

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
5 Sections 34-2.1, 34-2.3, and 34-8.1 as follows:

6 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

7 Sec. 34-2.1. Local School Councils - Composition -
8 Voter-Eligibility - Elections - Terms.

9 (a) A local school council shall be established for each
10 attendance center within the school district. Each local
11 school council shall consist of the following 11 voting
12 members: the principal of the attendance center, 2 teachers
13 employed and assigned to perform the majority of their
14 employment duties at the attendance center, 6 parents of
15 students currently enrolled at the attendance center and 2
16 community residents. Neither the parents nor the community
17 residents who serve as members of the local school council
18 shall be employees of the Board of Education. In each
19 secondary attendance center, the local school council shall
20 consist of 12 voting members -- the 11 voting members
21 described above and one full-time student member, appointed
22 as provided in subsection (m) below. In the event that the
23 chief executive officer of the Chicago School Reform Board of
24 Trustees determines that a local school council is not
25 carrying out its financial duties effectively, the chief
26 executive officer is authorized to appoint a representative
27 of the business community with experience in finance and
28 management to serve as an advisor to the local school council
29 for the purpose of providing advice and assistance to the
30 local school council on fiscal matters. The advisor shall
31 have access to relevant financial records of the local school

1 council. The advisor may attend executive sessions. The
2 chief executive officer shall issue a written policy defining
3 the circumstances under which a local school council is not
4 carrying out its financial duties effectively.

5 (b) Within 7 days of January 11, 1991, the Mayor shall
6 appoint the members and officers (a Chairperson who shall be
7 a parent member and a Secretary) of each local school council
8 who shall hold their offices until their successors shall be
9 elected and qualified. Members so appointed shall have all
10 the powers and duties of local school councils as set forth
11 in this amendatory Act of 1991. The Mayor's appointments
12 shall not require approval by the City Council.

13 The membership of each local school council shall be
14 encouraged to be reflective of the racial and ethnic
15 composition of the student population of the attendance
16 center served by the local school council.

17 (c) Beginning with the 1995-1996 school year and, except
18 as may be required under subsection (s) of this Section, in
19 every even-numbered year thereafter, the Board shall set
20 second semester Parent Report Card Pick-up Day for Local
21 School Council elections and may schedule elections at
22 year-round schools for the same dates as the remainder of the
23 school system. Elections shall be conducted as provided
24 herein by the Board of Education in consultation with the
25 local school council at each attendance center. Any elected
26 local school council or local school council member who has
27 been challenged but whose challenge has not been resolved
28 shall take office pending resolution of the challenge. If
29 (i) a new election is required pursuant to a challenge of
30 the type described in subsection (s) of this Section, but
31 the new election has not been held and, before the first day
32 of July after a regularly scheduled election, the election
33 results are certified, (ii) there is no election scheduled
34 within 3 months after the number of local school council

1 members falls below the number necessary for a quorum, or
2 (iii) a new school is established, then the Board shall
3 hold a special local school council election for the
4 attendance center as soon as possible. The special election
5 need not be scheduled to coincide with the report card
6 pick-up day.

7 (d) Beginning with the 1995-96 school year, the
8 following procedures shall apply to the election of local
9 school council members at each attendance center:

10 (i) The elected members of each local school
11 council shall consist of the 6 parent members and the 2
12 community resident members.

13 (ii) Each elected member shall be elected by the
14 eligible voters of that attendance center to serve for a
15 two-year term commencing on July 1 immediately following
16 the election described in subsection (c). Eligible
17 voters for each attendance center shall consist of the
18 parents and community residents for that attendance
19 center.

20 (iii) Each eligible voter shall be entitled to cast
21 one vote for up to a total of 5 candidates, irrespective
22 of whether such candidates are parent or community
23 resident candidates.

24 (iv) Each parent voter shall be entitled to vote in
25 the local school council election at each attendance
26 center in which he or she has a child currently enrolled.
27 Each community resident voter shall be entitled to vote
28 in the local school council election at each attendance
29 center for which he or she resides in the applicable
30 attendance area or voting district, as the case may be.

31 (v) Each eligible voter shall be entitled to vote
32 once, but not more than once, in the local school council
33 election at each attendance center at which the voter is
34 eligible to vote.

1 (vi) The 2 teacher members of each local school
2 council shall be appointed as provided in subsection (l)
3 below each to serve for a two-year term coinciding with
4 that of the elected parent and community resident
5 members.

6 (vii) At secondary attendance centers, the voting
7 student member shall be appointed as provided in
8 subsection (m) below to serve for a one-year term
9 coinciding with the beginning of the terms of the elected
10 parent and community members of the local school council.

11 (e) The Council shall publicize the date and place of
12 the election by posting notices at the attendance center, in
13 public places within the attendance boundaries of the
14 attendance center and by distributing notices to the pupils
15 at the attendance center, and shall utilize such other means
16 as it deems necessary to maximize the involvement of all
17 eligible voters.

18 (f) Nomination. The Council shall publicize the opening
19 of nominations by posting notices at the attendance center,
20 in public places within the attendance boundaries of the
21 attendance center and by distributing notices to the pupils
22 at the attendance center, and shall utilize such other means
23 as it deems necessary to maximize the involvement of all
24 eligible voters. Not less than 2 weeks before the election
25 date, persons eligible to run for the Council shall submit
26 their name, date of birth, social security number, if
27 available, and some evidence of eligibility to the Council.
28 The Council shall encourage nomination of candidates
29 reflecting the racial/ethnic population of the students at
30 the attendance center. Each person nominated who runs as a
31 candidate shall disclose, in a manner determined by the
32 Board, any economic interest held by such person, by such
33 person's spouse or children, or by each business entity in
34 which such person has an ownership interest, in any contract

1 with the Board, any local school council or any public school
2 in the school district. Each person nominated who runs as a
3 candidate shall also disclose, in a manner determined by the
4 Board, if he or she ever has been convicted of any of the
5 offenses specified in subsection (c) of Section 34-18.5;
6 provided that neither this provision nor any other provision
7 of this Section shall be deemed to require the disclosure of
8 any information that is contained in any law enforcement
9 record or juvenile court record that is confidential or whose
10 accessibility or disclosure is restricted or prohibited under
11 Section 5-901 or 5-905 of the Juvenile Court Act of 1987.
12 Failure to make such disclosure shall render a person
13 ineligible for election or to serve on the local school
14 council. The same disclosure shall be required of persons
15 under consideration for appointment to the Council pursuant
16 to subsections (l) and (m) of this Section.

