

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  
5 Community Education Act.

6 Section 5. Purpose. The Community Education Program is  
7 a program that promotes lifelong learning for the entire  
8 community and utilizes a process of citizen participation to  
9 encourage the use of all available resources to respond to  
10 individual and community needs. The program achieves this by  
11 identifying community needs and resources and linking them in  
12 a way that helps people to help themselves raise the quality  
13 of life in their community. The program accomplishes this  
14 objective by assisting in the assessment of community needs,  
15 promoting collaboration among government, civic, fraternal,  
16 religious, business, labor and educational organizations and  
17 reducing duplication of effort through active community,  
18 business, and education partnerships. The program provides  
19 expanded opportunities for learning to residents of all ages  
20 and provides additional community services. The General  
21 Assembly recognizes that, while the primary mission of the  
22 common schools in this State is to educate the children of  
23 this State, in these times of increased longevity, social  
24 complexity, and rapidly changing technology, there is an  
25 increasing need for providing lifelong learning for all of  
26 the residents of each community in this State and recognizes  
27 that the common schools are uniquely suited to serve as  
28 centers for the delivery of these programs of lifelong  
29 learning for all segments of the population. The program  
30 also recognizes the principle of local control of the  
31 educational process by each community. To provide a

1 framework for the delivery of these services, it is the  
2 intent of the General Assembly to provide a framework of  
3 support and supervision of community education programs by  
4 the State Board of Education, with the option to establish  
5 and operate a program of community education being reserved  
6 to the school districts.

7 Section 10. Community Education Program. There is  
8 created the Community Education Program, implemented by the  
9 State Board of Education and administered by a Community  
10 Education Coordinator, appointed as provided in this Act.  
11 Optionally this program may be implemented by a school  
12 district in the manner provided in this Act. This program  
13 shall do the following:

14 (1) Contain provisions and standards conducive to  
15 the establishment of community, business, and education  
16 partnerships that give use to lasting relationships  
17 between the partners that are mutually beneficial.

18 (2) Provide greater community access to school  
19 facilities and programs to promote increased achievement  
20 by children.

21 (3) Make school facilities available for citizen  
22 use.

23 (4) Organize local residents to assess local  
24 conditions, set priorities, identify program needs, and  
25 participate in program planning and development.

26 (5) Identify and utilize resources within the  
27 community or those that impact on the community.

28 (6) Assist in the initiation of new and improved  
29 programs in an effort to improve opportunities for all  
30 residents of the community.

31 (7) Provide early childhood family services,  
32 including parental, medical, and parent education  
33 services, and day care for school-aged youngsters before

1 and after school.

2 (8) Provide effective youth training programs and  
3 employment counseling in schools, as well as paid work  
4 experience linking the schools with the private sector.

5 (9) Provide student involvement in community  
6 service learning activities, organizations, and  
7 intergenerational programs.

8 (10) Provide volunteer programs to bring parents,  
9 business personnel, community agency representatives,  
10 retirees, and other students into the classroom as  
11 participants in the teaching of students.

12 (11) Provide an extended-day educational program  
13 for school age children through grade 6.

14 (12) Provide supplemental or additional programs  
15 for junior high school and high school age youth that may  
16 consist of enrichment, individual, and supplemental  
17 activities, as well as recreational, cultural, and  
18 vocational programs.

19 (13) Provide programs to meet the individual needs  
20 of all people who reside in the school district being  
21 served.

22 (14) Provide early childhood family education  
23 programs for children from birth to kindergarten, parents  
24 of these children, and expectant parents.

25 (15) Provide programs to prevent and remediate  
26 substance abuse and physical and emotional abuse. Nothing  
27 set forth in items (7) through (15) shall be constituted  
28 as either requiring or permitting the Community Education  
29 Program to have any program or programs serving the same  
30 purpose or purposes as those elsewhere specifically  
31 provided for in the School Code.

32 The Community Education Program shall contain procedures  
33 and standards designed to detect and avoid duplication of  
34 existing programs operated by other entities in whole or in

1 part within a school district. The Community Education  
2 Program shall provide for the involvement of the residents of  
3 a school district in ascertaining the identity of local  
4 problems, in ascertaining the community resources available  
5 for dealing with these problems, and in developing solutions  
6 through the development of an Advisory Council.

