



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3422

Introduced 4/18/2016, by Sen. Karen McConnaughay

SYNOPSIS AS INTRODUCED:

New Act

105 ILCS 5/2-3.25g

from Ch. 122, par. 2-3.25g

Creates the School Districts of Innovation Act, the purpose of which is to grant school districts greater autonomy to implement innovative practices that improve student academic performance and benefit the whole child by removing obstacles that currently exist in law or rules. Provides that school districts seeking to obtain designation as a district of innovation from the State Superintendent of Education must establish an innovation committee to develop an innovation plan; sets forth provisions concerning the committee and plan. Contains provisions concerning statutory and regulatory mandates; innovation plan submission and designation; financial support for innovation planning; district of innovation review, renewal, and revocation; reporting; and rulemaking. Effective immediately.

LRB099 21392 NHT 47289 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 1. Short title. This Act may be cited as the School
5 Districts of Innovation Act.

6 Section 5. Purpose. The purpose of this Act is to grant
7 school districts greater autonomy to implement innovative
8 practices that improve student academic performance and
9 benefit the whole child by removing obstacles that currently
10 exist in law or rules.

11 Section 10. Definitions. In this Act:

12 "District of innovation" means a school district that has
13 received such designation by the State Superintendent in
14 accordance with this Act.

15 "High-achieving district" means a school district that is
16 closing achievement gaps and has demonstrated significant
17 student growth as provided in Section 2-3.25c of the School
18 Code.

19 "Innovation" means a new or creative alternative to
20 existing instructional and administrative practices that is
21 intended to improve academic performance and learning outcomes
22 for students.

1 "Innovation committee" means a committee of
2 representatives of the school district convened and operating
3 in accordance with Section 15 of this Act.

4 "School district" means a public school district in this
5 State, excluding vocational schools and special education
6 cooperatives.

7 "State Superintendent" means the State Superintendent of
8 Education.

9 Section 15. Innovation committee.

10 (a) School districts seeking to obtain designation as a
11 district of innovation must establish an innovation committee
12 that shall operate pursuant to the provisions of this Act. The
13 innovation committee shall consist of all of the following
14 individuals:

15 (1) The school district superintendent or his or her
16 designee.

17 (2) The president of the school district's school board
18 or his or her designee.

19 (3) One principal of a building in the school district,
20 appointed by the school district superintendent.

21 (4) Two teachers employed by the school district,
22 appointed by the exclusive bargaining representative of
23 the school district's teachers. If no exclusive bargaining
24 representative exists, then the school district
25 superintendent shall appoint the 2 teacher

1 representatives.

2 (5) One employee of the school district defined as
3 school personnel under subsection (b) of Section 27-23.7 of
4 the School Code, other than the school district
5 superintendent, a principal, or a teacher, appointed by the
6 exclusive bargaining representative of the school
7 personnel. If no exclusive bargaining representative
8 exists, then the school district superintendent shall
9 appoint the school personnel representative.

10 (6) Two individuals not employed by the school district
11 who reside in the geographic boundaries of the school
12 district, appointed by the school district superintendent.

13 (7) Two parents of students enrolled in the school
14 district, appointed by the school district's parent
15 organization or organizations. If no parent organization
16 exists, then the parent representatives shall be appointed
17 by the school district superintendent.

18 (8) One student who is enrolled in the school district,
19 appointed by the school district superintendent.

20 (9) The regional superintendent of schools who holds
21 supervision and control over the school district or his or
22 her designee.

23 (b) The innovation committee shall develop a public
24 participation process for requesting and reviewing proposals
25 from members of the broader school community in the school
26 district.

1 (c) The innovation committee may create subcommittees,
2 which may include non-committee members with specific
3 expertise, to work on developing portions of the innovation
4 plan under Section 20 of this Act.