17 (f-5) Notwithstanding disclosure, a person who has been
18 convicted of any of the following offenses at any time shall
19 be ineligible for election or appointment to a local school
20 council and ineligible for appointment to a local school
21 council pursuant to subsections (l) and (m) of this Section:
22 (i) those defined in Section 11-6, 11-9.1, 11-16, 11-17.1,
23 11-19, 11-19.1, 11-19.2, 11-20.1, 12-13, 12-14, 12-14.1,
24 12-15, or 12-16 of the Criminal Code of 1961 or (ii) any
25 offense committed or attempted in any other state or against
26 the laws of the United States, which, if committed or
27 attempted in this State, would have been punishable as one or
28 more of the foregoing offenses. Notwithstanding disclosure,
29 a person who has been convicted of any of the following
30 offenses within the 10 years previous to the date of
31 nomination or appointment shall be ineligible for election or
32 appointment to a local school council: (i) those defined in
33 Section 401.1, 405.1, or 405.2 of the Illinois Controlled
34 Substances Act or (ii) any offense committed or attempted in

1 any other state or against the laws of the United States,
2 which, if committed or attempted in this State, would have
3 been punishable as one or more of the foregoing offenses.

4 Immediately upon election or appointment, incoming local
5 school council members shall be required to undergo a
6 criminal background investigation, to be completed prior to
7 the member taking office, in order to identify any criminal
8 convictions under the offenses enumerated in Section 34-18.5.
9 The investigation shall be conducted by the Department of
10 State Police in the same manner as provided for in Section
11 34-18.5. However, notwithstanding Section 34-18.5, the social
12 security number shall be provided only if available. If it is
13 determined at any time that a local school council member or
14 member-elect has been convicted of any of the offenses
15 enumerated in this Section or failed to disclose a conviction
16 of any of the offenses enumerated in Section 34-18.5, the
17 general superintendent shall notify the local school council
18 member or member-elect of such determination and the local
19 school council member or member-elect shall be removed from
20 the local school council by the Board, subject to a hearing,
21 convened pursuant to Board rule, prior to removal.

22 (g) At least one week before the election date, the
23 Council shall publicize, in the manner provided in subsection
24 (e), the names of persons nominated for election.

25 (h) Voting shall be in person by secret ballot at the
26 attendance center between the hours of 6:00 a.m. and 7:00
27 p.m.

28 (i) Candidates receiving the highest number of votes
29 shall be declared elected by the Council. In cases of a tie,
30 the Council shall determine the winner by lot.

31 (j) The Council shall certify the results of the
32 election and shall publish the results in the minutes of the
33 Council.

34 (k) The general superintendent shall resolve any

1 disputes concerning election procedure or results and shall
2 ensure that, except as provided in subsections (e) and (g),
3 no resources of any attendance center shall be used to
4 endorse or promote any candidate.

5 (1) Beginning with the 1995-1996 school year and in
6 every even numbered year thereafter, the Board shall appoint
7 2 teacher members to each local school council. These
8 appointments shall be made in the following manner:

9 (i) The Board shall appoint 2 teachers who are
10 employed and assigned to perform the majority of their
11 employment duties at the attendance center to serve on
12 the local school council of the attendance center for a
13 two-year term coinciding with the terms of the elected
14 parent and community members of that local school
15 council. These appointments shall be made from among
16 those teachers who are nominated in accordance with
17 subsection (f).

18 (ii) A non-binding, advisory poll to ascertain the
19 preferences of the school staff regarding appointments of
20 teachers to the local school council for that attendance
21 center shall be conducted in accordance with the
22 procedures used to elect parent and community Council
23 representatives. At such poll, each member of the school
24 staff shall be entitled to indicate his or her preference
25 for up to 2 candidates from among those who submitted
26 statements of candidacy as described above. These
27 preferences shall be advisory only and the Board shall
28 maintain absolute discretion to appoint teacher members
29 to local school councils, irrespective of the preferences
30 expressed in any such poll.

31 (iii) In the event that a teacher representative is
32 unable to perform his or her employment duties at the
33 school due to illness, disability, leave of absence,
34 disciplinary action, or any other reason, the Board shall

1 declare a temporary vacancy and appoint a replacement
2 teacher representative to serve on the local school
3 council until such time as the teacher member originally
4 appointed pursuant to this subsection (1) resumes service
5 at the attendance center or for the remainder of the
6 term. The replacement teacher representative shall be
7 appointed in the same manner and by the same procedures
8 as teacher representatives are appointed in subdivisions
9 (i) and (ii) of this subsection (1).

10 (m) Beginning with the 1995-1996 school year, and in
11 every year thereafter, the Board shall appoint one student
12 member to each secondary attendance center. These
13 appointments shall be made in the following manner:

14 (i) Appointments shall be made from among those
15 students who submit statements of candidacy to the
16 principal of the attendance center, such statements to be
17 submitted commencing on the first day of the twentieth
18 week of school and continuing for 2 weeks thereafter.
19 The form and manner of such candidacy statements shall be
20 determined by the Board.

21 (ii) During the twenty-second week of school in
22 every year, the principal of each attendance center shall
23 conduct a non-binding, advisory poll to ascertain the
24 preferences of the school students regarding the
25 appointment of a student to the local school council for
26 that attendance center. At such poll, each student shall
27 be entitled to indicate his or her preference for up to
28 one candidate from among those who submitted statements
29 of candidacy as described above. The Board shall
30 promulgate rules to ensure that these non-binding,
31 advisory polls are conducted in a fair and equitable
32 manner and maximize the involvement of all school
33 students. The preferences expressed in these
34 non-binding, advisory polls shall be transmitted by the

1 principal to the Board. However, these preferences shall
2 be advisory only and the Board shall maintain absolute
3 discretion to appoint student members to local school
4 councils, irrespective of the preferences expressed in
5 any such poll.

6 (iii) For the 1995-96 school year only,
7 appointments shall be made from among those students who
8 submitted statements of candidacy to the principal of the
9 attendance center during the first 2 weeks of the school
10 year. The principal shall communicate the results of any
11 nonbinding, advisory poll to the Board. These results
12 shall be advisory only, and the Board shall maintain
13 absolute discretion to appoint student members to local
14 school councils, irrespective of the preferences
15 expressed in any such poll.

16 (n) The Board may promulgate such other rules and
17 regulations for election procedures as may be deemed
18 necessary to ensure fair elections.

19 (o) In the event that a vacancy occurs during a member's
20 term, the Council shall appoint a person eligible to serve on
21 the Council, to fill the unexpired term created by the
22 vacancy, except that any teacher vacancy shall be filled by
23 the Board after considering the preferences of the school
24 staff as ascertained through a non-binding advisory poll of
25 school staff.

26 (p) If less than the specified number of persons is
27 elected within each candidate category, the newly elected
28 local school council shall appoint eligible persons to serve
29 as members of the Council for two-year terms.

