

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by changing Sections 2-3.11, 2-3.11c, 2-3.25a, 2-3.25b, 2-3.25d, 2-3.31, 2-3.66, 2-3.73, 2-3.89, 2-3.117a, 2-3.137, 3-14.21, 10-20.26, 18-3, 18-12, 26-3d, 27-13.3, 27-17, 27-24.2, 27-24.4, 27-24.5, 27-24.6, 27A-5, and 27A-8 as follows:

(105 ILCS 5/2-3.11) (from Ch. 122, par. 2-3.11)

Sec. 2-3.11. Report to Governor and General Assembly. To ~~Using the most recently available data, to~~ report to the Governor and General Assembly annually on or before January 14 the condition of the schools of the State using the most recently available data ~~for the preceding year, ending on June 30.~~

Such annual report shall contain reports of the State Teacher Certification Board; the schools of the State charitable institutions; reports on driver education, special education, and transportation; and for such year the annual statistical reports of the State Board of Education, including the number and kinds of school districts; number of school attendance centers; number of men and women teachers; enrollment by grades; total enrollment; total days attendance;

total days absence; average daily attendance; number of elementary and secondary school graduates; assessed valuation; tax levies and tax rates for various purposes; amount of teachers' orders, anticipation warrants, and bonds outstanding; and number of men and women teachers and total enrollment of private schools. The report shall give for all school districts receipts from all sources and expenditures for all purposes for each fund; the total operating expense, the per capita cost, and instructional expenditures; federal and state aids and reimbursements; new school buildings, and recognized schools; together with such other information and suggestions as the State Board of Education may deem important in relation to the schools and school laws and the means of promoting education throughout the state.

In this Section, "instructional expenditures" means the annual expenditures of school districts properly attributable to expenditure functions defined in rules of the State Board of Education as: 1100 (Regular Education); 1200-1220 (Special Education); 1250 (Ed. Deprived/Remedial); 1400 (Vocational Programs); 1600 (Summer School); 1650 (Gifted); 1800 (Bilingual Programs); 1900 (Truant Alternative); 2110 (Attendance and Social Work Services); 2120 (Guidance Services); 2130 (Health Services); 2140 (Psychological Services); 2150 (Speech Pathology and Audiology Services); 2190 (Other Support Services Pupils); 2210 (Improvement of Instruction); 2220 (Educational Media Services); 2230

(Assessment and Testing); 2540 (Operation and Maintenance of Plant Services); 2550 (Pupil Transportation Service); 2560 (Food Service); 4110 (Payments for Regular Programs); 4120 (Payments for Special Education Programs); 4130 (Payments for Adult Education Programs); 4140 (Payments for Vocational Education Programs); 4170 (Payments for Community College Programs); 4190 (Other payments to in-state government units); and 4200 (Other payments to out of state government units).

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/2-3.11c)

Sec. 2-3.11c. Teacher supply and demand report. Through January 1, 2009, to ~~To~~ report annually, on or before January 1, on the relative supply and demand for education staff of the public schools to the Governor, to the General Assembly, and to institutions of higher education that prepare teachers, administrators, school service personnel, other certificated individuals, and other professionals employed by school districts or joint agreements. After the report due on January 1, 2009 is submitted, future reports shall be submitted once every 3 years, with the first report being submitted on or before January 1, 2011. The report shall contain the following information:

- (1) the relative supply and demand for teachers, administrators, and other certificated and non-certificated personnel by field, content area, and

levels;

(2) State and regional analyses of fields, content areas, and levels with an over-supply or under-supply of educators; and

(3) projections of likely high demand and low demand for educators, in a manner sufficient to advise the public, individuals, and institutions regarding career opportunities in education.

(Source: P.A. 91-102, eff. 7-12-99.)

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

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

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

(b) In addition to the standards established pursuant to Section 2-3.25, the State Board of Education shall develop recognition standards for student performance and school improvement in all public schools operated by school districts. The indicators to determine adequate yearly progress shall be limited to the State assessment of student performance in

reading and mathematics, student attendance rates at the elementary school level, graduation rates at the high school level, and participation rates on student assessments. ~~Unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, the indicators to determine adequate yearly progress for children with disabilities shall be based on their individualized education plans.~~ The standards shall be designed to permit the measurement of student performance and school improvement by schools and school districts compared to student performance and school improvement for the preceding academic years.

(Source: P.A. 93-470, eff. 8-8-03; 94-666, eff. 8-23-05.)

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

Sec. 2-3.25b. Recognition levels. The State Board of Education shall, consistent with adopted recognition standards, provide for levels of recognition or nonrecognition. The State Board of Education shall promulgate rules governing the procedures whereby school districts may appeal a recognition level.

The State Board of Education shall have the authority to collect from schools and school districts the information, data, test results, student performance and school improvement indicators as may be necessary to implement and carry out the purposes of this Act. Schools and school districts that fail to

submit accurate data within the State Board of Education's timeframes may have federal funds withheld.

(Source: P.A. 93-470, eff. 8-8-03.)

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

Sec. 2-3.25d. Academic early warning and watch status.

(a) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those schools that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Schools on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Schools on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the ~~same subgroup and in~~

~~the~~ same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for 2 consecutive calculations ~~one annual calculation~~ shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation

pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that is initially placed on academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code). In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code).

A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b) Beginning with the 2005-2006 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those school districts that do not

meet adequate yearly progress criteria for 2 consecutive annual calculations in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic early warning status. Districts on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the ~~same subgroup and in the~~ same subject or in their participation rate, attendance rate, or graduation rate shall remain on academic watch status. Districts on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early warning or academic watch status and for improving student performance in the district.

All District Improvement Plans must be approved by the school board.

(c) All revised School and District Improvement Plans shall be developed in collaboration with parents, staff in the affected school or school district, and outside experts. All revised School and District Improvement Plans shall be developed, submitted, and monitored pursuant to rules adopted by the State Board of Education. The revised Improvement Plan shall address measurable outcomes for improving student performance so that such performance meets adequate yearly progress criteria as specified by the State Board of Education. All school districts required to revise a School Improvement Plan in accordance with this Section shall establish a peer review process for the evaluation of School Improvement Plans.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have

the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program. (Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666, eff. 8-23-05; 94-875, eff. 7-1-06.)

(105 ILCS 5/2-3.31) (from Ch. 122, par. 2-3.31)

Sec. 2-3.31. Data Division ~~Research department~~. To maintain a Data Division ~~research department~~ staffed with competent, full-time persons whose duty it shall be to secure, compile, catalog, publish and preserve information and data relative to the public school system of Illinois, making such comparison as will assist the General Assembly in determining the priorities of educational programs to be of value to the public school system of Illinois and of other states.