5 Section 20. Innovation plan proposal.

6 (a) The innovation committee established under Section 15
7 of this Act shall develop an innovation plan, which shall
8 outline the school district's proposal for improving student
9 academic performance through innovation. The plan may identify
10 mandates in Chapter 105 of the Illinois Compiled Statutes and
11 applicable implementing rules that the innovation committee
12 considers to be obstacles to achieving or maintaining high
13 student performance and request to be exempted from those
14 mandates. The plan shall be developed with significant input
15 from the broader school district community.

16 (b) The innovation plan shall contain elements prescribed
17 in the following:

18 (1) The goals or performance outcomes the school
19 district expects to achieve as a result of being designated
20 a district of innovation. The goals need to be ambitious,
21 but achievable, and improve performance at or above that
22 expected by State and federal accountability systems. The
23 measurable goals shall provide a basis for renewing or
24 modifying the innovation plan at the end of the period of
25 authorization and shall address one or more of the

1 following areas:

2 (A) All students in kindergarten are assessed for
3 readiness.

4 (B) Ninety percent or more of third-grade students
5 are reading at or above grade level.

6 (C) Ninety percent or more of fifth-grade students
7 meet or exceed expectations in mathematics.

8 (D) Ninety percent or more of ninth-grade students
9 are on track to graduate with their cohort.

10 (E) Ninety percent or more students graduate from
11 high school ready for college and a career.

12 (F) All students are supported by highly prepared
13 and effective teachers and school leaders.

14 (G) Every school offers a safe and healthy learning
15 environment for all students.

16 (2) A description of the unique operational policies
17 and procedures that will be implemented in the district of
18 innovation and how such policies and procedures will
19 support the annual goals identified in the innovation plan.

20 (3) Specific requests for flexibility regarding
21 specific statutory or regulatory mandates. Such requests
22 must describe in detail the types of flexibility that will
23 be utilized and why such flexibility is necessary to
24 achieving the goals of the plan.

25 (4) Documentation of the collaborative process in
26 which the plan was developed.

1 (5) Documentation of the approval of the plan by the
2 teachers in the school district. A majority of school
3 district employees licensed under Article 21B of the School
4 Code shall vote in the positive to support the plan before
5 submission for approval. The school board shall develop a
6 procedure regarding the voting of an innovation plan in
7 conjunction with the exclusive bargaining representative
8 of that school district, if applicable.

9 (6) A budget plan that describes how funds will be used
10 differently in the proposed district of innovation.

11 (7) Any other information requested by the regional
12 superintendent of schools or the State Superintendent.

13 (c) A school district may seek autonomy through innovation
14 in any of the following areas, but need not be limited to the
15 following:

16 (1) Flexibility to demonstrate measurable improvement
17 among subgroups of students, including low-income
18 students, English learners, or students receiving special
19 education services.

20 (2) Flexibility to demonstrate reduction of
21 achievement gaps among different groups of students.

22 (3) Flexibility to meet the graduation requirements
23 set by this State, with an emphasis on using
24 competency-based, performance-based assessments at the
25 local level.

26 (4) Flexibility to structure professional development

1 activities according to the needs of the students, staff,
2 and faculty of the school district. This may include any of
3 the following:

4 (A) Modifying or transforming the structure or
5 content of professional development activities to meet
6 the specific needs of the school district's student
7 population, regardless of the school district's
8 professional development activities.

9 (B) Restructuring the daily schedule in order to
10 fully integrate professional development into the
11 daily collaboration of teachers within the school
12 district.

13 (C) Ongoing and high-quality professional
14 development opportunities designed to achieve the
15 goals identified in the innovation plan for all staff
16 members.

17 (5) Flexibility to manage staff members as needed in
18 order to create a healthy school community. This may
19 include, but need not be limited to, any of the following:

20 (A) Establishing staffing patterns and creating
21 job descriptions that best meet the academic, social,
22 and emotional needs of students, with approved
23 exemptions from Article 21B of the School Code.

24 (B) Hiring staff that best fit the needs of the
25 school district.