30 (q) The Board shall promulgate rules regarding conflicts
31 of interest and disclosure of economic interests which shall
32 apply to local school council members and which shall require
33 reports or statements to be filed by Council members at
34 regular intervals with the Secretary of the Board. Failure

1 to comply with such rules or intentionally falsifying such
2 reports shall be grounds for disqualification from local
3 school council membership. A vacancy on the Council for
4 disqualification may be so declared by the Secretary of the
5 Board. Rules regarding conflicts of interest and disclosure
6 of economic interests promulgated by the Board shall apply to
7 local school council members. No less than 45 days prior to
8 the deadline, the general superintendent shall provide
9 notice, by mail, to each local school council member of all
10 requirements and forms for compliance with economic interest
11 statements.

12 (r) (1) If a parent member of a local school council
13 ceases to have any child enrolled in the attendance center
14 governed by the Local School Council due to the graduation or
15 voluntary transfer of a child or children from the attendance
16 center, the parent's membership on the Local School Council
17 and all voting rights are terminated immediately as of the
18 date of the child's graduation or voluntary transfer.
19 Further, a local school council member may be removed from
20 the Council by a majority vote of the Council as provided in
21 subsection (c) of Section 34-2.2 if the Council member has
22 missed 3 consecutive regular meetings, not including
23 committee meetings, or 5 regular meetings in a 12 month
24 period, not including committee meetings. If a parent member
25 of a local school council ceases to be eligible to serve on
26 the Council for any other reason, he or she shall be removed
27 by the Board subject to a hearing, convened pursuant to Board
28 rule, prior to removal. A vote to remove a Council member by
29 the local school council shall only be valid if the Council
30 member has been notified personally or by certified mail,
31 mailed to the person's last known address, of the Council's
32 intent to vote on the Council member's removal at least 7
33 days prior to the vote. The Council member in question shall
34 have the right to explain his or her actions and shall be

1 eligible to vote on the question of his or her removal from
2 the Council. The provisions of this subsection shall be
3 contained within the petitions used to nominate Council
4 candidates.

5 (2) A person may continue to serve as a community
6 resident member of a local school council as long as he or
7 she resides in the attendance area served by the school and
8 is not employed by the Board nor is a parent of a student
9 enrolled at the school. If a community resident member
10 ceases to be eligible to serve on the Council, he or she
11 shall be removed by the Board subject to a hearing, convened
12 pursuant to Board rule, prior to removal.

13 (3) A person may continue to serve as a teacher member
14 of a local school council as long as he or she is employed
15 and assigned to perform a majority of his or her duties at
16 the school, provided that if the teacher representative
17 resigns from employment with the Board or voluntarily
18 transfers to another school, the teacher's membership on the
19 local school council and all voting rights are terminated
20 immediately as of the date of the teacher's resignation or
21 upon the date of the teacher's voluntary transfer to another
22 school. If a teacher member of a local school council ceases
23 to be eligible to serve on a local school council for any
24 other reason, that member shall be removed by the Board
25 subject to a hearing, convened pursuant to Board rule, prior
26 to removal.

27 (s) If, pursuant to Board rule, a written challenge is
28 timely made to a local school council election on the grounds
29 that there were substantial and uncured violations such that
30 the entire election should be voided, the Board shall hold a
31 hearing on the charges within 14 days after receipt of the
32 challenge. All persons who were candidates in the challenged
33 election and any witnesses to the alleged violations that
34 have been identified in the challenge shall be given notice

1 of the hearing and a copy of the challenge by certified mail,
 2 which shall be mailed at least 7 days before the hearing.
 3 The hearing officer shall render a decision in the matter no
 4 later than 7 days after the hearing. Any appeal to the Board
 5 of the hearing officer's decision shall be filed with the
 6 Board within 7 days after the decision, and a decision on the
 7 appeal shall be rendered within 7 days after the filing of
 8 the appeal. If the decision of the hearing officer is that a
 9 new election is required, the new election shall be scheduled
 10 before the end of the school year.

11 (Source: P.A. 90-378, eff. 8-14-97; 90-590, eff. 1-1-00;
 12 91-622, eff. 8-19-99; 91-728, eff. 6-2-00.)

13 (105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

14 Sec. 34-2.3. Local school councils - Powers and duties.
 15 Each local school council shall have and exercise, consistent
 16 with the provisions of this Article and the powers and duties
 17 of the board of education, the following powers and duties:

18 1. (A) To annually evaluate the performance of the
 19 principal of the attendance center using a Board approved
 20 principal evaluation form, which shall include the evaluation
 21 of (i) student academic improvement, as defined by the school
 22 improvement plan, (ii) student absenteeism rates at the
 23 school, (iii) instructional leadership, (iv) the effective
 24 implementation of programs, policies, or strategies to
 25 improve student academic achievement, (v) school management,
 26 and (vi) any other factors deemed relevant by the local
 27 school council, including, without limitation, the
 28 principal's communication skills and ability to create and
 29 maintain a student-centered learning environment, to develop
 30 opportunities for professional development, and to encourage
 31 parental involvement and community partnerships to achieve
 32 school improvement;

33 (B) to determine in the manner provided by subsection

1 (c) of Section 34-2.2 and subdivision 1.5 of this Section
2 whether the performance contract of the principal shall be
3 renewed; and

4 (C) to directly select, in the manner provided by
5 subsection (c) of Section 34-2.2, a new principal (including
6 a new principal to fill a vacancy) -- without submitting any
7 list of candidates for that position to the general
8 superintendent as provided in paragraph 2 of this Section --
9 to serve under a 4 year performance contract; provided that
10 (i) the determination of whether the principal's performance
11 contract is to be renewed, based upon the evaluation required
12 by subdivision 1.5 of this Section, shall be made no later
13 than 150 days prior to the expiration of the current
14 performance-based contract of the principal, (ii) in cases
15 where such performance contract is not renewed -- a direct
16 selection of a new principal -- to serve under a 4 year
17 performance contract shall be made by the local school
18 council no later than 45 days prior to the expiration of the
19 current performance contract of the principal, and (iii) a
20 selection by the local school council of a new principal to
21 fill a vacancy under a 4 year performance contract shall be
22 made within 90 days after the date such vacancy occurs. A
23 Council shall be required, if requested by the principal, to
24 provide in writing the reasons for the council's not renewing
25 the principal's contract.