7 Section 15. Community Education Coordinator; appointment  
8 and tenure. The State Superintendent of Education shall  
9 appoint a Community Education Coordinator, who shall report  
10 to the Associate Superintendent of the Business, Community &  
11 Family Partnership Center or, in the absence of such Center,  
12 to the State Superintendent of Education or to such other  
13 Associate Superintendent as the State Board of Education may  
14 from time to time direct. The Coordinator shall serve at the  
15 pleasure of the State Superintendent of Education and the  
16 State Board of Education.

17 Section 20. Community Education Coordinator; powers and  
18 duties. The Community Education Coordinator shall have the  
19 following powers, duties, and responsibilities:

20 (1) To administer and enforce the provisions of  
21 this Act, including the power to promulgate and enforce  
22 any necessary rules not inconsistent with the provision  
23 of this Act.

24 (2) To survey and analyze the existing and  
25 anticipated community education programs in this State,  
26 the current and anticipated problems in the delivery of  
27 these programs, the present and future minimum needs and  
28 requirements for these programs, and the present and  
29 future goals of these programs. The Coordinator shall  
30 then prepare a Comprehensive Community Education Plan for  
31 the maintenance, development, expansion, and efficient  
32 utilization of community education programs and resources

1 in this State. This Plan shall be submitted to the State  
2 Board of Education for approval. The State Board of  
3 Education may direct the modification, amplification, or  
4 alteration of the plan prior to approval. The  
5 Coordinator shall continually monitor the implementation  
6 of the plan, and when necessary, recommend changes,  
7 alterations, or additions to the plan to the State Board  
8 of Education. The plan, as amended from time to time,  
9 shall be adhered to by the Coordinator and by school  
10 districts in developing and implementing community  
11 education programs.

12 (3) To study, review, and evaluate all available  
13 resources and programs that, in whole or in part, could  
14 be included in the community education program offered,  
15 or to be offered, by a school district.

16 (4) To furnish technical information, consultant  
17 services, and other assistance to school districts that  
18 are either seeking to organize, organizing, or conducting  
19 a community education program pursuant to the provisions  
20 of this Act.

21 (5) To promulgate standards for the scope, content,  
22 staffing, and operation of school district community  
23 education programs and monitor the adherence thereto by  
24 school districts conducting community education programs.

25 (6) To review a school district community education  
26 program and, if this program is found to be in compliance  
27 with this Act and the rules adopted under this Act, issue  
28 a certificate of compliance with this Act to the school  
29 district.

30 (A) In the case of an initial application for  
31 a program, the Coordinator shall review the proposed  
32 program prior to the levying of a community  
33 education tax under the provisions of this Act. If  
34 the Coordinator finds that the proposed program is

1 in compliance with the provisions of this Act and  
2 the rules adopted under this Act, the Coordinator  
3 shall issue a provisional certificate of  
4 qualification for the program.

5 (B) Provisional certificates issued under this  
6 Act shall be valid for a period of one year from the  
7 date of their issuance. However, the Coordinator  
8 may extend the period of validity from time to time  
9 for additional periods of one year each.

10 (C) Upon a finding by the Coordinator that a  
11 local school district program that has been issued a  
12 provisional certification is in compliance with this  
13 Act and the rules adopted under this Act, the  
14 Coordinator shall issue a permanent certificate to  
15 the school district.

16 (D) Permanent certificates issued under this  
17 Act shall be valid for a period of 5 years from the  
18 date of their issuance, and the compliance of the  
19 certified program with the requirements of this Act  
20 shall be reviewed at the expiration of that time,  
21 and, if in compliance, a new certificate shall be  
22 issued for a like period.

23 (E) Nothing in subdivisions (A) through (D) of  
24 this item (6) shall be deemed to limit the power of  
25 the Coordinator to issue a permanent certificate  
26 under the provisions of this item (6) to any school  
27 district maintaining a qualifying community  
28 education program on the effective date of this Act.

