continued  
5 service that, during the 5 school years immediately  
6 preceding the effective date of the change, as determined  
7 under Section 11E-70 of this Code, were full-time positions  
8 in which all of the time required of the position was spent  
9 in one or more of grades kindergarten through 8 shall be  
10 transferred to the control of the school board of the newly  
11 created successor elementary district; and

12 (3) positions of teachers in contractual continued  
13 service that were full-time positions not required to be  
14 transferred to the control of the school board of the new  
15 high school district or combined high school - unit  
16 district, as the case may be, or the school board of the  
17 newly created successor elementary district under the  
18 provisions of subdivision (1) or (2) of this subsection (a)  
19 shall be transferred to the control of whichever of the  
20 boards the teacher shall request.

21 With respect to each position to be transferred under the  
22 provisions of this subsection (a), the amount of time required  
23 of each position to be spent in one or more of grades  
24 kindergarten through 8 and 9 through 12 shall be determined  
25 with reference to the applicable records of the unit district  
26 being dissolved pursuant to stipulation of the school board of

1 the unit district prior to the effective date of its  
2 dissolution or thereafter of the school board of the newly  
3 created districts and with the approval in either case of the  
4 regional superintendent of schools of the educational service  
5 region in which the territory described in the petition filed  
6 under this Article or the greater percentage of equalized  
7 assessed evaluation of the territory is situated; however, if  
8 no such stipulation can be agreed upon, the regional  
9 superintendent of schools, after hearing any additional  
10 relevant and material evidence that any school board desires to  
11 submit, shall make the determination.

12 (a-5) When a school district conversion or multi-unit  
13 conversion becomes effective for purposes of administration  
14 and attendance, as determined pursuant to Section 11E-70 of  
15 this Code, the provisions of subsection (b) of Section 10-23.5  
16 of this Code relative to the transfer of educational support  
17 personnel employees shall apply, and the positions held by  
18 educational support personnel employees shall be transferred  
19 on the following basis:

20 (1) positions of educational support personnel  
21 employees that, during the 5 school years immediately  
22 preceding the effective date of the change, as determined  
23 under Section 11E-70 of this Code, were full-time positions  
24 in which all of the time required of the position was spent  
25 in one or more of grades 9 through 12 shall be transferred  
26 to the control of the school board of the new high school

1 district or combined high school - unit district, as the  
2 case may be;

3 (2) positions of educational support personnel  
4 employees that, during the 5 school years immediately  
5 preceding the effective date of the change, as determined  
6 under Section 11E-70 of this Code, were full-time positions  
7 in which all of the time required of the position was spent  
8 in one or more of grades kindergarten through 8 shall be  
9 transferred to the control of the school board of the newly  
10 created successor elementary district; and

11 (3) positions of educational support personnel  
12 employees that were full-time positions not required to be  
13 transferred to the control of the school board of the new  
14 high school district or combined high school - unit  
15 district, as the case may be, or the school board of the  
16 newly created successor elementary district under  
17 subdivision (1) or (2) of this subsection (a-5) shall be  
18 transferred to the control of whichever of the boards the  
19 educational support personnel employee requests.

20 With respect to each position to be transferred under this  
21 subsection (a-5), the amount of time required of each position  
22 to be spent in one or more of grades kindergarten through 8 and  
23 9 through 12 shall be determined with reference to the  
24 applicable records of the unit district being dissolved  
25 pursuant to stipulation of the school board of the unit  
26 district prior to the effective date of its dissolution or

1 thereafter of the school board of the newly created districts  
2 and with the approval in either case of the regional  
3 superintendent of schools of the educational service region in  
4 which the territory described in the petition filed under this  
5 Article or the greater percentage of equalized assessed  
6 evaluation of the territory is situated; however, if no such  
7 stipulation can be agreed upon, the regional superintendent of  
8 schools, after hearing any additional relevant and material  
9 evidence that any school board desires to submit, shall make  
10 the determination.