26 1.5. The local school council's determination of whether
27 to renew the principal's contract shall be based on an
28 evaluation to assess the educational and administrative
29 progress made at the school during the principal's current
30 performance-based contract. The local school council shall
31 base its evaluation on (i) student academic improvement, as
32 defined by the school improvement plan, (ii) student
33 absenteeism rates at the school, (iii) instructional
34 leadership, (iv) the effective implementation of programs,

1 policies, or strategies to improve student academic
2 achievement, (v) school management, and (vi) any other
3 factors deemed relevant by the local school council,
4 including, without limitation, the principal's communication
5 skills and ability to create and maintain a student-centered
6 learning environment, to develop opportunities for
7 professional development, and to encourage parental
8 involvement and community partnerships to achieve school
9 improvement. If a local school council fails to renew the
10 performance contract of a principal rated by the general
11 superintendent, or his or her designee, in the previous
12 years' evaluations as meeting or exceeding expectations, the
13 principal, within 15 days after the local school council's
14 decision not to renew the contract, may request a review of
15 the local school council's principal non-retention decision
16 by a hearing officer appointed by the American Arbitration
17 Association. A local school council member or members or the
18 general superintendent may support the principal's request
19 for review. During the period of the hearing officer's review
20 of the local school council's decision on whether or not to
21 retain the principal, the local school council shall maintain
22 all authority to search for and contract with a person to
23 serve as interim or acting principal, or as the principal of
24 the attendance center under a 4-year performance contract,
25 provided that any performance contract entered into by the
26 local school council shall be voidable or modified in
27 accordance with the decision of the hearing officer. The
28 principal may request review only once while at that
29 attendance center. If a local school council renews the
30 contract of a principal who failed to obtain a rating of
31 "meets" or "exceeds expectations" in the general
32 superintendent's evaluation for the previous year, the
33 general superintendent, within 15 days after the local school
34 council's decision to renew the contract, may request a

1 review of the local school council's principal retention
2 decision by a hearing officer appointed by the American
3 Arbitration Association. The general superintendent may
4 request a review only once for that principal at that
5 attendance center. All requests to review the retention or
6 non-retention of a principal shall be submitted to the
7 general superintendent, who shall, in turn, forward such
8 requests, within 14 days of receipt, to the American
9 Arbitration Association. The general superintendent shall
10 send a contemporaneous copy of the request that was forwarded
11 to the American Arbitration Association to the principal and
12 to each local school council member and shall inform the
13 local school council of its rights and responsibilities under
14 the arbitration process, including the local school council's
15 right to representation and the manner and process by which
16 the Board shall pay the costs of the council's
17 representation. If the local school council retains the
18 principal and the general superintendent requests a review of
19 the retention decision, the local school council and the
20 general superintendent shall be considered parties to the
21 arbitration, a hearing officer shall be chosen between those
22 2 parties pursuant to procedures promulgated by the State
23 Board of Education, and the principal may retain counsel and
24 participate in the arbitration. If the local school council
25 does not retain the principal and the principal requests a
26 review of the retention decision, the local school council
27 and the principal shall be considered parties to the
28 arbitration and a hearing officer shall be chosen between
29 those 2 parties pursuant to procedures promulgated by the
30 State Board of Education. The hearing shall begin (i) within
31 45 days after the initial request for review is submitted by
32 the principal to the general superintendent or (ii) if the
33 initial request for review is made by the general
34 superintendent, within 45 days after that request is mailed

1 to the American Arbitration Association. The hearing officer
2 shall render a decision within 45 days after the hearing
3 begins and within 90 days after the initial request for
4 review. The Board shall contract with the American
5 Arbitration Association for all of the hearing officer's
6 reasonable and necessary costs. In addition, the Board shall
7 pay any reasonable costs incurred by a local school council
8 for representation before a hearing officer.

9 1.10. The hearing officer shall conduct a hearing, which
10 shall include (i) a review of the principal's performance,
11 evaluations, and other evidence of the principal's service at
12 the school, (ii) reasons provided by the local school council
13 for its decision, and (iii) documentation evidencing views of
14 interested persons, including, without limitation, students,
15 parents, local school council members, school faculty and
16 staff, the principal, the general superintendent or his or
17 her designee, and members of the community. The burden of
18 proof in establishing that the local school council's
19 decision was arbitrary and capricious shall be on the party
20 requesting the arbitration, and this party shall sustain the
21 burden by a preponderance of the evidence. The hearing
22 officer shall set the local school council decision aside if
23 that decision, in light of the record developed at the
24 hearing, is arbitrary and capricious. The decision of the
25 hearing officer may not be appealed to the Board or the State
26 Board of Education. If the hearing officer decides that the
27 principal shall be retained, the retention period shall not
28 exceed 2 years.

29 2. In the event (i) the local school council does not
30 renew the performance contract of the principal, or the
31 principal fails to receive a satisfactory rating as provided
32 in subsection (h) of Section 34-8.3, or the principal is
33 removed for cause during the term of his or her performance
34 contract in the manner provided by Section 34-85, or a

1 vacancy in the position of principal otherwise occurs prior
2 to the expiration of the term of a principal's performance
3 contract, and (ii) the local school council fails to directly
4 select a new principal to serve under a 4 year performance
5 contract, the local school council in such event shall submit
6 to the general superintendent a list of 3 candidates --
7 listed in the local school council's order of preference --
8 for the position of principal, one of which shall be selected
9 by the general superintendent to serve as principal of the
10 attendance center. If the general superintendent fails or
11 refuses to select one of the candidates on the list to serve
12 as principal within 30 days after being furnished with the
13 candidate list, the general superintendent shall select and
14 place a principal on an interim basis (i) for a period not to
15 exceed one year or (ii) until the local school council
16 selects a new principal with 7 affirmative votes as provided
17 in subsection (c) of Section 34-2.2, whichever occurs first.
18 If the local school council fails or refuses to select and
19 appoint a new principal, as specified by subsection (c) of
20 Section 34-2.2, the general superintendent may select and
21 appoint a new principal on an interim basis for an additional
22 year or until a new contract principal is selected by the
23 local school council. There shall be no discrimination on
24 the basis of race, sex, creed, color or disability unrelated
25 to ability to perform in connection with the submission of
26 candidates for, and the selection of a candidate to serve as
27 principal of an attendance center. No person shall be
28 directly selected, listed as a candidate for, or selected to
29 serve as principal of an attendance center (i) if such person
30 has been removed for cause from employment by the Board or
31 (ii) if such person does not hold a valid administrative
32 certificate issued or exchanged under Article 21 and endorsed
33 as required by that Article for the position of principal. A
34 principal whose performance contract is not renewed as