26 (C) Providing services, including services for

1 gifted and talented students, services for English
2 learners, educational services for students at risk of
3 academic failure, expulsion, or dropping out, and
4 support services provided by the Department of Human
5 Services or county social services agencies.

6 (D) Faculty recruitment, preparation and
7 professional development, and compensation, which may
8 include the ability to conduct independent recruitment
9 and hiring processes, the design of professional
10 development, the use of peer-based evaluations, or the
11 implementation of a site-based pay incentive program.

12 (E) Preparation and counseling of students for the
13 transition to higher education or the workforce.

14 (F) Accountability measures, including expanding
15 the use of a variety of accountability measures, such
16 as graduation or exit examinations, student portfolio
17 reviews, competency-based pathways, or student and
18 parent accountability contracts.

19 (6) Flexibility to set longer school days and calendar
20 years for both students and faculty and scheduling that
21 allows for faculty planning time during the summer and
22 school year that may contribute to a more unified school
23 community. This may include increasing planning and
24 professional development time for faculty.

25 Section 25. Statutory and regulatory mandates. School

1 districts shall not be relieved from any of the following
2 statutory or regulatory mandates:

3 (1) The Illinois Learning Standards established by the
4 State Board of Education.

5 (2) Accountability measures pursuant to Section
6 2-3.25a of the School Code.

7 (3) Student achievement on the annual State
8 assessments as required by Section 2-3.64a-5 of the School
9 Code.

10 (4) Provisions of the federal Every Student Succeeds
11 Act.

12 (5) Mandates required to maintain federal grant
13 awards.

14 (6) Provisions outside of Chapter 105 of the Illinois
15 Compiled Statutes or their implementing rules.

16 (7) Non-curricular health and safety requirements.

17 (8) Mandates related to civil rights and student access
18 to district educational and non-educational programs.

19 (9) Mandates contained in Article 24 or 24A of the
20 School Code or their implementing rules.

21 No provision of this Act relieves or compromises any
22 party's rights or obligations under the Illinois Educational
23 Labor Relations Act.

24 Section 30. Innovation plan submission and designation.

25 (a) A school district seeking designation as a district of

1 innovation must develop an innovation plan in accordance with
2 this Act.

3 (b) A school board shall post the innovation plan approved
4 by the innovation committee and eligible employees on the
5 school district's public Internet website for 30 days prior to
6 a final vote on the plan. A majority vote of the school board
7 is required at a regularly scheduled school board meeting to
8 approve the plan. If more than one school district is included
9 in the innovation plan, each school board must approve the
10 plan.

11 (c) Once a school board has approved an innovation plan,
12 the plan shall be submitted for review to the regional
13 superintendent of schools that holds supervision and control
14 over the district. An innovation plan for a school district
15 organized under Article 34 of the School Code shall be
16 submitted directly to the State Superintendent.

17 (d) The regional superintendent of schools shall certify
18 that, at a minimum, the following provisions have been
19 addressed:

20 (1) the overall vision for the school district,
21 including improving school performance and student
22 achievement related to the measurable goals prescribed in
23 Section 20 of this Act;

24 (2) the specific needs or challenges the district of
25 innovation will be designed to address;

26 (3) the number of students the district of innovation

1 is anticipated to serve and the number of staff expected to
2 be employed within the district of innovation;

3 (4) an assessment of the autonomy and flexibility that
4 the school district is seeking;

5 (5) why the flexibility is desirable to carry out the
6 objectives of the school district;

7 (6) a description of the process that was used to
8 involve appropriate stakeholders in the development of the
9 innovation plan; and

10 (7) a proposed timetable for development and
11 establishment of the district of innovation.

12 (e) The regional superintendent of schools shall certify
13 that a school district's innovation plan contains the
14 specifications and satisfies the requirements of this Act and,
15 if so, shall submit the innovation plan to the State
16 Superintendent within 30 calendar days after receipt of the
17 innovation plan.