(Source: Laws 1965, p. 1985.)

(105 ILCS 5/2-3.66) (from Ch. 122, par. 2-3.66)

Sec. 2-3.66. Truants' alternative and optional education programs. To establish ~~pilot~~ projects to offer modified instructional programs or other services designed to prevent

students from dropping out of school, including programs pursuant to Section 2-3.41, and to serve as a part time or full time option in lieu of regular school attendance and to award grants to local school districts, educational service regions or community college districts from appropriated funds to assist districts in establishing such projects. The education agency may operate its own program or enter into a contract with another not-for-profit entity to implement the program. The ~~pilot~~ projects shall allow dropouts, up to and including age 21, potential dropouts, including truants, uninvolved, unmotivated and disaffected students, as defined by State Board of Education rules and regulations, to enroll, as an alternative to regular school attendance, in an optional education program which may be established by school board policy and is in conformance with rules adopted by the State Board of Education. Truants' Alternative and Optional Education programs funded pursuant to this Section shall be planned by a student, the student's parents or legal guardians, unless the student is 18 years or older, and school officials and shall culminate in an individualized optional education plan. Such plan shall focus on academic or vocational skills, or both, and may include, but not be limited to, evening school, summer school, community college courses, adult education, preparation courses for the high school level test of General Educational Development, vocational training, work experience, programs to enhance self concept and parenting

courses. School districts which are awarded grants pursuant to this Section shall be authorized to provide day care services to children of students who are eligible and desire to enroll in programs established and funded under this Section, but only if and to the extent that such day care is necessary to enable those eligible students to attend and participate in the programs and courses which are conducted pursuant to this Section. ~~The Board shall report on the status of the pilot projects pursuant to Section 1A-4.~~ School districts and regional offices of education may claim general State aid under Section 18-8.05 for students enrolled in truants' alternative and optional education programs, provided that such students are receiving services that are supplemental to a program leading to a high school diploma and are otherwise eligible to be claimed for general State aid under Section 18-8.05.

(Source: P.A. 90-802, eff. 12-15-98.)

(105 ILCS 5/2-3.73) (from Ch. 122, par. 2-3.73)

Sec. 2-3.73. Missing child program. The State Board of Education shall administer and implement a missing child program in accordance with the provisions of this Section. Upon receipt of each periodic information bulletin from the Department of State Police pursuant to Section 6 of the Intergovernmental Missing Child Recovery Act of 1984, the State Board of Education shall promptly disseminate the information to each school district in this State and to the principal or

chief administrative officer of every nonpublic elementary and secondary school in this State registered with the State Board of Education. Upon receipt of such information, each school board shall compare the names on the bulletin to the names of all students presently enrolled in the schools of the district. If a school board or its designee determines that a missing child is attending one of the schools within the school district, or if the principal or chief administrative officer of a nonpublic school is notified by school personnel that a missing child is attending that school, the school board or the principal or chief administrative officer of the nonpublic school shall immediately give notice of this fact to ~~the State Board of Education,~~ the Department of State Police, and the law enforcement agency having jurisdiction in the area where the missing child resides or attends school.

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

Sec. 2-3.89. Programs concerning services to at-risk children and their families.

(a) The State Board of Education may provide grants to eligible entities, as defined by the State Board of Education, to establish programs which offer coordinated services to at-risk infants and toddlers and their families. Each program shall include a parent education program relating to the development and nurturing of infants and toddlers and case

management services to coordinate existing services available in the region served by the program. These services shall be provided through the implementation of an individual family service plan. Each program will have a community involvement component to provide coordination in the service system.

(b) The State Board of Education shall administer the programs through the grants to public school districts and other eligible entities. These grants must be used to supplement, not supplant, funds received from any other source. School districts and other eligible entities receiving grants pursuant to this Section shall conduct voluntary, intensive, research-based, and comprehensive prevention services, as defined by the State Board of Education, for expecting parents and families with children from birth to age 3 who are at-risk of academic failure. A public school district that receives a grant under this Section may subcontract with other eligible entities.

(c) The State Board of Education shall report to the General Assembly by July 1, 2006 and every 2 years thereafter, using the most current data available, on the status of programs funded under this Section, including without limitation characteristics of participants, services delivered, program models used, unmet needs, and results of the programs funded.

(Source: P.A. 94-506, eff. 8-8-05.)

(105 ILCS 5/2-3.117a)

Sec. 2-3.117a. School Technology Revolving Loan Program.

(a) The State Board of Education is authorized to administer a School Technology Revolving Loan Program from funds appropriated from the School Technology Revolving Loan Fund for the purpose of making the financing of school technology hardware improvements affordable and making the integration of technology in the classroom possible. School technology loans shall be made available to public school districts, charter schools, area vocational centers, and laboratory schools to purchase technology hardware for eligible grade levels on a 2-year rotating basis: grades 9 through 12 in fiscal year 2004 and each second year thereafter and grades K through 8 in fiscal year 2005 and each second year thereafter.

The State Board of Education shall determine the interest rate the loans shall bear which shall not be greater than 50% of the rate for the most recent date shown in the 20 G.O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York. The repayment period for School Technology Revolving Loans shall not exceed 3 years. Participants shall use at least 90% of the loan proceeds for technology hardware investments for students and staff (including computer hardware, technology networks, related wiring, and other items as defined in rules adopted by the State Board of Education) and up to 10%

of the loan proceeds for computer furniture. No participant whose equalized assessed valuation per pupil in average daily attendance is at the 99th percentile and above for all districts of the same type shall be eligible to receive a School Technology Revolving Loan under the provisions of this Section for that year.

The State Board of Education shall have the authority to adopt all rules necessary for the implementation and administration of the School Technology Revolving Loan Program, including, but not limited to, rules defining application procedures, prescribing a maximum amount per pupil that may be requested annually by districts, requiring appropriate local commitments for technology investments, prescribing a mechanism for disbursing loan funds in the event requests exceed available funds, specifying collateral, and prescribing actions necessary to protect the State's interest in the event of default, foreclosure, or noncompliance with the terms and conditions of the loans.

(b) There is created in the State treasury the School Technology Revolving Loan Fund. The State Board shall have the authority to make expenditures from the Fund pursuant to appropriations made for the purposes of this Section, including refunds. There shall be deposited into the Fund such amounts, including but not limited to:

- (1) Transfers from the School Infrastructure Fund;
- (2) All receipts, including principal and interest

payments, from any loan made from the Fund;

(3) All proceeds of assets of whatever nature received by the State Board as a result of default or delinquency with respect to loans made from the Fund;

(4) Any appropriations, grants, or gifts made to the Fund; and

(5) Any income received from interest on investments of money in the Fund.