1 provided under subsection (c) of Section 34-2.2 may
2 nevertheless, if otherwise qualified and certified as herein
3 provided and if he or she has received a satisfactory rating
4 as provided in subsection (h) of Section 34-8.3, be included
5 by a local school council as one of the 3 candidates listed
6 in order of preference on any candidate list from which one
7 person is to be selected to serve as principal of the
8 attendance center under a new performance contract. The
9 initial candidate list required to be submitted by a local
10 school council to the general superintendent in cases where
11 the local school council does not renew the performance
12 contract of its principal and does not directly select a new
13 principal to serve under a 4 year performance contract shall
14 be submitted not later than 30 days prior to the expiration
15 of the current performance contract. In cases where the
16 local school council fails or refuses to submit the candidate
17 list to the general superintendent no later than 30 days
18 prior to the expiration of the incumbent principal's
19 contract, the general superintendent may appoint a principal
20 on an interim basis for a period not to exceed one year,
21 during which time the local school council shall be able to
22 select a new principal with 7 affirmative votes as provided
23 in subsection (c) of Section 34-2.2. In cases where a
24 principal is removed for cause or a vacancy otherwise occurs
25 in the position of principal and the vacancy is not filled by
26 direct selection by the local school council, the candidate
27 list shall be submitted by the local school council to the
28 general superintendent within 90 days after the date such
29 removal or vacancy occurs. In cases where the local school
30 council fails or refuses to submit the candidate list to the
31 general superintendent within 90 days after the date of the
32 vacancy, the general superintendent may appoint a principal
33 on an interim basis for a period of one year, during which
34 time the local school council shall be able to select a new

1 principal with 7 affirmative votes as provided in subsection
2 (c) of Section 34-2.2.

3 2.5. Whenever a vacancy in the office of a principal
4 occurs for any reason, the vacancy shall be filled by the
5 local school council in the manner provided by this Section
6 by the selection of a new principal to serve under a 4-year 4
7 year performance contract. For the purposes of this Section,
8 a vacancy occurs whenever a principal with a 4-year
9 performance contract is absent from the attendance center as
10 a result of (a) death, retirement, or resignation, (b) a
11 voluntarily accepted reassignment to another position in
12 which the principal continues to receive at a minimum his or
13 her contractual salary for the balance of the contractual
14 term even though no longer serving as principal, or (c)
15 removal for cause. A principal must not be removed
16 involuntarily except pursuant to Section 34-85 of this Code
17 or pursuant to probation and intervention measures under
18 Sections 34-8.3 and 34-8.4 of this Code. Within 30 days
19 after a vacancy occurring for any reason, the general
20 superintendent of schools shall notify, in writing, the local
21 school council of the vacancy and the reason for it. The
22 local school council may advertise the vacancy and begin
23 principal selection procedures immediately after (i) the date
24 of the notification from the general superintendent of
25 schools, (ii) the date of any written notification to the
26 local school council by a principal of his or her impending
27 retirement, resignation, or acceptance of reassignment or
28 (iii) the date upon which the local school council provides
29 written notification to the general superintendent of schools
30 and to the person holding the 4-year performance contract
31 that the local school council has made a formal determination
32 that the vacancy in the position of principal of at least 30
33 days duration has occurred.

34 If the Board fails to approve the appointment of the

1 principal selected by the local school council within 60 days
2 after the local school council's selection decision, the
3 appointment is deemed approved by operation of law.

4 If an attendance center is lacking the active presence of
5 a principal with a 4-year performance contract for more than
6 30 days under any circumstance that does not constitute a
7 vacancy as defined in this Section and that is not otherwise
8 addressed under subdivision (2) of this Section or under
9 Section 34-8.3 or 34-8.4 of this Code, then the local school
10 council has the authority to search for and contract with a
11 person to serve as interim principal.

12 3. To establish additional criteria to be included as
13 part of the performance contract of its principal, provided
14 that such additional criteria shall not discriminate on the
15 basis of race, sex, creed, color or disability unrelated to
16 ability to perform, and shall not be inconsistent with the
17 uniform 4 year performance contract for principals developed
18 by the board as provided in Section 34-8.1 of the School Code
19 or with other provisions of this Article governing the
20 authority and responsibility of principals.

21 4. To approve the expenditure plan prepared by the
22 principal with respect to all funds allocated and distributed
23 to the attendance center by the Board. The expenditure plan
24 shall be administered by the principal. Notwithstanding any
25 other provision of this Act or any other law, any expenditure
26 plan approved and administered under this Section 34-2.3
27 shall be consistent with and subject to the terms of any
28 contract for services with a third party entered into by the
29 Chicago School Reform Board of Trustees or the board under
30 this Act.

31 Via a supermajority vote of 7 members of the local school
32 council or 8 members of a high school local school council,
33 the Council may transfer allocations pursuant to Section
34 34-2.3 within funds; provided that such a transfer is

1 consistent with applicable law and collective bargaining
2 agreements.

3 Beginning in fiscal year 1991 and in each fiscal year
4 thereafter, the Board may reserve up to 1% of its total
5 fiscal year budget for distribution on a prioritized basis to
6 schools throughout the school system in order to assure
7 adequate programs to meet the needs of special student
8 populations as determined by the Board. This distribution
9 shall take into account the needs catalogued in the
10 Systemwide Plan and the various local school improvement
11 plans of the local school councils. Information about these
12 centrally funded programs shall be distributed to the local
13 school councils so that their subsequent planning and
14 programming will account for these provisions.

15 Beginning in fiscal year 1991 and in each fiscal year
16 thereafter, from other amounts available in the applicable
17 fiscal year budget, the board shall allocate a lump sum
18 amount to each local school based upon such formula as the
19 board shall determine taking into account the special needs
20 of the student body. The local school principal shall
21 develop an expenditure plan in consultation with the local
22 school council, the professional personnel advisory committee
23 and with all other school personnel, which reflects the
24 priorities and activities as described in the school's local
25 school improvement plan and is consistent with applicable law
26 and collective bargaining agreements and with board policies
27 and standards; however, the local school council shall have
28 the right to request waivers of board policy from the board
29 of education and waivers of employee collective bargaining
30 agreements pursuant to Section 34-8.1a.

31 The expenditure plan developed by the principal with
32 respect to amounts available from the fund for prioritized
33 special needs programs and the allocated lump sum amount must
34 be approved by the local school council.

1 The lump sum allocation shall take into account the
2 following principles:

3 a. Teachers: Each school shall be allocated funds
4 equal to the amount appropriated in the previous school
5 year for compensation for teachers (regular grades
6 kindergarten through 12th grade) plus whatever increases
7 in compensation have been negotiated contractually or
8 through longevity as provided in the negotiated
9 agreement. Adjustments shall be made due to layoff or
10 reduction in force, lack of funds or work, change in
11 subject requirements, enrollment changes, or contracts
12 with third parties for the performance of services or to
13 rectify any inconsistencies with system-wide allocation
14 formulas or for other legitimate reasons.

15 b. Other personnel: Funds for other teacher
16 certificated and uncertificated personnel paid through
17 non-categorical funds shall be provided according to
18 system-wide formulas based on student enrollment and the
19 special needs of the school as determined by the Board.

