



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB2168

Introduced 8/19/2015, by Sen. Michael Noland

#### 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 13729 NHT 37693 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.)