(Source: P.A. 93-368, eff. 7-24-03.)

(105 ILCS 5/2-3.137)

Sec. 2-3.137. Inspection and review of school facilities; task force.

(a) The State Board of Education shall adopt rules for the documentation of school plan reviews and inspections of school facilities, including the responsible individual's signature. Such documents shall be kept on file by the regional superintendent of schools. The State Board of Education shall also adopt rules for the qualifications of persons performing the reviews and inspections, which must be consistent with the recommendations in the task force's report issued to the Governor and the General Assembly under subsection (b) of this Section. Those qualifications shall include requirements for training, education, and at least 2 years of relevant experience.

(a-5) Rules adopted by the State Board of Education in

accordance with subsection (a) of this Section shall require fees to be collected for use in defraying costs associated with the administration of these and other provisions contained in the Health/Life Safety Code for Public Schools required by Section 2-3.12 of this Code.

(b) The State Board of Education shall convene a task force for the purpose of reviewing the documents required under rules adopted under subsection (a) of this Section and making recommendations regarding training and accreditation of individuals performing reviews or inspections required under Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code, including regional superintendents of schools and others performing reviews or inspections under the authority of a regional superintendent (such as consultants, municipalities, and fire protection districts).

The task force shall consist of all of the following members:

(1) The Executive Director of the Capital Development Board or his or her designee and a staff representative of the Division of Building Codes and Regulations.

(2) The State Superintendent of Education or his or her designee.

(3) A person appointed by the State Board of Education.

(4) A person appointed by an organization representing school administrators.

(5) A person appointed by an organization representing

suburban school administrators and school board members.

(6) A person appointed by an organization representing architects.

(7) A person appointed by an organization representing regional superintendents of schools.

(8) A person appointed by an organization representing fire inspectors.

(9) A person appointed by an organization representing Code administrators.

(10) A person appointed by an organization representing plumbing inspectors.

(11) A person appointed by an organization that represents both parents and teachers.

(12) A person appointed by an organization representing municipal governments in the State.

(13) A person appointed by the State Fire Marshal from his or her office.

(14) A person appointed by an organization representing fire chiefs.

(15) The Director of Public Health or his or her designee.

(16) A person appointed by an organization representing structural engineers.

(17) A person appointed by an organization representing professional engineers.

The task force shall issue a report of its findings to the

Governor and the General Assembly no later than January 1, 2006.

(Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07; 95-331, eff. 8-21-07.)

(105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

Sec. 3-14.21. Inspection of schools.

(a) The regional superintendent shall inspect and survey all public schools under his or her supervision and notify the board of education, or the trustees of schools in a district with trustees, in writing before July 30, whether or not the several schools in their district have been kept as required by law, using forms provided by the State Board of Education which are based on the Health/Life Safety Code for Public Schools adopted under Section 2-3.12. The regional superintendent shall report his or her findings to the State Board of Education on forms provided by the State Board of Education.

(b) If the regional superintendent determines that a school board has failed in a timely manner to correct urgent items identified in a previous life-safety report completed under Section 2-3.12 or as otherwise previously ordered by the regional superintendent, the regional superintendent shall order the school board to adopt and submit to the regional superintendent a plan for the immediate correction of the building violations. This plan shall be adopted following a public hearing that is conducted by the school board on the

violations and the plan and that is preceded by at least 7 days' prior notice of the hearing published in a newspaper of general circulation within the school district. If the regional superintendent determines in the next annual inspection that the plan has not been completed and that the violations have not been corrected, the regional superintendent shall submit a report to the State Board of Education with a recommendation that the State Board withhold from payments of general State aid due to the district an amount necessary to correct the outstanding violations. The State Board, upon notice to the school board and to the regional superintendent, shall consider the report at a meeting of the State Board, and may order that a sufficient amount of general State aid be withheld from payments due to the district to correct the violations. This amount shall be paid to the regional superintendent who shall contract on behalf of the school board for the correction of the outstanding violations.

(c) The Office of the State Fire Marshal or a qualified fire official, as defined in Section 2-3.12 of this Code, to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State. The State Fire Marshal or the fire official shall coordinate its inspections with the regional superintendent. The inspection shall be based on the fire safety code authorized in Section 2-3.12 of this Code. Any violations shall be reported in writing to the regional

superintendent ~~and school board~~ and shall reference the specific code sections where a discrepancy has been identified within 15 days after the inspection has been conducted. The regional superintendent shall address those violations that are not corrected in a timely manner pursuant to subsection (b) of this Section. The inspection must be at no cost to the school district.

(d) If a municipality or, in the case of an unincorporated area, a county or, if applicable, a fire protection district wishes to perform new construction inspections under the jurisdiction of a regional superintendent, then the entity must register this wish with the regional superintendent. These inspections must be based on the building code authorized in Section 2-3.12 of this Code. The inspections must be at no cost to the school district.

(Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07.)

(105 ILCS 5/10-20.26) (from Ch. 122, par. 10-20.26)

Sec. 10-20.26. Report of teacher dismissals. To send an annual report, on or before October ~~September~~ 15, to the State Board of Education which discloses the number of probationary teachers and the number of teachers in contractual continued service who have been dismissed or removed as a result of the board's decision to decrease the number of teachers employed or to discontinue any type of teaching service. The report will also list the number in each teacher category which were

subsequently reemployed by the board.

(Source: P.A. 82-980.)

(105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

Sec. 18-3. Tuition of children from orphanages and children's homes. When the children from any home for orphans, dependent, abandoned or maladjusted children maintained by any organization or association admitting to such home children from the State in general or when children residing in a school district wherein the State of Illinois maintains and operates any welfare or penal institution on property owned by the State of Illinois, which contains houses, housing units or housing accommodations within a school district, attend grades kindergarten through 12 of the public schools maintained by that school district, the State Superintendent of Education shall direct the State Comptroller to pay a specified amount sufficient to pay the annual tuition cost of such children who attended such public schools during the regular school year ending on June 30. The Comptroller shall pay the amount after receipt of a voucher submitted by the State Superintendent of Education.

The amount of the tuition for such children attending the public schools of the district shall be determined by the State Superintendent of Education by multiplying the number of such children in average daily attendance in such schools by 1.2 times the total annual per capita cost of administering the

schools of the district. Such total annual per capita cost shall be determined by totaling all expenses of the school district in the educational, operations and maintenance, bond and interest, transportation, Illinois municipal retirement, and rent funds for the school year preceding the filing of such tuition claims less expenditures not applicable to the regular K-12 program, less offsetting revenues from State sources except those from the common school fund, less offsetting revenues from federal sources except those from federal impact aid, less student and community service revenues, plus a depreciation allowance; and dividing such total by the average daily attendance for the year.