20 c. Non-compensation items: Appropriations for all
21 non-compensation items shall be based on system-wide
22 formulas based on student enrollment and on the special
23 needs of the school or factors related to the physical
24 plant, including but not limited to textbooks, supplies,
25 electricity, equipment, and routine maintenance.

26 d. Funds for categorical programs: Schools shall
27 receive personnel and funds based on, and shall use such
28 personnel and funds in accordance with State and Federal
29 requirements applicable to each categorical program
30 provided to meet the special needs of the student body
31 (including but not limited to, Federal Chapter I,
32 Bilingual, and Special Education).

33 d.1. Funds for State Title I: Each school shall
34 receive funds based on State and Board requirements

1 applicable to each State Title I pupil provided to meet
2 the special needs of the student body. Each school shall
3 receive the proportion of funds as provided in Section
4 18-8 to which they are entitled. These funds shall be
5 spent only with the budgetary approval of the Local
6 School Council as provided in Section 34-2.3.

7 e. The Local School Council shall have the right to
8 request the principal to close positions and open new
9 ones consistent with the provisions of the local school
10 improvement plan provided that these decisions are
11 consistent with applicable law and collective bargaining
12 agreements. If a position is closed, pursuant to this
13 paragraph, the local school shall have for its use the
14 system-wide average compensation for the closed position.

15 f. Operating within existing laws and collective
16 bargaining agreements, the local school council shall
17 have the right to direct the principal to shift
18 expenditures within funds.

19 g. (Blank).

20 Any funds unexpended at the end of the fiscal year shall
21 be available to the board of education for use as part of its
22 budget for the following fiscal year.

23 5. To make recommendations to the principal concerning
24 textbook selection and concerning curriculum developed
25 pursuant to the school improvement plan which is consistent
26 with systemwide curriculum objectives in accordance with
27 Sections 34-8 and 34-18 of the School Code and in conformity
28 with the collective bargaining agreement.

29 6. To advise the principal concerning the attendance and
30 disciplinary policies for the attendance center, subject to
31 the provisions of this Article and Article 26, and consistent
32 with the uniform system of discipline established by the
33 board pursuant to Section 34-19.

34 7. To approve a school improvement plan developed as

1 provided in Section 34-2.4. The process and schedule for plan
2 development shall be publicized to the entire school
3 community, and the community shall be afforded the
4 opportunity to make recommendations concerning the plan. At
5 least twice a year the principal and local school council
6 shall report publicly on progress and problems with respect
7 to plan implementation.

8 8. To evaluate the allocation of teaching resources and
9 other certificated and uncertificated staff to the attendance
10 center to determine whether such allocation is consistent
11 with and in furtherance of instructional objectives and
12 school programs reflective of the school improvement plan
13 adopted for the attendance center; and to make
14 recommendations to the board, the general superintendent and
15 the principal concerning any reallocation of teaching
16 resources or other staff whenever the council determines that
17 any such reallocation is appropriate because the
18 qualifications of any existing staff at the attendance center
19 do not adequately match or support instructional objectives
20 or school programs which reflect the school improvement plan.

21 9. To make recommendations to the principal and the
22 general superintendent concerning their respective
23 appointments, after August 31, 1989, and in the manner
24 provided by Section 34-8 and Section 34-8.1, of persons to
25 fill any vacant, additional or newly created positions for
26 teachers at the attendance center or at attendance centers
27 which include the attendance center served by the local
28 school council.

29 10. To request of the Board the manner in which training
30 and assistance shall be provided to the local school council.
31 Pursuant to Board guidelines a local school council is
32 authorized to direct the Board of Education to contract with
33 personnel or not-for-profit organizations not associated with
34 the school district to train or assist council members. If

1 training or assistance is provided by contract with personnel
2 or organizations not associated with the school district, the
3 period of training or assistance shall not exceed 30 hours
4 during a given school year; person shall not be employed on a
5 continuous basis longer than said period and shall not have
6 been employed by the Chicago Board of Education within the
7 preceding six months. Council members shall receive training
8 in at least the following areas:

9 1. school budgets;

10 2. educational theory pertinent to the attendance
11 center's particular needs, including the development of
12 the school improvement plan and the principal's
13 performance contract; and

14 3. personnel selection.

15 Council members shall, to the greatest extent possible,
16 complete such training within 90 days of election.

17 11. In accordance with systemwide guidelines contained
18 in the System-Wide Educational Reform Goals and Objectives
19 Plan, criteria for evaluation of performance shall be
20 established for local school councils and local school
21 council members. If a local school council persists in
22 noncompliance with systemwide requirements, the Board may
23 impose sanctions and take necessary corrective action,
24 consistent with Section 34-8.3.

25 12. Each local school council shall comply with the Open
26 Meetings Act and the Freedom of Information Act. Each local
27 school council shall issue and transmit to its school
28 community a detailed annual report accounting for its
29 activities programmatically and financially. Each local
30 school council shall convene at least 2 well-publicized
31 meetings annually with its entire school community. These
32 meetings shall include presentation of the proposed local
33 school improvement plan, of the proposed school expenditure
34 plan, and the annual report, and shall provide an opportunity

1 for public comment.

2 13. Each local school council is encouraged to involve
3 additional non-voting members of the school community in
4 facilitating the council's exercise of its responsibilities.

5 14. The local school council may adopt a school uniform
6 or dress code policy that governs the attendance center and
7 that is necessary to maintain the orderly process of a school
8 function or prevent endangerment of student health or safety,
9 consistent with the policies and rules of the Board of
10 Education. A school uniform or dress code policy adopted by a
11 local school council: (i) shall not be applied in such manner
12 as to discipline or deny attendance to a transfer student or
13 any other student for noncompliance with that policy during
14 such period of time as is reasonably necessary to enable the
15 student to acquire a school uniform or otherwise comply with
16 the dress code policy that is in effect at the attendance
17 center into which the student's enrollment is transferred;
18 and (ii) shall include criteria and procedures under which
19 the local school council will accommodate the needs of or
20 otherwise provide appropriate resources to assist a student
21 from an indigent family in complying with an applicable
22 school uniform or dress code policy. A student whose parents
23 or legal guardians object on religious grounds to the
24 student's compliance with an applicable school uniform or
25 dress code policy shall not be required to comply with that
26 policy if the student's parents or legal guardians present to
27 the local school council a signed statement of objection
28 detailing the grounds for the objection.

29 15. All decisions made and actions taken by the local
30 school council in the exercise of its powers and duties shall
31 comply with State and federal laws, all applicable collective
32 bargaining agreements, court orders and rules properly
33 promulgated by the Board.

34 15a. To grant, in accordance with board rules and

1 policies, the use of assembly halls and classrooms when not
2 otherwise needed, including lighting, heat, and attendants,
3 for public lectures, concerts, and other educational and
4 social activities.

