

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 1A-4 and adding Section 22-45 as follows:

6 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

7 Sec. 1A-4. Powers and duties of the Board.

8 A. (Blank).

9 B. The Board shall determine the qualifications of and
10 appoint a chief education officer, to be known as the State
11 Superintendent of Education, who may be proposed by the
12 Governor and who shall serve at the pleasure of the Board and
13 pursuant to a performance-based contract linked to statewide
14 student performance and academic improvement within Illinois
15 schools. Upon expiration or buyout of the contract of the State
16 Superintendent of Education in office on the effective date of
17 this amendatory Act of the 93rd General Assembly, a State
18 Superintendent of Education shall be appointed by a State Board
19 of Education that includes the 7 new Board members who were
20 appointed to fill seats of members whose terms were terminated
21 on the effective date of this amendatory Act of the 93rd
22 General Assembly. Thereafter, a State Superintendent of
23 Education must, at a minimum, be appointed at the beginning of

1 each term of a Governor after that Governor has made
2 appointments to the Board. A performance-based contract issued
3 for the employment of a State Superintendent of Education
4 entered into on or after the effective date of this amendatory
5 Act of the 93rd General Assembly must expire no later than
6 February 1, 2007, and subsequent contracts must expire no later
7 than February 1 each 4 years thereafter. No contract shall be
8 extended or renewed beyond February 1, 2007 and February 1 each
9 4 years thereafter, but a State Superintendent of Education
10 shall serve until his or her successor is appointed. Each
11 contract entered into on or before January 8, 2007 with a State
12 Superintendent of Education must provide that the State Board
13 of Education may terminate the contract for cause, and the
14 State Board of Education shall not thereafter be liable for
15 further payments under the contract. With regard to this
16 amendatory Act of the 93rd General Assembly, it is the intent
17 of the General Assembly that, beginning with the Governor who
18 takes office on the second Monday of January, 2007, a State
19 Superintendent of Education be appointed at the beginning of
20 each term of a Governor after that Governor has made
21 appointments to the Board. The State Superintendent of
22 Education shall not serve as a member of the State Board of
23 Education. The Board shall set the compensation of the State
24 Superintendent of Education who shall serve as the Board's
25 chief executive officer. The Board shall also establish the
26 duties, powers and responsibilities of the State

1 Superintendent, which shall be included in the State
2 Superintendent's performance-based contract along with the
3 goals and indicators of student performance and academic
4 improvement used to measure the performance and effectiveness
5 of the State Superintendent. The State Board of Education may
6 delegate to the State Superintendent of Education the authority
7 to act on the Board's behalf, provided such delegation is made
8 pursuant to adopted board policy or the powers delegated are
9 ministerial in nature. The State Board may not delegate
10 authority under this Section to the State Superintendent to (1)
11 nonrecognize school districts, (2) withhold State payments as a
12 penalty, or (3) make final decisions under the contested case
13 provisions of the Illinois Administrative Procedure Act unless
14 otherwise provided by law.

15 C. The powers and duties of the State Board of Education
16 shall encompass all duties delegated to the Office of
17 Superintendent of Public Instruction on January 12, 1975,
18 except as the law providing for such powers and duties is
19 thereafter amended, and such other powers and duties as the
20 General Assembly shall designate. The Board shall be
21 responsible for the educational policies and guidelines for
22 public schools, pre-school through grade 12 and Vocational
23 Education in the State of Illinois. The Board shall analyze the
24 present and future aims, needs, and requirements of education
25 in the State of Illinois and recommend to the General Assembly
26 the powers which should be exercised by the Board. The Board

1 shall recommend the passage and the legislation necessary to
2 determine the appropriate relationship between the Board and
3 local boards of education and the various State agencies and
4 shall recommend desirable modifications in the laws which
5 affect schools.

6 D. Two members of the Board shall be appointed by the
7 chairperson to serve on a standing joint Education Committee, 2
8 others shall be appointed from the Board of Higher Education, 2
9 others shall be appointed by the chairperson of the Illinois
10 Community College Board, and 2 others shall be appointed by the
11 chairperson of the Human Resource Investment Council. The
12 Committee shall be responsible for making recommendations
13 concerning the submission of any workforce development plan or
14 workforce training program required by federal law or under any
15 block grant authority. The Committee will be responsible for
16 developing policy on matters of mutual concern to elementary,
17 secondary and higher education such as Occupational and Career
18 Education, Teacher Preparation and Certification, Educational
19 Finance, Articulation between Elementary, Secondary and Higher
20 Education and Research and Planning. The joint Education
21 Committee shall meet at least quarterly and submit an annual
22 report of its findings, conclusions, and recommendations to the
23 State Board of Education, the Board of Higher Education, the
24 Illinois Community College Board, the Human Resource
25 Investment Council, the Governor, and the General Assembly. All
26 meetings of this Committee shall be official meetings for

1 reimbursement under this Act. On the effective date of this
2 amendatory Act of the 95th General Assembly, the Joint
3 Education Committee is abolished.