Annually on or before July 15 the superintendent of the district shall certify to the State Superintendent of Education the following:

1. The name of the home and of the organization or association maintaining it; or the legal description of the real estate upon which the house, housing units, or housing accommodations are located and that no taxes or service charges or other payments authorized by law to be made in lieu of taxes were collected therefrom or on account thereof during either of the calendar years included in the school year for which claim is being made;

2. The number of children from the home or living in such houses, housing units or housing accommodations and attending the schools of the district;

3. The total number of children attending the schools of the district;

4. The per capita tuition charge of the district; and

5. The computed amount of the tuition payment claimed as due.

Whenever the persons in charge of such home for orphans, dependent, abandoned or maladjusted children have received from the parent or guardian of any such child or by virtue of an order of court a specific allowance for educating such child, such persons shall pay to the school board in the district where the child attends school such amount of the allowance as is necessary to pay the tuition required by such district for the education of the child. If the allowance is insufficient to pay the tuition in full the State Superintendent of Education shall direct the Comptroller to pay to the district the difference between the total tuition charged and the amount of the allowance.

Whenever the facilities of a school district in which such house, housing units or housing accommodations are located, are limited, pupils may be assigned by that district to the schools of any adjacent district to the limit of the facilities of the adjacent district to properly educate such pupils as shall be determined by the school board of the adjacent district, and the State Superintendent of Education shall direct the Comptroller to pay a specified amount sufficient to pay the annual tuition of the children so assigned to and attending

public schools in the adjacent districts and the Comptroller shall draw his warrant upon the State Treasurer for the payment of such amount for the benefit of the adjacent school districts in the same manner as for districts in which the houses, housing units or housing accommodations are located.

The school district shall certify to the State Superintendent of Education the report of claims due for such tuition payments on or before July 15. The State Superintendent of Education shall direct the Comptroller to pay to the district, on or before August 15, the amount due the district for the school year in accordance with the calculation of the claim as set forth in this Section.

Summer session costs shall be reimbursed based on the actual expenditures for providing these services. On or before November 1 of each year, the superintendent of each eligible school district shall certify to the State Superintendent of Education the claim of the district for the summer session following the regular school year just ended. The State Superintendent of Education shall transmit to the Comptroller no later than December 15th of each year vouchers for payment of amounts due to school districts for summer session.

Claims for tuition for children from any home for orphans or dependent, abandoned, or maladjusted children beginning with the 1993-1994 school year shall be paid on a current year basis. On September 30, December 31, and March 31, the State Board of Education shall voucher payments for districts with

those students based on an estimated cost calculated from the prior year's claim. Final claims for those students for the regular school term must be received at the State Board of Education by July 15 following the end of the regular school year. Final claims for those students shall be vouchered by August 15. During fiscal year 1994 both the 1992-1993 school year and the 1993-1994 school year shall be paid in order to change the cycle of payment from a reimbursement basis to a current year funding basis of payment. However, notwithstanding any other provisions of this Section or the School Code, beginning with fiscal year 1994 and each fiscal year thereafter, if the amount appropriated for any fiscal year is less than the amount required for purposes of this Section, the amount required to eliminate any insufficient reimbursement for each district claim under this Section shall be reimbursed on August 30 of the next fiscal year. Payments required to eliminate any insufficiency for prior fiscal year claims shall be made before any claims are paid for the current fiscal year.

If a school district makes a claim for reimbursement under Section ~~18-4~~ or 14-7.03 it shall not include in any claim filed under this Section children residing on the property of State institutions included in its claim under Section ~~18-4~~ or 14-7.03.

Any child who is not a resident of Illinois who is placed in a child welfare institution, private facility, State

operated program, orphanage or children's home shall have the payment for his educational tuition and any related services assured by the placing agent.

In order to provide services appropriate to allow a student under the legal guardianship or custodianship of the State to participate in local school district educational programs, costs may be incurred in appropriate cases by the district that are in excess of 1.2 times the district per capita tuition charge allowed under the provisions of this Section. In the event such excess costs are incurred, they must be documented in accordance with cost rules established under the authority of this Section and may then be claimed for reimbursement under this Section.

Planned services for students eligible for this funding must be a collaborative effort between the appropriate State agency or the student's group home or institution and the local school district.

(Source: P.A. 95-793, eff. 1-1-09.)

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

Sec. 18-12. Dates for filing State aid claims. The school board of each school district shall require teachers, principals, or superintendents to furnish from records kept by them such data as it needs in preparing and certifying to the regional superintendent its school district report of claims provided in Sections 18-8.05 through 18-9 as required by the

State Superintendent of Education. The district claim shall be based on the latest available equalized assessed valuation and tax rates, as provided in Section 18-8.05 and shall use the average daily attendance as determined by the method outlined in Section 18-8.05 and shall be certified and filed with the regional superintendent by June 21 for districts with an official school calendar end date before June 15 or within 2 weeks following the official school calendar end date for districts with a school year end date of June 15 or later. The regional superintendent shall certify and file with the State Superintendent of Education district State aid claims by July 1 for districts with an official school calendar end date before June 15 or no later than July 15 for districts with an official school calendar end date of June 15 or later. Failure to so file by these deadlines constitutes a forfeiture of the right to receive payment by the State until such claim is filed and vouchered for payment. The regional superintendent of schools shall certify the county report of claims by July 15; and the State Superintendent of Education shall voucher for payment those claims to the State Comptroller as provided in Section 18-11.

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

number of days required by this Code.

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

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

If, prior to providing any instruction, a school district must close one or more but not all school buildings after consultation with a local emergency response agency or due to a condition beyond the control of the school district, then the school district may claim attendance for up to 2 school days based on the average attendance of the 3 school days immediately preceding the closure of the affected school building. The partial or no day of attendance described in this

Section and the reasons therefore shall be certified within a month of the closing or delayed start by the school district superintendent to the regional superintendent of schools for forwarding to the State Superintendent of Education for approval.