29 (F) The Coordinator shall have the power, for  
30 good cause shown, to refuse to issue a certificate  
31 pursuant to the provisions of this Act, to refuse to  
32 renew a certificate issued pursuant to the  
33 provisions of this Act, or to revoke any certificate  
34 issued pursuant to the provisions of this Act. Any

1 decision of the Coordinator refusing to issue,  
2 refusing to renew, or revoking any certificate under  
3 this Act is reviewable as provided in Section 22 of  
4 this Act.

5 (G) In the event the Coordinator refuses to  
6 reissue a certificate under the provisions of  
7 subdivision (F) of this item (6), the Coordinator  
8 may, in his or her discretion, issue a provisional  
9 certificate for the community education program, and  
10 thereafter a permanent certificate, pursuant to the  
11 provisions this item (6). In the event any  
12 provisional certificate expires without extension or  
13 in the event any permanent certificate is revoked,  
14 expires, or is not renewed and no provisional  
15 certificate is granted for the program, the  
16 authority of a school district to levy the tax for  
17 community education conferred by this Act shall  
18 terminate and shall not be reestablished without  
19 compliance with the referendum provisions of this  
20 Act.

21 (7) To provide for and prescribe the content of  
22 annual reports by school districts maintaining these  
23 community education programs. The Coordinator shall  
24 compile and analyze the information contained in these  
25 reports and prepare and submit annually to the State  
26 Board of Education a report containing information on the  
27 activities of the Coordinator's office, a summary of the  
28 analysis of the school district reports, and any  
29 recommendations for improvements to community education,  
30 additional legislation, or amendments to existing  
31 legislation. The State Board of Education shall include  
32 the Coordinator's report, together with the State Board  
33 of Education's recommendations with respect to the  
34 report, in the annual report to the General Assembly and

1 the Governor required by subsection E of Section 1A-4 of  
2 the School Code.

3 (8) To conduct such seminars, workshops, and other  
4 training activities as may be deemed necessary or  
5 advantageous to the operation of community education  
6 programs in this State.

7 Section 22. Review of Coordinator's decision. Any  
8 decision of the Community Education Coordinator pursuant to  
9 subdivision (F) of item (6) of Section 20 of this Act is  
10 reviewable in the following manner:

11 (1) Within 28 days after the issuance after a  
12 written decision of the Coordinator refusing to issue,  
13 refusing to renew, or revoking a certificate under this  
14 Act, the school district may appeal the decision by  
15 filing a notice of appeal of the decision with the State  
16 Superintendent of Education.

17 (2) Upon filing the notice, the State  
18 Superintendent of Education or his or her designated  
19 representative shall, pursuant to rules adopted pursuant  
20 to this Act, conduct a hearing as to the decision. At the  
21 hearing, the aggrieved school district shall have the  
22 burden of establishing the impropriety of the decision  
23 appealed from and the Coordinator shall present evidence  
24 in support of the decision.

25 (3) At the conclusion of the hearing, the State  
26 Superintendent of Education or his or her designated  
27 representative shall certify the evidence presented,  
28 prepare recommended findings of fact and conclusions of  
29 law based thereon, and file the certified evidence and  
30 proposed findings of fact and conclusions of law with the  
31 State Board of Education. Notice of the filing shall be  
32 given to all parties as provided by rule. Within 28 days  
33 from the date of the giving of the notice or any



1 extension thereof granted by the Chairperson of the State  
2 Board of Education, any party to the proceedings may file  
3 written objections to the proposed findings of fact and  
4 conclusions of law and written briefs in support thereof  
5 with the Secretary of the State Board of Education.  
6 Within 28 days from the filing of these objections and  
7 briefs or any extension thereof granted by the  
8 Chairperson of the State Board of Education, the opposing  
9 party may file a written response and written briefs in  
10 opposition to the objections.

11 (4) Upon the expiration of the period provided for  
12 the filing of objections and responses in paragraph (3)  
13 of this Section, the State Board of Education shall take  
14 the matter under advisement. The State Board of Education  
15 may, pursuant to rules, but shall not be required to,  
16 grant the parties the right to appear before the State  
17 Board of Education and be heard in support of their  
18 respective contentions. The State Board of Education  
19 shall make findings of fact and conclusions of law and  
20 render a decision either affirming the decision of the  
21 Coordinator, reversing the decision, or reversing and  
22 remanding the decision to the Coordinator for such  
23 further proceedings as the State Board of Education may  
24 direct.