11 (b) When the creation of a unit district or a combined  
12 school district becomes effective for purposes of  
13 administration and attendance, as determined pursuant to  
14 Section 11E-70 of this Code, the positions of teachers in  
15 contractual continued service in the districts involved in the  
16 creation of the new district are transferred to the newly  
17 created district pursuant to the provisions of subsection (h)  
18 of Section 24-11 ~~Section 24-12~~ of this Code relative to  
19 teachers having contractual continued service status whose  
20 positions are transferred from one board to the control of a  
21 different board, and those provisions of subsection (h) of  
22 Section 24-11 of this Code ~~Section 24-12~~ shall apply to these  
23 transferred teachers. The contractual continued service status  
24 of any teacher thereby transferred to the newly created  
25 district is not lost and the new school board is subject to  
26 this Code with respect to the transferred teacher in the same

1 manner as if the teacher was that district's employee and had  
2 been its employee during the time the teacher was actually  
3 employed by the school board of the district from which the  
4 position was transferred.

5 (c) When the creation of a unit district or a combined  
6 school district becomes effective for purposes of  
7 administration and attendance, as determined pursuant to  
8 Section 11E-70 of this Code, the positions of educational  
9 support personnel employees in the districts involved in the  
10 creation of the new district shall be transferred to the newly  
11 created district pursuant to subsection (b) of Section 10-23.5  
12 of this Code. The length of continuing service of any  
13 educational support personnel employee thereby transferred to  
14 the newly created district is not lost and the new school board  
15 is subject to this Code with respect to the transferred  
16 educational support personnel employee in the same manner as if  
17 the educational support personnel employee had been that  
18 district's employee during the time the educational support  
19 personnel employee was actually employed by the school board of  
20 the district from which the position was transferred.

21 (Source: P.A. 94-1019, eff. 7-10-06; 95-148, eff. 8-14-07;  
22 95-331, eff. 8-21-07.)

23 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

24 Sec. 18-12. Dates for filing State aid claims. The school  
25 board of each school district, a regional office of education,

1 a laboratory school, or a State-authorized charter school shall  
2 require teachers, principals, or superintendents to furnish  
3 from records kept by them such data as it needs in preparing  
4 and certifying to the State Superintendent of Education  
5 ~~regional superintendent~~ its ~~school district~~ report of claims  
6 provided in Section Sections 18-8.05 of this Code ~~through 18-9~~  
7 ~~as required by the State Superintendent of Education~~. The  
8 ~~district~~ claim shall be based on the latest available equalized  
9 assessed valuation and tax rates, as provided in Section  
10 18-8.05, ~~and~~ shall use the average daily attendance as  
11 determined by the method outlined in Section 18-8.05, ~~and~~ shall  
12 be certified and filed with the State Superintendent of  
13 Education ~~regional superintendent~~ by June 21 for districts and  
14 State-authorized charter schools with an official school  
15 calendar end date before June 15 or within 2 weeks following  
16 the official school calendar end date for districts, regional  
17 offices of education, laboratory schools, or State-authorized  
18 charter schools with a school year end date of June 15 or  
19 later. ~~The regional superintendent shall certify and file with~~  
20 ~~the State Superintendent of Education district State aid claims~~  
21 ~~by July 1 for districts with an official school calendar end~~  
22 ~~date before June 15 or no later than July 15 for districts with~~  
23 ~~an official school calendar end date of June 15 or later.~~  
24 Failure to so file by these deadlines constitutes a forfeiture  
25 of the right to receive payment by the State until such claim  
26 is filed ~~and vouchered for payment~~. The ~~regional superintendent~~

1 ~~of schools shall certify the county report of claims by July~~  
2 ~~15, and the~~ State Superintendent of Education shall voucher for  
3 payment those claims to the State Comptroller as provided in  
4 Section 18-11.

5 Except as otherwise provided in this Section, if any school  
6 district fails to provide the minimum school term specified in  
7 Section 10-19, the State aid claim for that year shall be  
8 reduced by the State Superintendent of Education in an amount  
9 equivalent to 1/176 or .56818% for each day less than the  
10 number of days required by this Code.

11 If the State Superintendent of Education determines that  
12 the failure to provide the minimum school term was occasioned  
13 by an act or acts of God, or was occasioned by conditions  
14 beyond the control of the school district which posed a  
15 hazardous threat to the health and safety of pupils, the State  
16 aid claim need not be reduced.