~~If the State Superintendent of Education determines that the failure to provide the minimum school term was due to a school being closed on or after September 11, 2001 for more than one half day of attendance due to a bioterrorism or terrorism threat that was investigated by a law enforcement agency, the State aid claim shall not be reduced.~~

~~If, during any school day, (i) a school district has provided at least one clock hour of instruction but must close the schools due to adverse weather conditions or due to a condition beyond the control of the school district that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, (ii) the school district must delay the start of the school day due to adverse weather conditions and this delay prevents the district from providing the minimum hours of instruction required for a full day of attendance, or (iii) a school district has provided at least one clock hour of instruction but must dismiss students from one or more recognized school buildings due to a condition beyond the control of the school district, the partial day of attendance may be counted as a full day of attendance. If a school~~

~~district closes one or more recognized school buildings due to a condition beyond the control of the district prior to providing any instruction, then the district may claim a full day of attendance for a maximum of 2 school days based on the average of the 3 prior school days of attendance immediately preceding the closure of the school building. The partial or no day of attendance and the reasons therefor shall be certified in writing within a month of the closing or delayed start by the local school district superintendent to the Regional Superintendent of Schools for forwarding to the State Superintendent of Education for approval.~~

~~If a school building is ordered to be closed by the school board, in consultation with a local emergency response agency, due to a condition that poses a hazardous threat to the health and safety of pupils, then the school district shall have a grace period of 4 days in which the general State aid claim shall not be reduced so that alternative housing of the pupils may be located.~~

No exception to the requirement of providing a minimum school term may be approved by the State Superintendent of Education pursuant to this Section unless a school district has first used all emergency days provided for in its regular calendar.

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

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

~~No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, certification that the district has complied with the requirements of Section 10-22.5 in regard to the nonsegregation of pupils on account of color, creed, race, sex or nationality.~~

~~No State aid claim may be filed for any district unless the district superintendent executes and files with the State Superintendent of Education, in the method prescribed by the Superintendent, a sworn statement that to the best of his or her knowledge or belief the employing or assigning personnel have complied with Section 24-4 in all respects.~~

Electronically submitted State aid claims shall be submitted by duly authorized district or regional individuals

over a secure network that is password protected. The electronic submission of a State aid claim must be accompanied with an affirmation that all of the provisions of Sections 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in all respects.

(Source: P.A. 94-1105, eff. 6-1-07; 95-152, eff. 8-14-07; 95-811, eff. 8-13-08; 95-876, eff. 8-21-08.)

(105 ILCS 5/26-3d) (from Ch. 122, par. 26-3d)

Sec. 26-3d. All regional superintendents, ~~and all~~ district superintendents, and special education joint agreement directors in any municipality of 500,000 or more inhabitants shall collect data concerning truants, chronic truants, and truant minor pupils ~~from school districts and truant officers~~ as designated by the State Board of Education. On or before August 15 of each year, this data must be submitted to the State Board of Education.

(Source: P.A. 84-1420.)

(105 ILCS 5/27-13.3)

Sec. 27-13.3. Internet safety education curriculum.

(a) The purpose of this Section is to inform and protect students from inappropriate or illegal communications and solicitation and to encourage school districts to provide education about Internet threats and risks, including without limitation child predators, fraud, and other dangers.

(b) The General Assembly finds and declares the following:

(1) it is the policy of this State to protect consumers and Illinois residents from deceptive and unsafe communications that result in harassment, exploitation, or physical harm;

(2) children have easy access to the Internet at home, school, and public places;

(3) the Internet is used by sexual predators and other criminals to make initial contact with children and other vulnerable residents in Illinois; and

(4) education is an effective method for preventing children from falling prey to online predators, identity theft, and other dangers.

(c) Each school may adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12. However, beginning with the 2009-2010 school year, a school district must incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to students in grades ~~grade~~ 3 through 12 ~~or above~~. The school board shall determine the scope and duration of this unit of instruction. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught in the district's schools, as determined by the school board, and it is recommended that the unit of instruction include the following topics:

(1) Safe and responsible use of social networking

websites, chat rooms, electronic mail, bulletin boards, instant messaging, and other means of communication on the Internet.

(2) Recognizing, avoiding, and reporting online solicitations of students, their classmates, and their friends by sexual predators.

(3) Risks of transmitting personal information on the Internet.

(4) Recognizing and avoiding unsolicited or deceptive communications received online.

(5) Recognizing and reporting online harassment and cyber-bullying.

(6) Reporting illegal activities and communications on the Internet.

(7) Copyright laws on written materials, photographs, music, and video.

(d) Curricula devised in accordance with subsection (c) of this Section may be submitted for review to the Office of the Illinois Attorney General.

(e) The State Board of Education shall make available resource materials for educating children regarding child online safety and may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by education experts, child psychologists, or technology companies that work on child online safety issues. Materials may include without limitation

safe online communications, privacy protection, cyber-bullying, viewing inappropriate material, file sharing, and the importance of open communication with responsible adults. The State Board of Education shall make these resource materials available on its Internet website.

(Source: P.A. 95-509, eff. 8-28-07; 95-869, eff. 1-1-09.)

(105 ILCS 5/27-17) (from Ch. 122, par. 27-17)

Sec. 27-17. Safety education. School boards of public schools and all boards in charge of educational institutions supported wholly or partially by the State may provide instruction in safety education in all grades and include such instruction in the courses of study regularly taught therein.

In this section "safety education" means and includes instruction in the following:

1. automobile safety, including traffic regulations, highway safety, and the consequences of alcohol consumption and the operation of a motor vehicle;

2. safety in the home;

3. safety in connection with recreational activities;

4. safety in and around school buildings;

5. safety in connection with vocational work or training;

and

6. cardio-pulmonary resuscitation for students ~~pupils~~ enrolled in grades 9 through 11.

Such boards may make suitable provisions in the schools and

institutions under their jurisdiction for instruction in safety education for not less than 16 hours during each school year.

The curriculum in all State universities shall contain instruction in safety education for teachers that is appropriate to the grade level of the teaching certificate. This instruction may be by specific courses in safety education or may be incorporated in existing subjects taught in the university.

(Source: P.A. 95-168, eff. 8-14-07; 95-371, eff. 8-23-07; 95-876, eff. 8-21-08.)