5 15b. To approve, in accordance with board rules and
6 policies, receipts and expenditures for all internal accounts
7 of the attendance center, and to approve all fund-raising
8 activities by nonschool organizations that use the school
9 building.

10 16. (Blank).

11 16.5. To receive and review monthly and annual budget
12 and monitoring reports, and if the local school council
13 determines that there are significant discrepancies between
14 reported allocations and provisions in the school improvement
15 plan approved pursuant to subdivision 7 of this Section, to
16 request investigation by the Inspector General.

17 17. Names and addresses of local school council members
18 shall be a matter of public record.

19 18. Local school council members who have passed their
20 criminal background checks shall be issued identification
21 cards or other credentials that entitle them to access to the
22 school building. A local school council, in consultation
23 with the principal, may develop policies regarding such
24 matters as the frequency and duration of visits to the school
25 by local school council members, contact by local school
26 council members with school staff and students, and the
27 observation of classes by local school council members, so as
28 to prevent disruption to the educational process.

29 (Source: P.A. 90-14, eff. 7-1-97; 91-622, eff. 8-19-99;
30 91-728, eff. 6-2-00.)

31 (105 ILCS 5/34-8.1) (from Ch. 122, par. 34-8.1)

32 Sec. 34-8.1. Principals. Principals shall be employed to
33 supervise the operation of each attendance center. Their

1 powers and duties shall include but not be limited to the
2 authority (i) to direct, supervise, evaluate, and suspend
3 with or without pay or otherwise discipline all teachers,
4 assistant principals, and other employees assigned to the
5 attendance center in accordance with board rules and policies
6 and (ii) to direct all other persons assigned to the
7 attendance center pursuant to a contract with a third party
8 to provide services to the school system. The right to
9 employ, discharge, and layoff shall be vested solely with the
10 board. The principal shall fill positions by appointment as
11 provided in this Section and may make recommendations to the
12 board regarding the employment, discharge, or layoff of any
13 individual. The authority of the principal shall include the
14 authority to direct the hours during which the attendance
15 center shall be open and available for use provided the use
16 complies with board rules and policies, to determine when and
17 what operations shall be conducted within those hours, and to
18 schedule staff within those hours. Under the direction of,
19 and subject to the authority of the principal, the Engineer
20 In Charge shall be accountable for the safe, economical
21 operation of the plant and grounds and shall also be
22 responsible for orientation, training, and supervising the
23 work of Engineers, Trainees, school maintenance assistants,
24 custodial workers and other plant operation employees under
25 his or her direction.

26 There shall be established by the board a system of
27 semi-annual evaluations conducted by the principal as to
28 performance of the engineer in charge. Nothing in this
29 Section shall prevent the principal from conducting
30 additional evaluations. An overall numerical rating shall
31 be given by the principal based on the evaluation conducted
32 by the principal. An unsatisfactory numerical rating shall
33 result in disciplinary action, which may include, without
34 limitation and in the judgment of the principal, loss of

1 promotion or bidding procedure, reprimand, suspension with or
2 without pay, or recommended dismissal. The board shall
3 establish procedures for conducting the evaluation and
4 reporting the results to the engineer in charge.

5 Under the direction of, and subject to the authority of,
6 the principal, the Food Service Manager is responsible at all
7 times for the proper operation and maintenance of the lunch
8 room to which he is assigned and shall also be responsible
9 for the orientation, training, and supervising the work of
10 cooks, bakers, porters, and lunchroom attendants under his or
11 her direction.

12 There shall be established by the Board a system of
13 semi-annual evaluations conducted by the principal as to the
14 performance of the food service manager. Nothing in this
15 Section shall prevent the principal from conducting
16 additional evaluations. An overall numerical rating shall be
17 given by the principal based on the evaluation conducted by
18 the principal. An unsatisfactory numerical rating shall
19 result in disciplinary action which may include, without
20 limitation and in the judgment of the principal, loss of
21 promotion or bidding procedure, reprimand, suspension with or
22 without pay, or recommended dismissal. The board shall
23 establish rules for conducting the evaluation and reporting
24 the results to the food service manager.

25 Nothing in this Section shall be interpreted to require
26 the employment or assignment of an Engineer-In-Charge or a
27 Food Service Manager for each attendance center.

28 Principals shall be employed to supervise the educational
29 operation of each attendance center. If a principal is absent
30 due to extended illness or leave or absence, an assistant
31 principal may be assigned as acting principal for a period
32 not to exceed 100 school days. Each principal shall assume
33 administrative responsibility and instructional leadership,
34 in accordance with reasonable rules and regulations of the

1 board, for the planning, operation and evaluation of the
2 educational program of the attendance center to which he is
3 assigned. The principal shall submit recommendations to the
4 general superintendent concerning the appointment, dismissal,
5 retention, promotion, and assignment of all personnel
6 assigned to the attendance center; provided, that from and
7 after September 1, 1989: (i) if any vacancy occurs in a
8 position at the attendance center or if an additional or new
9 position is created at the attendance center, that position
10 shall be filled by appointment made by the principal in
11 accordance with procedures established and provided by the
12 Board whenever the majority of the duties included in that
13 position are to be performed at the attendance center which
14 is under the principal's supervision, and each such
15 appointment so made by the principal shall be made and based
16 upon merit and ability to perform in that position without
17 regard to seniority or length of service, provided, that such
18 appointments shall be subject to the Board's desegregation
19 obligations, including but not limited to the Consent Decree
20 and Desegregation Plan in U.S. v. Chicago Board of Education;
21 (ii) the principal shall submit recommendations based upon
22 merit and ability to perform in the particular position,
23 without regard to seniority or length of service, to the
24 general superintendent concerning the appointment of any
25 teacher, teacher aide, counselor, clerk, hall guard, security
26 guard and any other personnel which is to be made by the
27 general superintendent whenever less than a majority of the
28 duties of that teacher, teacher aide, counselor, clerk, hall
29 guard, and security guard and any other personnel are to be
30 performed at the attendance center which is under the
31 principal's supervision; and (iii) subject to law and the
32 applicable collective bargaining agreements, the authority
33 and responsibilities of a principal with respect to the
34 evaluation of all teachers and other personnel assigned to an

1 attendance center shall commence immediately upon his or her
 2 appointment as principal of the attendance center, without
 3 regard to the length of time that he or she has been the
 4 principal of that attendance center.

5 Notwithstanding the existence of any other law of this
 6 State, nothing in this Act shall prevent the board from
 7 entering into a contract with a third party for services
 8 currently performed by any employee or bargaining unit
 9 member.