4 E. Five members of the Board shall constitute a quorum. A
5 majority vote of the members appointed, confirmed and serving
6 on the Board is required to approve any action, except that the
7 new Board members who were appointed to fill seats of members
8 whose terms were terminated on the effective date of this
9 amendatory act of the 93rd General Assembly may vote to approve
10 actions when appointed and serving.

11 The Board shall prepare and submit to the General Assembly
12 and the Governor on or before January 14, 1976 and annually
13 thereafter a report or reports of its findings and
14 recommendations. Such annual report shall contain a separate
15 section which provides a critique and analysis of the status of
16 education in Illinois and which identifies its specific
17 problems and recommends express solutions therefor. Such
18 annual report also shall contain the following information for
19 the preceding year ending on June 30: each act or omission of a
20 school district of which the State Board of Education has
21 knowledge as a consequence of scheduled, approved visits and
22 which constituted a failure by the district to comply with
23 applicable State or federal laws or regulations relating to
24 public education, the name of such district, the date or dates
25 on which the State Board of Education notified the school
26 district of such act or omission, and what action, if any, the

1 school district took with respect thereto after being notified
2 thereof by the State Board of Education. The report shall also
3 include the statewide high school dropout rate by grade level,
4 sex and race and the annual student dropout rate of and the
5 number of students who graduate from, transfer from or
6 otherwise leave bilingual programs. The Auditor General shall
7 annually perform a compliance audit of the State Board of
8 Education's performance of the reporting duty imposed by this
9 amendatory Act of 1986. A regular system of communication with
10 other directly related State agencies shall be implemented.

11 The requirement for reporting to the General Assembly shall
12 be satisfied by filing copies of the report with the Speaker,
13 the Minority Leader and the Clerk of the House of
14 Representatives and the President, the Minority Leader and the
15 Secretary of the Senate and the Legislative Council, as
16 required by Section 3.1 of the General Assembly Organization
17 Act, and filing such additional copies with the State
18 Government Report Distribution Center for the General Assembly
19 as is required under paragraph (t) of Section 7 of the State
20 Library Act.

21 F. Upon appointment of the 7 new Board members who were
22 appointed to fill seats of members whose terms were terminated
23 on the effective date of this amendatory Act of the 93rd
24 General Assembly, the Board shall review all of its current
25 rules in an effort to streamline procedures, improve
26 efficiency, and eliminate unnecessary forms and paperwork.

1 (Source: P.A. 93-1036, eff. 9-14-04.)

2 (105 ILCS 5/22-45 new)

3 Sec. 22-45. Illinois P-20 Council.

4 (a) The General Assembly finds that preparing Illinoisans
5 for success in school and the workplace requires a continuum of
6 quality education from preschool through graduate school. This
7 State needs a framework to guide education policy and integrate
8 education at every level. A statewide coordinating council to
9 study and make recommendations concerning education at all
10 levels can avoid fragmentation of policies, promote improved
11 teaching and learning, and continue to cultivate and
12 demonstrate strong accountability and efficiency. Establishing
13 an Illinois P-20 Council will develop a statewide agenda that
14 will move the State towards the common goals of improving
15 academic achievement, increasing college access and success,
16 improving use of existing data and measurements, developing
17 improved accountability, promoting lifelong learning, easing
18 the transition to college, and reducing remediation. A
19 pre-kindergarten through grade 20 agenda will strengthen this
20 State's economic competitiveness by producing a highly-skilled
21 workforce. In addition, lifelong learning plans will enhance
22 this State's ability to leverage funding.

23 (b) There is created the Illinois P-20 Council. The
24 Illinois P-20 Council shall include all of the following
25 members:

1 (1) The Governor or his or designee, to serve as
2 chairperson.

3 (2) Four members of the General Assembly, one appointed
4 by the Speaker of the House of Representatives, one
5 appointed by the Minority Leader of the House of
6 Representatives, one appointed by the President of the
7 Senate, and one appointed by the Minority Leader of the
8 Senate.

9 (3) Six at-large members appointed by the Governor as
10 follows:

11 (A) one representative of civic leaders;

12 (B) one representative of local government;

13 (C) one representative of trade unions;

14 (D) one representative of nonprofit organizations
15 or foundations;

16 (E) one representative of parents' organizations;

17 and

18 (F) one education research expert.

19 (4) Five members appointed by statewide business
20 organizations and business trade associations.

21 (5) Six members appointed by statewide professional
22 organizations and associations representing
23 pre-kindergarten through grade 20 teachers, community
24 college faculty, and public university faculty.

25 (6) Two members appointed by associations representing
26 local school administrators and school board members.