(105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

Sec. 27-24.2. Safety education; driver ~~Driver~~ education course. Instruction shall be given in safety education in each of grades one through 8, equivalent to one class period each week, and anyAny school district which maintains grades 9 through 12 shall offer a driver education course in any such school which it operates. Its curriculum shall include content dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code, the rules adopted pursuant to those Chapters insofar as they pertain to the operation of motor vehicles, and the portions of the Litter Control Act relating to the operation of motor vehicles. The course of instruction given in grades 10 through 12 shall include an emphasis on the development of knowledge, attitudes, habits, and skills

necessary for the safe operation of motor vehicles, including motorcycles insofar as they can be taught in the classroom, and instruction on distracted driving as a major traffic safety issue. In addition, the course shall include instruction on special hazards existing at and required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, and railroad crossings and the approaches thereto. The course of instruction required of each eligible student at the high school level shall consist of a minimum of 30 clock hours of classroom instruction and a minimum of 6 clock hours of individual behind-the-wheel instruction in a dual control car on public roadways taught by a driver education instructor endorsed by the State Board of Education. Both the classroom instruction part and the practice driving part of such driver education course shall be open to a resident or non-resident student ~~pupil~~ attending a non-public school in the district wherein the course is offered ~~and to each resident of the district who acquires or holds a currently valid driver's license during the term of the course and who is at least 15 but has not reached 21 years of age, without regard to whether any such person is enrolled in any other course offered in any school that the district operates.~~ Each student attending any public or non-public high school in the district must receive a passing grade in at least 8 courses during the previous 2 semesters prior to enrolling in a driver education course, or the student

shall not be permitted to enroll in the course; provided that the local superintendent of schools (with respect to a student attending a public high school in the district) or chief school administrator (with respect to a student attending a non-public high school in the district) may waive the requirement if the superintendent or chief school administrator, as the case may be, deems it to be in the best interest of the student. A ~~Any school district required to offer a driver education course or courses as provided in this Section also is authorized to offer either the classroom instruction part or the practice driving part or both such parts of a driver education course to any resident of the district who is over age 55; provided that any such school district which elects to offer either or both parts of such course to such residents shall be entitled to make either or both parts of such course available to such residents at any attendance center or centers within the district designated by the school board; and provided further that no part of any such driver education course shall be offered to any resident of the district over age 55 unless space therein remains available after all persons to whom such part of the driver education course is required to be open as provided in this Section and who have requested such course have registered therefor, and unless such resident of the district over age 55 is a person who has not previously been licensed as a driver under the laws of this or any other state or country. However,~~ a student may be allowed to commence the classroom instruction

part of such driver education course prior to reaching age 15 if such student then will be eligible to complete the entire course within 12 months after being allowed to commence such classroom instruction.

~~Such a driver education course shall include classroom instruction on distracted driving as a major traffic safety issue. Such a driver education course may include classroom instruction on the safety rules and operation of motorcycles or motor driven cycles.~~

Such a course may be commenced immediately after the completion of a prior course. Teachers of such courses shall meet the certification requirements of this Act and regulations of the State Board as to qualifications.

Subject to rules of the State Board of Education, the school district may charge a reasonable fee, not to exceed \$50, to students who participate in the course, unless a student is unable to pay for such a course, in which event the fee for such a student must be waived. The total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. All moneys deposited into the school district's driver education fund must be used solely for the funding of a high school driver education program approved by the State Board of Education that uses driver education instructors

endorsed by the State Board of Education.

(Source: P.A. 95-339, eff. 8-21-07.)

(105 ILCS 5/27-24.4) (from Ch. 122, par. 27-24.4)

Sec. 27-24.4. Reimbursement amount. Each school district shall be entitled to reimbursement⁷ for each student pupil⁷ ~~excluding each resident of the district over age 55,~~ who finishes either the classroom instruction part or the practice driving part of a driver education course that meets the minimum requirements of this Act. Reimbursement under this Act is payable from the Drivers Education Fund in the State treasury.

Each year all funds appropriated from the Drivers Education Fund to the State Board of Education, with the exception of those funds necessary for administrative purposes of the State Board of Education, shall be distributed in the manner provided in this paragraph to school districts by the State Board of Education for reimbursement of claims from the previous school year. As soon as may be after each quarter of the year, if moneys are available in the Drivers Education Fund in the State treasury for payments under this Section, the State Comptroller shall draw his or her warrants upon the State Treasurer as directed by the State Board of Education. The warrant for each quarter shall be in an amount equal to one-fourth of the total amount to be distributed to school districts for the year. Payments shall be made to school districts as soon as may be

after receipt of the warrants.

The base reimbursement amount shall be calculated by the State Board by dividing the total amount appropriated for distribution by the total of: (a) the number of students, ~~excluding residents of the district over age 55,~~ who have completed the classroom instruction part for whom valid claims have been made times 0.2; plus (b) the number of students, ~~excluding residents of the district over age 55,~~ who have completed the practice driving instruction part for whom valid claims have been made times 0.8.

The amount of reimbursement to be distributed on each claim shall be 0.2 times the base reimbursement amount for each validly claimed student, ~~excluding residents of the district over age 55,~~ who has completed the classroom instruction part, plus 0.8 times the base reimbursement amount for each validly claimed student, ~~excluding residents of the district over age 55,~~ who has completed the practice driving instruction part. The school district which is the residence of a student ~~pupil~~ who attends a nonpublic school in another district that has furnished the driver education course shall reimburse the district offering the course, the difference between the actual per capita cost of giving the course the previous school year and the amount reimbursed by the State.

By April 1 the nonpublic school shall notify the district offering the course of the names and district numbers of the nonresident students desiring to take such course the next

school year. The district offering such course shall notify the district of residence of those students affected by April 15. The school district furnishing the course may claim the nonresident student ~~pupil~~ for the purpose of making a claim for State reimbursement under this Act.

(Source: P.A. 94-440, eff. 8-4-05; 94-525, eff. 1-1-06; 95-331, eff. 8-21-07; 95-793, eff. 1-1-09.)

(105 ILCS 5/27-24.5) (from Ch. 122, par. 27-24.5)

Sec. 27-24.5. Submission of claims. The district shall report on forms prescribed by the State Board, on an ongoing basis, a list of students by name, birth date and sex, with the date the behind-the-wheel instruction or the classroom instruction or both were completed and with the status of the course completion.

The State shall not reimburse any district for any student who has repeated any part of the course more than once or who did not meet the age requirements of this Act during the period that the student was instructed in any part of the drivers education course; ~~nor shall the State reimburse any district for any resident of the district over age 55.~~

(Source: P.A. 94-440, eff. 8-4-05.)

(105 ILCS 5/27-24.6) (from Ch. 122, par. 27-24.6)

Sec. 27-24.6. Attendance records. The school board shall require the teachers of drivers education courses to keep daily

attendance records for students ~~pupils, excluding residents of the district over age 55,~~ attending such courses in the same manner as is prescribed in Section 24-18 of this Act and such records shall be used to prepare and certify claims made under the Driver Education Act. Claims for reimbursement shall be made under oath or affirmation of the chief school administrator for the district employed by the school board or authorized driver education personnel employed by the school board.

Whoever submits a false claim under the Driver Education Act or makes a false record upon which a claim is based shall be fined in an amount equal to the sum falsely claimed.

(Source: P.A. 93-55, eff. 7-1-03.)

(105 ILCS 5/27A-5)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, in all new applications submitted to the

State Board or a local school board to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by this amendatory Act of the 93rd General Assembly do not apply to charter schools existing or approved on or before the effective date of this amendatory Act.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act.