18 (f) The State Superintendent may approve or deny a school
19 district's innovation plan within 45 days after receipt. If the
20 State Superintendent fails to act within 45 days, the
21 innovation plan shall be deemed approved by the State
22 Superintendent.

23 (g) Districts of innovation are exempt from the School Code
24 waiver process under Section 2-3.25g of the School Code and
25 applicable rules. This exemption applies only to those items
26 approved in the innovation plan.

1 (h) A school district designated as a district of
2 innovation shall have its innovation plan approved for a 2-year
3 period, renewable for subsequent 2-year periods, as determined
4 by the State Superintendent and based on reviews conducted by
5 the applicable regional superintendent of schools, in
6 accordance with Section 40 of this Act. A school district
7 designated as a high-achieving district and awarded a
8 designation as a district of innovation shall have its
9 innovation plan approved for a 4-year period, renewable for
10 subsequent 4-year periods.

11 Section 35. Financial support for innovation planning.
12 Each school district and school board is authorized and
13 encouraged to seek and accept public and private gifts, grants,
14 and donations to offset the costs of developing and
15 implementing innovation plans and plans for creating districts
16 of innovation.

17 Section 40. District of innovation review, renewal, and
18 revocation.

19 (a) Regional superintendents of schools that hold
20 supervision and control over one or more districts of
21 innovation shall evaluate districts of innovation every 2 years
22 or, in the case of a high-achieving district, every 4 years.
23 The evaluation is to determine progress on goals articulated in
24 the school district's innovation plan and to assess

1 implementation. The regional superintendent of schools shall
2 transmit the evaluation to the district of innovation and the
3 State Superintendent.

4 The review shall assess progress on specific goals related
5 to the following:

6 (1) All students in kindergarten are assessed for
7 readiness.

8 (2) Ninety percent or more third-grade students are
9 reading at or above grade level.

10 (3) Ninety percent or more fifth-grade students meet or
11 exceed expectations in mathematics.

12 (4) Ninety percent or more of ninth-grade students are
13 on track to graduate with their cohort.

14 (5) Ninety percent or more students graduate from high
15 school ready for college and a career.

16 (6) All students are supported by highly prepared and
17 effective teachers and school leaders.

18 (7) Every school offers a safe and healthy learning
19 environment for all students.

20 Reviews may include feedback collected from focus groups of
21 staff, students, and families, as well as community partners,
22 and a review of student work and exhibitions.

23 (b) Districts of innovation may seek renewal at the end of
24 the initial 2-year approval period or 4-year approval period in
25 the case of high-achieving districts. Requests for renewal
26 shall be made to the regional superintendents of schools that

1 hold supervision and control over the district of innovation at
2 the time of the 2-year or 4-year review. Regional
3 superintendents of schools shall include the renewal request in
4 the evaluation transmitted to the district of innovation and
5 the State Superintendent.

6 The State Superintendent may grant renewal of a district of
7 innovation designation if sufficient progress has been made in
8 achieving the goals as prescribed in the innovation plan.

9 A district of innovation may submit amendments or revisions
10 to an existing innovation plan considered for renewal to the
11 regional superintendent of schools for certification and
12 transmittal to the State Superintendent for approval. If the
13 proposed changes make substantive changes to the innovation
14 plan, the initial approval process outlined in Section 20 of
15 this Act must be followed.

16 (c) The State Superintendent may revoke the district of
17 innovation designation if a district of innovation fails to
18 substantially fulfill the innovation plan, meet goals and
19 performance targets, or comply with applicable laws or rules.

20 The State Superintendent shall notify a district of
21 innovation of a decision to revoke the school district's
22 district of innovation designation within 15 days after such
23 decision. The State Superintendent shall communicate the
24 reasons for the revocation to the school district. The
25 innovation committee may amend and resubmit the innovation plan
26 to begin the process described in Section 30 of this Act.