17 If a school district is precluded from providing the  
18 minimum hours of instruction required for a full day of  
19 attendance due to an adverse weather condition or a condition  
20 beyond the control of the school district that poses a  
21 hazardous threat to the health and safety of students, then the  
22 partial day of attendance may be counted if (i) the school  
23 district has provided at least one hour of instruction prior to  
24 the closure of the school district, (ii) a school building has  
25 provided at least one hour of instruction prior to the closure  
26 of the school building, or (iii) the normal start time of the

1 school district is delayed.

2 If, prior to providing any instruction, a school district  
3 must close one or more but not all school buildings after  
4 consultation with a local emergency response agency or due to a  
5 condition beyond the control of the school district, then the  
6 school district may claim attendance for up to 2 school days  
7 based on the average attendance of the 3 school days  
8 immediately preceding the closure of the affected school  
9 building or, if approved by the State Board of Education,  
10 utilize the provisions of an e-learning program for the  
11 affected school building as prescribed in Section 10-20.56 of  
12 this Code. The partial or no day of attendance described in  
13 this Section and the reasons therefore shall be certified  
14 within a month of the closing or delayed start by the school  
15 district superintendent to the regional superintendent of  
16 schools for forwarding to the State Superintendent of Education  
17 for approval.

18 Other than the utilization of any e-learning days as  
19 prescribed in Section 10-20.56 of this Code, no exception to  
20 the requirement of providing a minimum school term may be  
21 approved by the State Superintendent of Education pursuant to  
22 this Section unless a school district has first used all  
23 emergency days provided for in its regular calendar.

24 If the State Superintendent of Education declares that an  
25 energy shortage exists during any part of the school year for  
26 the State or a designated portion of the State, a district may



1 operate the school attendance centers within the district 4  
2 days of the week during the time of the shortage by extending  
3 each existing school day by one clock hour of school work, and  
4 the State aid claim shall not be reduced, nor shall the  
5 employees of that district suffer any reduction in salary or  
6 benefits as a result thereof. A district may operate all  
7 attendance centers on this revised schedule, or may apply the  
8 schedule to selected attendance centers, taking into  
9 consideration such factors as pupil transportation schedules  
10 and patterns and sources of energy for individual attendance  
11 centers.

12 Electronically submitted State aid claims shall be  
13 submitted by duly authorized district ~~or regional~~ individuals  
14 over a secure network that is password protected. The  
15 electronic submission of a State aid claim must be accompanied  
16 with an affirmation that all of the provisions of Sections  
17 18-8.05 ~~through 18-9~~, 10-22.5, and 24-4 of this Code are met in  
18 all respects.

19 (Source: P.A. 99-194, eff. 7-30-15.)

20 (105 ILCS 5/21B-30)

21 Sec. 21B-30. Educator testing.

22 (a) This Section applies beginning on July 1, 2012.

23 (b) The State Board of Education, in consultation with the  
24 State Educator Preparation and Licensure Board, shall design  
25 and implement a system of examinations, which shall be required

1 prior to the issuance of educator licenses. These examinations  
2 and indicators must be based on national and State professional  
3 teaching standards, as determined by the State Board of  
4 Education, in consultation with the State Educator Preparation  
5 and Licensure Board. The State Board of Education may adopt  
6 such rules as may be necessary to implement and administer this  
7 Section. No score on a test required under this Section, other  
8 than a test of basic skills, shall be more than 10 years old at  
9 the time that an individual makes application for an educator  
10 license or endorsement.

11 (c) Applicants seeking a Professional Educator License or  
12 an Educator License with Stipulations shall be required to pass  
13 a test of basic skills before the license is issued, unless the  
14 endorsement the individual is seeking does not require passage  
15 of the test. All applicants completing Illinois-approved,  
16 teacher education or school service personnel preparation  
17 programs shall be required to pass the State Board of  
18 Education's recognized test of basic skills prior to starting  
19 their student teaching or starting the final semester of their  
20 internship, unless required earlier at the discretion of the  
21 recognized, Illinois institution in which they are completing  
22 their approved program. An individual who passes a test of  
23 basic skills does not need to do so again for subsequent  
24 endorsements or other educator licenses.