(d) A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school.

(g) A charter school shall comply with all provisions of

this Article and its charter. A charter school is exempt from all other State laws and regulations in the School Code governing public schools and local school board policies, except the following:

(1) Sections 10-21.9 and 34-18.5 of the School Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Child Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 24-24 and 34-84A of the School Code regarding discipline of students;

(3) The Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) The Abused and Neglected Child Reporting Act;

(6) The Illinois School Student Records Act; and

(7) Section 10-17a of the School Code regarding school report cards.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert

for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after the effective date of this amendatory Act of the 93rd General Assembly and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on the effective date of this amendatory Act of the 93rd General Assembly and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district

facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219, eff. 7-14-05.)

(105 ILCS 5/27A-8)

Sec. 27A-8. Evaluation of charter proposals.

(a) This Section does not apply to a charter school established by referendum under Section 27A-6.5. In evaluating any charter school proposal submitted to it, the local school board shall give preference to proposals that:

(1) demonstrate a high level of local pupil, parental, community, business, and school personnel support;

(2) set rigorous levels of expected pupil achievement and demonstrate feasible plans for attaining those levels of achievement; and

(3) are designed to enroll and serve a substantial proportion of at-risk children; provided that nothing in the Charter Schools Law shall be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk children or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve

other pupil populations under a nonexclusive, nondiscriminatory admissions policy.

(b) In the case of a proposal to establish a charter school by converting an existing public school or attendance center to charter school status, evidence that the proposed formation of the charter school has received majority support from certified teachers and from parents and guardians in the school or attendance center affected by the proposed charter, and, if applicable, from a local school council, shall be demonstrated by a petition in support of the charter school signed by certified teachers and a petition in support of the charter school signed by parents and guardians and, if applicable, by a vote of the local school council held at a public meeting. In the case of all other proposals to establish a charter school, evidence of sufficient support to fill the number of pupil seats set forth in the proposal may be demonstrated by a petition in support of the charter school signed by parents and guardians of students eligible to attend the charter school. In all cases, the individuals, organizations, or entities who initiate the proposal to establish a charter school may elect, in lieu of including any petition referred to in this subsection as a part of the proposal submitted to the local school board, to demonstrate that the charter school has received the support referred to in this subsection by other evidence and information presented at the public meeting that the local school board is required to convene under this

Section.

(c) Within 45 days of receipt of a charter school proposal, the local school board shall convene a public meeting to obtain information to assist the board in its decision to grant or deny the charter school proposal.

(d) Notice of the public meeting required by this Section shall be published in a community newspaper published in the school district in which the proposed charter is located and, if there is no such newspaper, then in a newspaper published in the county and having circulation in the school district. The notices shall be published not more than 10 days nor less than 5 days before the meeting and shall state that information regarding a charter school proposal will be heard at the meeting. Copies of the notice shall also be posted at appropriate locations in the school or attendance center proposed to be established as a charter school, the public schools in the school district, and the local school board office.

(e) Within 30 days of the public meeting, the local school board shall vote, in a public meeting, to either grant or deny the charter school proposal.

(f) Within 7 days of the public meeting required under subsection (e), the local school board shall file a report with the State Board granting or denying the proposal. Within 30 ~~14~~ days of receipt of the local school board's report, the State Board shall determine whether the approved charter proposal is

consistent with the provisions of this Article and, if the approved proposal complies, certify the proposal pursuant to Section 27A-6.

(Source: P.A. 90-548, eff. 1-1-98; 91-407, eff. 8-3-99.)

Section 10. The Childhood Hunger Relief Act is amended by changing Section 20 as follows:

(105 ILCS 126/20)

Sec. 20. Summer food service program.

(a) The State Board of Education shall promulgate a State plan for summer food service programs, in accordance with 42 U.S.C. Sec. 1761 and any other applicable federal laws and regulations, by February 1, 2008.

(b) On or before February 15, 2008, and each year thereafter, a school district must promulgate a plan to have a summer breakfast or lunch (or both) food service program for each school (i) in which at least 50% of the students are eligible for free or reduced-price school meals and (ii) that has a summer school program. The plan must be implemented during the summer of 2008 and each year thereafter as long as the school district has a school or schools that meet the above criteria. Each summer food service program must operate for the duration of the school's summer school program. If the school district has one or more elementary schools that qualify, the summer food service program must be operated in a manner that

ensures all eligible students receive services. If a school in which at least 50% of the students are eligible for free or reduced-price school meals is not open during the summer months, the school shall provide information regarding the number of children in the school who are eligible for free or reduced-price school meals upon request by a not-for-profit entity.

(c) Summer food service programs established under this Section shall be supported by federal funds and commodities and other available State and local resources.

(d) A school district shall be allowed to opt out of the summer food service program requirement of this Section if it is determined that, due to circumstances specific to that school district, the expense reimbursement would not fully cover the costs of implementing and operating a summer food service program. The school district shall petition its regional superintendent of schools by January 15 to request to be exempt from the summer food service program requirement. The petition shall include all legitimate costs associated with implementing and operating a summer food service program, the estimated reimbursement from State and federal sources, and any unique circumstances the school district can verify that exist that would cause the implementation and operation of such a program to be cost prohibitive.

The regional superintendent of schools shall review the petition. He or she shall convene a public hearing to hear

testimony from the school district and interested community members. The regional superintendent shall, by March 1, inform the school district of his or her decision, along with the reasons why the exemption was granted or denied, in writing. If the regional superintendent grants an exemption to the school district, then the school district is relieved from the requirement to establish and implement a summer food service program.

If the regional superintendent of schools does not grant an exemption to the school district, then the school district shall implement and operate a summer food service program in accordance with this Section the summer following the current school year. However, the school district or a resident of the school district may appeal the decision of the regional superintendent to the State Superintendent of Education. No later than April 1 of each year, the State Superintendent shall hear appeals on the decisions of regional superintendents of schools. The State Superintendent shall make a final decision at the conclusion of the hearing on the school district's request for an exemption from the summer food service program requirement. If the State Superintendent grants an exemption to the school district, then the school district is relieved from the requirement to implement and operate a summer food service program. If the State Superintendent does not grant an exemption to the school district, then the school district shall implement and operate a summer food service program in

accordance with this Section the summer following the current school year.

(Source: P.A. 95-155, eff. 8-14-07.)

Section 15. The School Safety Drill Act is amended by changing Section 25 as follows:

(105 ILCS 128/25)

Sec. 25. Annual review.

(a) Each public school district, through its school board or the board's designee, shall conduct a minimum of one annual meeting at which it will review each school building's emergency and crisis response plans, protocols, and procedures and each building's compliance with the school safety drill programs. The purpose of this annual review shall be to review and update the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings.