1 Section 80. Reporting. The State Board of Education shall
2 submit a report to the Governor and General Assembly regarding
3 the participation and outcomes of this Act on or before
4 December 15, 2017 and annually on or before December 15
5 thereafter. A comprehensive report that includes measurements
6 of demonstrated student achievement and college and career
7 readiness in districts of innovation shall be submitted to the
8 Governor and General Assembly on or before December 15, 2023.

9 Districts of innovation must provide any and all data
10 requested by the State Board of Education to generate reports
11 under this Section.

12 Section 85. Rules. The State Board of Education may adopt
13 rules as necessary to implement this Act.

14 Section 90. The School Code is amended by changing Section
15 2-3.25g as follows:

16 (105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

17 Sec. 2-3.25g. Waiver or modification of mandates within the
18 School Code and administrative rules and regulations.

19 (a) In this Section:

20 "Board" means a school board or the governing board or
21 administrative district, as the case may be, for a joint
22 agreement.

1 "Eligible applicant" means a school district, joint
2 agreement made up of school districts, or regional
3 superintendent of schools on behalf of schools and programs
4 operated by the regional office of education.

5 "Implementation date" has the meaning set forth in
6 Section 24A-2.5 of this Code.

7 "State Board" means the State Board of Education.

8 (b) Notwithstanding any other provisions of this School
9 Code or any other law of this State to the contrary, eligible
10 applicants may petition the State Board of Education for the
11 waiver or modification of the mandates of this School Code or
12 of the administrative rules and regulations promulgated by the
13 State Board of Education. Waivers or modifications of
14 administrative rules and regulations and modifications of
15 mandates of this School Code may be requested when an eligible
16 applicant demonstrates that it can address the intent of the
17 rule or mandate in a more effective, efficient, or economical
18 manner or when necessary to stimulate innovation or improve
19 student performance. Waivers of mandates of the School Code may
20 be requested when the waivers are necessary to stimulate
21 innovation or improve student performance. Waivers may not be
22 requested from laws, rules, and regulations pertaining to
23 special education, teacher educator licensure, teacher tenure
24 and seniority, or Section 5-2.1 of this Code or from compliance
25 with the No Child Left Behind Act of 2001 (Public Law 107-110).
26 Eligible applicants may not seek a waiver or seek a

1 modification of a mandate regarding the requirements for (i)
2 student performance data to be a significant factor in teacher
3 or principal evaluations or (ii) teachers and principals to be
4 rated using the 4 categories of "excellent", "proficient",
5 "needs improvement", or "unsatisfactory". On September 1,
6 2014, any previously authorized waiver or modification from
7 such requirements shall terminate.

8 (c) Eligible applicants, as a matter of inherent managerial
9 policy, and any Independent Authority established under
10 Section 2-3.25f-5 of this Code may submit an application for a
11 waiver or modification authorized under this Section. Each
12 application must include a written request by the eligible
13 applicant or Independent Authority and must demonstrate that
14 the intent of the mandate can be addressed in a more effective,
15 efficient, or economical manner or be based upon a specific
16 plan for improved student performance and school improvement.
17 Any eligible applicant requesting a waiver or modification for
18 the reason that intent of the mandate can be addressed in a
19 more economical manner shall include in the application a
20 fiscal analysis showing current expenditures on the mandate and
21 projected savings resulting from the waiver or modification.
22 Applications and plans developed by eligible applicants must be
23 approved by the board or regional superintendent of schools
24 applying on behalf of schools or programs operated by the
25 regional office of education following a public hearing on the
26 application and plan and the opportunity for the board or

1 regional superintendent to hear testimony from staff directly
2 involved in its implementation, parents, and students. The time
3 period for such testimony shall be separate from the time
4 period established by the eligible applicant for public comment
5 on other matters. If the applicant is a school district or
6 joint agreement requesting a waiver or modification of Section
7 27-6 of this Code, the public hearing shall be held on a day
8 other than the day on which a regular meeting of the board is
9 held.