1 (7) One member representing community colleges,
2 appointed by the Illinois Council of Community College
3 Presidents.

4 (8) One member representing 4-year independent
5 colleges and universities, appointed by a statewide
6 organization representing private institutions of higher
7 learning.

8 (9) One member representing public 4-year
9 universities, appointed jointly by the university
10 presidents and chancellors.

11 (10) Ex-officio members from the following State
12 agencies, boards, commissions, and councils:

13 (A) The State Superintendent of Education or his or
14 her designee.

15 (B) The Executive Director of the Board of Higher
16 Education or his or her designee.

17 (C) The President and Chief Executive Officer of
18 the Illinois Community College Board or his or her
19 designee.

20 (D) The Executive Director of the Illinois Student
21 Assistance Commission or his or her designee.

22 (E) The Co-chairpersons of the Illinois Workforce
23 Investment Board or their designee.

24 (F) The Director of Commerce and Economic
25 Opportunity or his or her designee.

26 (G) The Chairperson of the Illinois Early Learning

1 Council or his or her designee.

2 (H) The President of the Illinois Mathematics and
3 Science Academy or his or her designee.

4 Ex-officio members shall have no vote on the Illinois P-20
5 Council.

6 Appointed members shall serve for staggered terms expiring
7 on July 1 of the first, second, or third calendar year
8 following their appointments or until their successors are
9 appointed and have qualified. Staggered terms shall be
10 determined by lot at the organizing meeting of the Illinois
11 P-20 Council.

12 Vacancies shall be filled in the same manner as original
13 appointments, and any member so appointed shall serve during
14 the remainder of the term for which the vacancy occurred.

15 (c) The Illinois P-20 Council shall be funded through State
16 appropriations to support staff activities, research,
17 data-collection, and dissemination. The Illinois P-20 Council
18 shall be staffed by the Office of the Governor, in coordination
19 with relevant State agencies, boards, and commissions. The
20 Illinois Education Research Council shall provide research and
21 coordinate research collection activities for the Illinois
22 P-20 Council.

23 (d) The Illinois P-20 Council shall have all of the
24 following duties:

25 (1) To make recommendations to do all of the following:

26 (A) Coordinate pre-kindergarten through grade 20

1 (graduate school) education in this State through
2 working at the intersections of educational systems to
3 promote collaborative infrastructure.

4 (B) Coordinate and leverage strategies, actions,
5 legislation, policies, and resources of all
6 stakeholders to support fundamental and lasting
7 improvement in this State's public schools, community
8 colleges, and universities.

9 (C) Better align the high school curriculum with
10 postsecondary expectations.

11 (D) Better align assessments across all levels of
12 education.

13 (E) Reduce the need for students entering
14 institutions of higher education to take remedial
15 courses.

16 (F) Smooth the transition from high school to
17 college.

18 (G) Improve high school and college graduation
19 rates.

20 (H) Improve the rigor and relevance of academic
21 standards for college and workforce readiness.

22 (I) Better align college and university teaching
23 programs with the needs of Illinois schools.

24 (2) To advise the Governor, the General Assembly, the
25 State's education and higher education agencies, and the
26 State's workforce and economic development boards and

1 agencies on policies related to lifelong learning for
2 Illinois students and families.

3 (3) To articulate a framework for systemic educational
4 improvement that will enable every student to meet or
5 exceed Illinois learning standards and be well-prepared to
6 succeed in the workforce and community.

7 (4) To provide an estimated fiscal impact for
8 implementation of all Council recommendations.

9 (e) The chairperson of the Illinois P-20 Council may
10 authorize the creation of working groups focusing on areas of
11 interest to Illinois educational and workforce development,
12 including without limitation the following areas:

13 (1) Preparation, recruitment, and certification of
14 highly qualified teachers.

15 (2) Mentoring and induction of highly qualified
16 teachers.

17 (3) The diversity of highly qualified teachers.

18 (4) Funding for highly qualified teachers, including
19 developing a strategic and collaborative plan to seek
20 federal and private grants to support initiatives
21 targeting teacher preparation and its impact on student
22 achievement.

23 (5) Highly effective administrators.

24 (6) Illinois birth through age 3 education,
25 pre-kindergarten, and early childhood education.

26 (7) The assessment, alignment, outreach, and network

1 of college and workforce readiness efforts.

2 (8) Alternative routes to college access.

3 (9) Research data and accountability.

4 The chairperson of the Illinois P-20 Council may designate
5 Council members to serve as working group chairpersons. Working
6 groups may invite organizations and individuals representing
7 pre-kindergarten through grade 20 interests to participate in
8 discussions, data collection, and dissemination.

9 (110 ILCS 205/9.10 rep.)

10 Section 10. The Board of Higher Education Act is amended by
11 repealing Section 9.10.