25 (5) Any decision of the State Board of Education  
26 denying a provisional or permanent certificate or  
27 revoking a certificate shall be deemed a final  
28 administrative decision within the meaning of the  
29 Administrative Review Law.

30 (6) Any decision of the Coordinator revoking a  
31 certificate or refusing to renew a certificate shall  
32 become effective on the expiration of the appeal period  
33 provided in this Section. The taking of an appeal shall  
34 stay the effect of any order of the Coordinator revoking

1 or refusing to renew a permanent certificate under this  
2 Act during the pendency of the appeal, including any  
3 appeal pursuant to the Administrative Review Law. The  
4 State Superintendent of Education or his or her  
5 designated representative, in his or her discretion, may  
6 stay all or any part of any other decision of the  
7 Coordinator with respect to certification.

8 Section 25. Establishment of community education program  
9 by school district. A school district may establish and  
10 operate a community education program in accordance with the  
11 provisions of this Act and may levy a tax for the program, at  
12 a maximum rate to be determined as provided in Section 30 of  
13 this Act, upon the value of the taxable property as equalized  
14 or assessed by the Department of Revenue for the year in  
15 which the levy is made, when authorized to do so by a  
16 referendum pursuant to the provisions of this Act.

17 Section 30. Determination of maximum tax rate. The  
18 maximum rate at which a tax may be levied upon the value of  
19 all the taxable property of the school district under this  
20 Act shall be determined as follows:

21 (1) Upon the passage of a resolution by a school  
22 board authorizing a referendum pursuant to the provisions  
23 of this Act or upon the filing of a valid petition with  
24 the school board, the school board shall determine the  
25 equalized assessed valuation of all the taxable property  
26 of the school district and the number of residents in the  
27 school district according to the latest available data  
28 from the U.S. Census as of the date of the passage of the  
29 resolution or the filing of the petition, as the case may  
30 be.

31 (2) The school board shall then determine the  
32 maximum tax rate, expressed as a percentage, to be

1 submitted to the voters by referendum by multiplying the  
 2 number of residents in the district by \$2 in the case of  
 3 a unit district or by \$3 in the case of an elementary or  
 4 high school district and dividing the product by the  
 5 equalized assessed valuation of the taxable property of  
 6 the school district and then multiplying the result by  
 7 100.

8 The rate as determined under this Section shall be  
 9 inserted in the proposition and submitted to the voters of  
 10 the school district by referendum as provided for under this  
 11 Act.

12 Section 35. Referendum. The school board may by  
 13 resolution adopted at a regular meeting and shall whenever  
 14 petitioned to do so by 5% or more of the voters of the school  
 15 district, order submitted to the voters thereof at a  
 16 regularly scheduled election the question of whether to  
 17 establish a community education program within the school  
 18 district and levy the tax provided for in Section 25 of this  
 19 Act. The form and contents of the resolution or petition, as  
 20 the case may be, and the procedure to submit the proposition  
 21 to the voters of the school district shall be as provided in  
 22 Article 28 of the Election Code.

23 Section 40. Form of notice. The notice of the  
 24 submission of the question of whether to establish a  
 25 community education program and levy a tax for the program  
 26 shall be in substantially the following form:

27 NOTICE OF REFERENDUM TO ESTABLISH COMMUNITY EDUCATION  
 28 PROGRAM AND TO AUTHORIZE A TAX FOR THE PROGRAM

29 NOTICE IS HEREBY GIVEN that on (insert date) a referendum  
 30 will be held in School District No. (insert number) for the

1 purpose of voting for or against the proposition to establish  
 2 a community education program in the school district and for  
 3 the purpose of voting for or against the proposition to  
 4 authorize a tax of not to exceed (insert rate) on the  
 5 equalized assessed valuation of all the taxable property in  
 6 the school district for the community education program.