10 (c-5) If the applicant is a school district, then the
11 district shall post information that sets forth the time, date,
12 place, and general subject matter of the public hearing on its
13 Internet website at least 14 days prior to the hearing. If the
14 district is requesting to increase the fee charged for driver
15 education authorized pursuant to Section 27-24.2 of this Code,
16 the website information shall include the proposed amount of
17 the fee the district will request. All school districts must
18 publish a notice of the public hearing at least 7 days prior to
19 the hearing in a newspaper of general circulation within the
20 school district that sets forth the time, date, place, and
21 general subject matter of the hearing. Districts requesting to
22 increase the fee charged for driver education shall include in
23 the published notice the proposed amount of the fee the
24 district will request. If the applicant is a joint agreement or
25 regional superintendent, then the joint agreement or regional
26 superintendent shall post information that sets forth the time,

1 date, place, and general subject matter of the public hearing
2 on its Internet website at least 14 days prior to the hearing.
3 If the joint agreement or regional superintendent is requesting
4 to increase the fee charged for driver education authorized
5 pursuant to Section 27-24.2 of this Code, the website
6 information shall include the proposed amount of the fee the
7 applicant will request. All joint agreements and regional
8 superintendents must publish a notice of the public hearing at
9 least 7 days prior to the hearing in a newspaper of general
10 circulation in each school district that is a member of the
11 joint agreement or that is served by the educational service
12 region that sets forth the time, date, place, and general
13 subject matter of the hearing, provided that a notice appearing
14 in a newspaper generally circulated in more than one school
15 district shall be deemed to fulfill this requirement with
16 respect to all of the affected districts. Joint agreements or
17 regional superintendents requesting to increase the fee
18 charged for driver education shall include in the published
19 notice the proposed amount of the fee the applicant will
20 request. The eligible applicant must notify in writing the
21 affected exclusive collective bargaining agent and those State
22 legislators representing the eligible applicant's territory of
23 its intent to seek approval of a waiver or modification and of
24 the hearing to be held to take testimony from staff. The
25 affected exclusive collective bargaining agents shall be
26 notified of such public hearing at least 7 days prior to the

1 date of the hearing and shall be allowed to attend such public
2 hearing. The eligible applicant shall attest to compliance with
3 all of the notification and procedural requirements set forth
4 in this Section.

5 (d) A request for a waiver or modification of
6 administrative rules and regulations or for a modification of
7 mandates contained in this School Code shall be submitted to
8 the State Board of Education within 15 days after approval by
9 the board or regional superintendent of schools. The
10 application as submitted to the State Board of Education shall
11 include a description of the public hearing. Except with
12 respect to contracting for adaptive driver education, an
13 eligible applicant wishing to request a modification or waiver
14 of administrative rules of the State Board of Education
15 regarding contracting with a commercial driver training school
16 to provide the course of study authorized under Section 27-24.2
17 of this Code must provide evidence with its application that
18 the commercial driver training school with which it will
19 contract holds a license issued by the Secretary of State under
20 Article IV of Chapter 6 of the Illinois Vehicle Code and that
21 each instructor employed by the commercial driver training
22 school to provide instruction to students served by the school
23 district holds a valid teaching certificate or teaching
24 license, as applicable, issued under the requirements of this
25 Code and rules of the State Board of Education. Such evidence
26 must include, but need not be limited to, a list of each