10 Notwithstanding any other provision of this Article, each
 11 principal may approve contracts, binding on the board, in the
 12 amount of no more than \$10,000, if the contract is endorsed
 13 by the Local School Council.

14 Unless otherwise prohibited by law, the principal shall
 15 provide to local school council members on a monthly basis
 16 those financial reports, including monthly budget and
 17 monitoring reports, that are provided to the principal by the
 18 board, and the principal shall provide to local school
 19 council members on a yearly basis the projected school
 20 revenue report and final budget report for the attendance
 21 center. ~~or-by-rule-of-the-board,-the-principal-shall-provide~~
 22 ~~to-local-school-council-members-copies-of-all-internal-audits~~
 23 ~~and-any-other-pertinent-information-generated-by--any--audits~~
 24 ~~or--reviews--of--the-programs-and-operation-of-the-attendance~~
 25 ~~center.~~

26 Each principal shall hold a valid administrative
 27 certificate issued or exchanged in accordance with Article 21
 28 and endorsed as required by that Article for the position of
 29 principal. The board may establish or impose academic,
 30 educational, examination, and experience requirements and
 31 criteria that are in addition to those established and
 32 required by Article 21 for issuance of a valid certificate
 33 endorsed for the position of principal as a condition of the
 34 nomination, selection, appointment, employment, or continued

1 employment of a person as principal of any attendance center,
2 or as a condition of the renewal of any principal's
3 performance contract.

4 The board shall specify in its formal job description for
5 principals, and from and after July 1, 1990 shall specify in
6 the 4 year performance contracts for use with respect to all
7 principals, that his or her primary responsibility is in the
8 improvement of instruction. A majority of the time spent by
9 a principal shall be spent on curriculum and staff
10 development through both formal and informal activities,
11 establishing clear lines of communication regarding school
12 goals, accomplishments, practices and policies with parents
13 and teachers. The principal, with the assistance of the
14 local school council, shall develop a school improvement plan
15 as provided in Section 34-2.4 and, upon approval of the plan
16 by the local school council, shall be responsible for
17 directing implementation of the plan. The principal, with the
18 assistance of the Professional Personnel Advisory Committee,
19 shall develop the specific methods and contents of the
20 school's curriculum within the board's system-wide curriculum
21 standards and objectives and the requirements of the school
22 improvement plan. The board shall ensure that all principals
23 are evaluated on their instructional leadership ability and
24 their ability to maintain a positive education and learning
25 climate. It shall also be the responsibility of the
26 principal to utilize resources of proper law enforcement
27 agencies when the safety and welfare of students and teachers
28 are threatened by illegal use of drugs and alcohol, by
29 illegal use or possession of weapons, or by illegal gang
30 activity.

31 On or before October 1, 1989, the Board of Education, in
32 consultation with any professional organization representing
33 principals in the district, shall promulgate rules and
34 implement a lottery for the purpose of determining whether a

1 principal's existing performance contract (including the
2 performance contract applicable to any principal's position
3 in which a vacancy then exists) expires on June 30, 1990 or
4 on June 30, 1991, and whether the ensuing 4 year performance
5 contract begins on July 1, 1990 or July 1, 1991. The Board of
6 Education shall establish and conduct the lottery in such
7 manner that of all the performance contracts of principals
8 (including the performance contracts applicable to all
9 principal positions in which a vacancy then exists), 50% of
10 such contracts shall expire on June 30, 1990, and 50% shall
11 expire on June 30, 1991. All persons serving as principal on
12 May 1, 1989, and all persons appointed as principal after May
13 1, 1989 and prior to July 1, 1990 or July 1, 1991, in a
14 manner other than as provided by Section 34-2.3, shall be
15 deemed by operation of law to be serving under a performance
16 contract which expires on June 30, 1990 or June 30, 1991; and
17 unless such performance contract of any such principal is
18 renewed (or such person is again appointed to serve as
19 principal) in the manner provided by Section 34-2.2 or
20 34-2.3, the employment of such person as principal shall
21 terminate on June 30, 1990 or June 30, 1991.

22 Commencing on July 1, 1990, or on July 1, 1991, and
23 thereafter, the principal of each attendance center shall be
24 the person selected in the manner provided by Section 34-2.3
25 to serve as principal of that attendance center under a 4
26 year performance contract. All performance contracts of
27 principals expiring after July 1, 1990, or July 1, 1991,
28 shall commence on the date specified in the contract, and the
29 renewal of their performance contracts and the appointment of
30 principals when their performance contracts are not renewed
31 shall be governed by Sections 34-2.2 and 34-2.3. Whenever a
32 vacancy in the office of a principal occurs for any reason,
33 the vacancy shall be filled by the selection of a new
34 principal to serve under a 4 year performance contract in the

1 manner provided by Section 34-2.3.

2 The board of education shall develop and prepare, in
3 consultation with the organization representing principals, a
4 performance contract for use at all attendance centers, and
5 shall furnish the same to each local school council. The
6 term of the performance contract shall be 4 years, unless the
7 principal is retained by the decision of a hearing officer
8 pursuant to subdivision 1.5 of Section 34-2.3, in which case
9 the contract shall be extended for 2 years. The performance
10 contract of each principal shall consist of the uniform
11 performance contract, as developed or from time to time
12 modified by the board, and such additional criteria as are
13 established by a local school council pursuant to Section
14 34-2.3 for the performance contract of its principal.

15 During the term of his or her performance contract, a
16 principal may be removed only as provided for in the
17 performance contract except for cause. He or she shall also
18 be obliged to follow the rules of the board of education
19 concerning conduct and efficiency.

20 In the event the performance contract of a principal is
21 not renewed or a principal is not reappointed as principal
22 under a new performance contract, or in the event a principal
23 is appointed to any position of superintendent or higher
24 position, or voluntarily resigns his position of principal,
25 his or her employment as a principal shall terminate and such
26 former principal shall not be reinstated to the position from
27 which he or she was promoted to principal, except that he or
28 she, if otherwise qualified and certified in accordance with
29 Article 21, shall be placed by the board on appropriate
30 eligibility lists which it prepares for use in the filling of
31 vacant or additional or newly created positions for teachers.
32 The principal's total years of service to the board as both a
33 teacher and a principal, or in other professional capacities,
34 shall be used in calculating years of experience for purposes

1 of being selected as a teacher into new, additional or vacant
2 positions.

3 In the event the performance contract of a principal is
4 not renewed or a principal is not reappointed as principal
5 under a new performance contract, such principal shall be
6 eligible to continue to receive his or her previously
7 provided level of health insurance benefits for a period of
8 90 days following the non-renewal of the contract at no
9 expense to the principal, provided that such principal has
10 not retired.

11 (Source: P.A. 91-622, eff. 8-19-99; 91-728, eff. 6-2-00.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.