25 (d) All applicants seeking a State license shall be  
26 required to pass a test of content area knowledge for each area

1 of endorsement for which there is an applicable test. There  
2 shall be no exception to this requirement. No candidate shall  
3 be allowed to student teach or serve as the teacher of record  
4 until he or she has passed the applicable content area test.

5 (e) All applicants seeking a State license endorsed in a  
6 teaching field and completing their student teaching  
7 experience no later than August 31, 2015 shall pass the  
8 assessment of professional teaching (APT). Prior to September  
9 1, 2015, passage ~~Passage~~ of the APT is required for completion  
10 of an approved Illinois educator preparation program. The APT  
11 shall be available through August 31, 2020.

12 (f) Beginning on September 1, 2015, all candidates  
13 completing teacher preparation programs in this State and all  
14 candidates subject to Section 21B-35 of this Code are required  
15 to pass an evidence-based assessment of teacher effectiveness  
16 approved by the State Board of Education, in consultation with  
17 the State Educator Preparation and Licensure Board. All  
18 recognized institutions offering approved teacher preparation  
19 programs must begin phasing in the approved teacher performance  
20 assessment no later than July 1, 2013.

21 (g) Tests of basic skills and content area knowledge and  
22 the assessment of professional teaching shall be the tests that  
23 from time to time are designated by the State Board of  
24 Education, in consultation with the State Educator Preparation  
25 and Licensure Board, and may be tests prepared by an  
26 educational testing organization or tests designed by the State

1 Board of Education, in consultation with the State Educator  
2 Preparation and Licensure Board. The areas to be covered by a  
3 test of basic skills shall include reading, language arts, and  
4 mathematics. The test of content area knowledge shall assess  
5 content knowledge in a specific subject field. The tests must  
6 be designed to be racially neutral to ensure that no person  
7 taking the tests is discriminated against on the basis of race,  
8 color, national origin, or other factors unrelated to the  
9 person's ability to perform as a licensed employee. The score  
10 required to pass the tests shall be fixed by the State Board of  
11 Education, in consultation with the State Educator Preparation  
12 and Licensure Board. The tests shall be administered not fewer  
13 than 3 times a year at such time and place as may be designated  
14 by the State Board of Education, in consultation with the State  
15 Educator Preparation and Licensure Board.

16 The State Board shall implement a test or tests to assess  
17 the speaking, reading, writing, and grammar skills of  
18 applicants for an endorsement or a license issued under  
19 subdivision (G) of paragraph (2) of Section 21B-20 of this Code  
20 in the English language and in the language of the transitional  
21 bilingual education program requested by the applicant.

22 (h) Except as provided in Section 34-6 of this Code, the  
23 provisions of this Section shall apply equally in any school  
24 district subject to Article 34 of this Code.

25 (i) The rules developed to implement and enforce the  
26 testing requirements under this Section shall include without

1 limitation provisions governing test selection, test  
2 validation and determination of a passing score,  
3 administration of the tests, frequency of administration,  
4 applicant fees, frequency of applicants taking the tests, the  
5 years for which a score is valid, and appropriate special  
6 accommodations. The State Board of Education shall develop such  
7 rules as may be needed to ensure uniformity from year to year  
8 in the level of difficulty for each form of an assessment.

9 (Source: P.A. 98-361, eff. 1-1-14; 98-581, eff. 8-27-13;  
10 98-756, eff. 7-16-14; 99-58, eff. 7-16-15.)

11 Section 10. The School Breakfast and Lunch Program Act is  
12 amended by changing Section 9 as follows:

13 (105 ILCS 125/9) (from Ch. 122, par. 712.9)

14 Sec. 9. Certification and payment of claims. The State  
15 Board of Education shall prepare and certify to the State  
16 Comptroller at least quarterly ~~monthly~~ the amount due each  
17 board and welfare center, whereupon the Comptroller shall draw  
18 his warrants on the State Treasurer for the amounts certified  
19 for the various school boards and welfare centers.

20 (Source: P.A. 91-843, eff. 6-22-00.)

21 Section 99. Effective date. This Act takes effect July 1,  
22 2016, except that this Section and the changes to Section  
23 2-3.25a of the School Code take effect upon becoming law.