1 instructor assigned to teach students served by the school
2 district, which list shall include the instructor's name,
3 personal identification number as required by the State Board
4 of Education, birth date, and driver's license number. If the
5 modification or waiver is granted, then the eligible applicant
6 shall notify the State Board of Education of any changes in the
7 personnel providing instruction within 15 calendar days after
8 an instructor leaves the program or a new instructor is hired.
9 Such notification shall include the instructor's name,
10 personal identification number as required by the State Board
11 of Education, birth date, and driver's license number. If a
12 school district maintains an Internet website, then the
13 district shall post a copy of the final contract between the
14 district and the commercial driver training school on the
15 district's Internet website. If no Internet website exists,
16 then the district shall make available the contract upon
17 request. A record of all materials in relation to the
18 application for contracting must be maintained by the school
19 district and made available to parents and guardians upon
20 request. The instructor's date of birth and driver's license
21 number and any other personally identifying information as
22 deemed by the federal Driver's Privacy Protection Act of 1994
23 must be redacted from any public materials. Following receipt
24 of the waiver or modification request, the State Board shall
25 have 45 days to review the application and request. If the
26 State Board fails to disapprove the application within that 45

1 day period, the waiver or modification shall be deemed granted.
2 The State Board may disapprove any request if it is not based
3 upon sound educational practices, endangers the health or
4 safety of students or staff, compromises equal opportunities
5 for learning, or fails to demonstrate that the intent of the
6 rule or mandate can be addressed in a more effective,
7 efficient, or economical manner or have improved student
8 performance as a primary goal. Any request disapproved by the
9 State Board may be appealed to the General Assembly by the
10 eligible applicant as outlined in this Section.

11 A request for a waiver from mandates contained in this
12 School Code shall be submitted to the State Board within 15
13 days after approval by the board or regional superintendent of
14 schools. The application as submitted to the State Board of
15 Education shall include a description of the public hearing.
16 The description shall include, but need not be limited to, the
17 means of notice, the number of people in attendance, the number
18 of people who spoke as proponents or opponents of the waiver, a
19 brief description of their comments, and whether there were any
20 written statements submitted. The State Board shall review the
21 applications and requests for completeness and shall compile
22 the requests in reports to be filed with the General Assembly.
23 The State Board shall file reports outlining the waivers
24 requested by eligible applicants and appeals by eligible
25 applicants of requests disapproved by the State Board with the
26 Senate and the House of Representatives before each March 1 and

1 October 1. The General Assembly may disapprove the report of
2 the State Board in whole or in part within 60 calendar days
3 after each house of the General Assembly next convenes after
4 the report is filed by adoption of a resolution by a record
5 vote of the majority of members elected in each house. If the
6 General Assembly fails to disapprove any waiver request or
7 appealed request within such 60 day period, the waiver or
8 modification shall be deemed granted. Any resolution adopted by
9 the General Assembly disapproving a report of the State Board
10 in whole or in part shall be binding on the State Board.

11 (e) An approved waiver or modification (except a waiver
12 from or modification to a physical education mandate) may
13 remain in effect for a period not to exceed 5 school years and
14 may be renewed upon application by the eligible applicant.
15 However, such waiver or modification may be changed within that
16 5-year period by a board or regional superintendent of schools
17 applying on behalf of schools or programs operated by the
18 regional office of education following the procedure as set
19 forth in this Section for the initial waiver or modification
20 request. If neither the State Board of Education nor the
21 General Assembly disapproves, the change is deemed granted.

22 An approved waiver from or modification to a physical
23 education mandate may remain in effect for a period not to
24 exceed 2 school years and may be renewed no more than 2 times
25 upon application by the eligible applicant. An approved waiver
26 from or modification to a physical education mandate may be

1 changed within the 2-year period by the board or regional
2 superintendent of schools, whichever is applicable, following
3 the procedure set forth in this Section for the initial waiver
4 or modification request. If neither the State Board of
5 Education nor the General Assembly disapproves, the change is
6 deemed granted.

7 (f) (Blank).

8 (g) A district of innovation, as defined in the School
9 Districts of Innovation Act, is exempt from the waiver process
10 under this Section to the extent provided in subsection (g) of
11 Section 30 of the School Districts of Innovation Act.

12 (Source: P.A. 98-513, eff. 1-1-14; 98-739, eff. 7-16-14;
13 98-1155, eff. 1-9-15; 99-78, eff. 7-20-15.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.