(b) Each school board or the board's designee is required to participate in the annual review and to invite each of the following parties to the annual review and provide each party with a minimum of 30-days' notice before the date of the annual review:

(1) The principal of each school within the school district or his or her official designee.

(2) Representatives from any other education-related

organization or association deemed appropriate by the school district.

(3) Representatives from all local first responder organizations to participate, advise, and consult in the review process, including, but not limited to:

(A) the appropriate local fire department or district;

(B) the appropriate local law enforcement agency;

(C) the appropriate local emergency medical services agency if the agency is a separate, local first responder unit; and

(D) any other member of the first responder or emergency management community that has contacted the district superintendent or his or her designee during the past year to request involvement in a school's emergency planning or drill process.

(4) The school board or its designee may also choose to invite to the annual review any other persons whom it believes will aid in the review process, including, but not limited to, any members of any other education-related organization or the first responder or emergency management community.

(c) Upon the conclusion of the annual review, the school board or the board's designee shall sign a one page report, which may be in either a check-off format or a narrative format, that does the following:

(1) summarizes the review's recommended changes to the existing school safety plans and drill plans;

(2) lists the parties that participated in the annual review, and includes the annual review's attendance record;

(3) certifies that an effective review of the emergency and crisis response plans, protocols, and procedures and the school safety drill programs of the district and each of its school buildings has occurred;

(4) states that the school district will implement those plans, protocols, procedures, and programs, during the academic year; and

(5) includes the authorization of the school board or the board's designee.

(d) The school board or its designee shall send a copy of the report to each party that participates in the annual review process and to the appropriate regional superintendent of schools. If any of the participating parties have comments on the certification document, those parties shall submit their comments in writing to the appropriate regional superintendent. The regional superintendent shall maintain a record of these comments. The certification document may be in a check-off format or narrative format, at the discretion of the district superintendent.

(e) The review must occur at least once during the fiscal ~~calendar~~ year, at a specific time chosen at the school district

superintendent's discretion.

(Source: P.A. 94-600, eff. 8-16-05.)

Section 20. The Higher Education Student Assistance Act is amended by changing Section 65.60 as follows:

(110 ILCS 947/65.60)

Sec. 65.60. Administration of federal scholarship programs. The State Board of Education shall be the administrator of the Robert C. Byrd federal scholarship program. The State Board of Education is not precluded from establishing an agreement with the Illinois Student Assistance Commission or any other State agency or other entity to perform tasks pertaining to the Robert C. Byrd federal scholarship program. ~~There are hereby transferred to the Commission from the State Board of Education all authority and responsibility previously exercised by the State Board of Education with respect to the administration within this State of the Christa McAuliffe and Robert C. Byrd federal scholarship programs, and the Commission hereafter shall administer on behalf of the State of Illinois and in accordance with all applicable rules and regulations the conduct and operation of the Christa McAuliffe and Robert C. Byrd federal scholarship programs within this State.~~

~~The State Board of Education shall transfer to the Commission, as the successor to the State Board of Education~~

~~for all purposes of administering the Christa McAuliffe and Robert C. Byrd federal scholarship programs, all books, accounts, records, papers, documents, contracts, agreements, and pending business in the possession or under the control of the State Board of Education and relating to its administration of those programs in this State. All pending applications made prior to the effective date of this amendatory Act of 1993 for scholarship awards under those programs and all scholarships awarded under those programs prior to the effective date of this amendatory Act of 1993 shall be unaffected by the transfer to the Commission of all responsibilities and authority formerly exercised by the State Board of Education with respect to those programs. The State Board of Education shall furnish to the Commission such other information as the Commission may request to assist it in administering this Section.~~

(Source: P.A. 88-228.)

(105 ILCS 5/2-3.13 rep.)

(105 ILCS 5/3-15.16 rep.)

(105 ILCS 5/10-20.29 rep.)

(105 ILCS 5/Art. 14B rep.)

(105 ILCS 5/14B-1 rep.)

(105 ILCS 5/14B-2 rep.)

(105 ILCS 5/14B-3 rep.)

(105 ILCS 5/14B-4 rep.)

(105 ILCS 5/14B-5 rep.)

(105 ILCS 5/14B-6 rep.)

(105 ILCS 5/14B-7 rep.)

(105 ILCS 5/14B-8 rep.)

(105 ILCS 5/27-23 rep.)

Section 25. The School Code is amended by repealing Sections 2-3.13, 3-15.16, 10-20.29, and 27-23 and Article 14B.

(105 ILCS 130/Act rep.)

Section 30. The Sex Education Act is repealed.

(105 ILCS 430/Act rep.)

Section 35. The Recognized Normal School Act is repealed.

Section 99. Effective date. This Act takes effect July 1, 2009.

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Statutes amended in order of appearance

105 ILCS 5/2-3.11c
105 ILCS 5/2-3.25a from Ch. 122, par. 2-3.25a
105 ILCS 5/2-3.25b from Ch. 122, par. 2-3.25b
105 ILCS 5/2-3.25d from Ch. 122, par. 2-3.25d
105 ILCS 5/2-3.31 from Ch. 122, par. 2-3.31
105 ILCS 5/2-3.66 from Ch. 122, par. 2-3.66
105 ILCS 5/2-3.89 from Ch. 122, par. 2-3.89
105 ILCS 5/2-3.117a
105 ILCS 5/2-3.137
105 ILCS 5/3-14.21 from Ch. 122, par. 3-14.21
105 ILCS 5/10-20.26 from Ch. 122, par. 10-20.26
105 ILCS 5/18-3 from Ch. 122, par. 18-3
105 ILCS 5/18-12 from Ch. 122, par. 18-12
105 ILCS 5/26-3d from Ch. 122, par. 26-3d
105 ILCS 5/27-17 from Ch. 122, par. 27-17
105 ILCS 5/27-24.2 from Ch. 122, par. 27-24.2
105 ILCS 5/27-24.4 from Ch. 122, par. 27-24.4
105 ILCS 5/27-24.5 from Ch. 122, par. 27-24.5
105 ILCS 5/27-24.6 from Ch. 122, par. 27-24.6
105 ILCS 5/27A-8
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110 ILCS 947/65.60

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105 ILCS 5/2-3.13 rep.

105 ILCS 5/3-15.16 rep.

105 ILCS 5/10-20.29 rep.

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105 ILCS 5/14B-1 rep.

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105 ILCS 5/14B-8 rep.

105 ILCS 5/27-23 rep.

105 ILCS 130/Act rep.

105 ILCS 430/Act rep.