7 The election is called and will be held pursuant to (a  
 8 resolution of the school board dated (insert date) or a  
 9 petition by 5% or more of the voters of the school district  
 10 filed with the school board on (insert date)).

11 Dated (insert date)

12 President of the school board of School District No.  
 13 (insert number)

14 Section 45. Form of proposition. The proposition on  
 15 whether to establish a community education program within the  
 16 school district and levy a tax for the program shall be in  
 17 substantially the following form:

18 Shall School District No. (insert number) be  
 19 authorized to establish a community education program  
 20 with the authority to levy taxes for the community  
 21 education program at a rate of not to exceed (insert  
 22 rate) upon the value of all of the taxable property of  
 23 the school district as equalized or assessed by the  
 24 Department of Revenue?

25 The votes must be recorded as a "yes" or "no". If a majority  
 26 of the electors voting on the question vote in the  
 27 affirmative, the school district may thereafter establish the  
 28 community education program and levy the tax.

29 Section 47. Property Tax Extension Limitation Law. A

1 referendum pursuant to the provisions of this Act is deemed a  
2 referendum pursuant to the provisions of the Property Tax  
3 Extension Limitation Law, and the aggregate tax extension  
4 base for any school district in which a referendum  
5 authorizing the levy of a tax for community education  
6 pursuant to this Act is passed shall be determined as  
7 provided in the Property Tax Extension Limitation Law, if  
8 applicable.

9 Section 50. School district community education program.  
10 The school board of the school district in which the voters  
11 authorize the establishment of a community education program  
12 by referendum pursuant to this Act shall promptly employ a  
13 Director of Community Education, appoint an advisory council,  
14 proceed to adopt a community education plan conforming to the  
15 requirements of this Act and the rules adopted under this  
16 Act, and submit this plan to the Community Education  
17 Coordinator for certification pursuant to this Act.  
18 Thereafter the school board shall provide for the general  
19 supervision of the community education program. Upon  
20 receiving certification, the school district shall proceed to  
21 implement this plan and to levy the tax for community  
22 education as provided for in this Act.

23 Section 55. Community Education Fund. All proceeds of  
24 the tax levied under this Act shall be credited into a  
25 community education fund that shall be maintained on the  
26 books and records of the school district. All funds received  
27 for community education purposes from other sources such as  
28 gifts, grants, fees, tuition, and other program revenues  
29 shall also be credited to this fund. The school board of  
30 each school district having a certified community education  
31 program may appropriate, budget, and expend these funds for  
32 community education purposes. Funds credited to the

1 community education fund shall not be transferred to any  
2 other fund at any time or for any purpose, other than for  
3 reimbursement for goods or services furnished to the  
4 community education program by the school district and paid  
5 for from other district funds.

6 Section 60. Local advisory council. Each school board  
7 shall provide for a local advisory council to consist of  
8 members who represent various service organizations,  
9 churches, public schools, units of local government,  
10 businesses and professions, public and private agencies  
11 serving youth, families, or senior citizens, municipal  
12 governments, townships, libraries, park, recreation, or  
13 forest preserve districts located in whole or in part within  
14 the school district, and any other group or groups  
15 participating in the school district's community education  
16 program. The advisory council shall function in an advisory  
17 capacity, in cooperation with the Director of Community  
18 Education, to promote the goals and objectives of the school  
19 district's community education program.

20 Section 65. Director of Community Education. Each  
21 school district maintaining a community education program  
22 shall employ a certified Director of Community Education who  
23 shall report to the superintendent of the district. The  
24 Director shall be responsible for all aspects of the school  
25 district's community education programs. A school district  
26 may, with the approval of the Community Education  
27 Coordinator, designate an individual who holds a valid  
28 administrative certificate issued pursuant to Section 21-7.1  
29 of the School Code as Director of Community Education.

30 Section 70. Certification of Director of Community  
31 Education. The State Board of Education, in consultation

1 with the State Teacher Certification Board, shall by rule set  
2 standards for the holding of a certificate as a Director of  
3 Community Education and shall administer the certification  
4 process.

5 Section 75. Non-duplication of programs. No school  
6 district community education program shall duplicate any  
7 program that is being adequately offered within the territory  
8 of the district by another public entity. Disputes between a  
9 school district and any other public entity as to the extent  
10 of duplication and the adequacy of the existing program being  
11 offered by the other public entity shall be resolved by the  
12 Community Education Coordinator, and the Coordinator's  
13 decision shall constitute a final administrative decision for  
14 purposes of judicial review. Each school district authorized  
15 to conduct a community education program pursuant to the  
16 provisions of this Act shall adopt procedures designed to  
17 detect and prevent the duplication of services within the  
18 territory served by the district.

19 Section 80. Community education consortiums. Any school  
20 district authorized to conduct a community education program  
21 pursuant to the provisions of this Act may enter into an  
22 agreement with one or more contiguous or overlapping school  
23 districts to form a consortium for the purpose of offering a  
24 consolidated community education program supervised by a  
25 single Director of Community Education, who may be an  
26 employee of more than one school district. The Community  
27 Education Coordinator shall, by rule, promulgate guidelines  
28 for the scope and content of these agreements, and the  
29 agreement shall be subject to the approval of the Community  
30 Education Coordinator. Any decision of the Coordinator  
31 denying approval of an agreement under this Section shall be  
32 subject to review in the manner provided in Section 22 of

1 this Act.

2 Section 85. Partnership agreements. A school district  
3 community education program shall have the power to enter  
4 into agreements with any other public or private entity or  
5 entities for the furnishing of any component of its community  
6 education program, provided that programs so furnished shall  
7 comply with the standards promulgated by the Community  
8 Education Coordinator. These agreements may provide for  
9 payments from the school district's community education fund  
10 to other entities as contributions to the expenses of the  
11 program or programs covered by these agreements.

12 Section 90. Other funding. A school district  
13 maintaining a community education program is authorized to  
14 receive money from other public or private sources for the  
15 support of its program, or any component thereof, and to  
16 expend the this money pursuant to the provisions of this Act,  
17 subject to the terms and conditions under which the money is  
18 received. The school district shall have the power to create  
19 a non-profit, tax exempt foundation for the purpose of  
20 enriching the lifelong learning programs of the district's  
21 community education program. Subject to guidelines approved  
22 by the school board, the school district is also authorized  
23 to charge and collect fees for specific community education  
24 programs.

25 Section 95. Area Learning Center. A school district or  
26 consortium of school districts operating a community  
27 education plan under this Act, may, but shall not be required  
28 to, either by itself or in cooperation with another school  
29 district, a service cooperative, a local community education  
30 partnership, a public or private post-secondary institution,  
31 or any other public agencies, businesses, or foundations,



1 establish and operate an Area Learning Center. The Center  
2 shall have access to the school district's regular education  
3 program, special education program, technology facilities,  
4 and staff. The Center shall seek the involvement of  
5 community education programs, post-secondary institutions,  
6 interagency collaborations, community resources, businesses,  
7 and other federal, State, and local public agencies.

8 Section 100. Certification of teaching personnel.

9 (a) Notwithstanding the provisions of any other law to  
10 the contrary and except as otherwise provided in Section 70  
11 of this Act and subsection (b) of this Section, a person who  
12 teaches, leads, or otherwise conducts a community education  
13 program is exempt from all certification requirements,  
14 including, but not limited to, those contained in the School  
15 Code.

16 (b) The provisions of Subsection (a) of this Section  
17 shall not apply to any program when the applicable provisions  
18 of the statute creating it or the applicable conditions of  
19 any grant that may be used in whole or in part for its  
20 funding contain specific certification requirements for  
21 personnel teaching, leading, or otherwise conducting the  
22 program. The provisions of subsection (a) of this Section  
23 shall not apply to instruction offered for academic credit to  
24 satisfy the requirements of grades K through 12.

25 (c) The provisions of the School Code permitting the  
26 granting of special certificates to persons particularly  
27 qualified by experience and training to teach specific  
28 courses of instruction shall be applicable to any course for  
29 which certification is required pursuant to the provisions of  
30 Subsection (b) of this Section.

31 Section 999. Effective date. This Act takes effect upon  
32 becoming law.