



## ALLIANCE LEGISLATIVE REPORT (99-19)

### MAJOR INITIATIVES STARTING TO SURFACE

As the Illinois General Assembly nears the final weeks of the scheduled spring legislative session, some of the higher profile issues are beginning to emerge.

This week on the House floor, **Speaker Michael Madigan (D-Chicago)** brought forth a series of amendments to Fiscal Year 2016 appropriations bills that included severe cuts in human services programs. The Speaker apparently brought the amendments, with little forewarning and no committee hearings, to the floor to force the hand of **Governor Bruce Rauner (R-Winnetka)** who has said that such cuts could be necessary to balance the budget. As planned, the motions to approve the cuts failed, thus indicating to the Governor that the legislature may not be willing to wield such a budget ax.

Legislative leaders are also starting to pressure the Governor's office into unveiling the bills in the Governor's legislative agenda. Bills on a property tax freeze, business law reforms, "Right to Work" zones, and local government consolidation are expected. After much talk by the Governor this spring about these initiatives, no bills have yet been submitted.

And a perennial favorite during budget talks has returned – expansion of gaming in the State including a land-based casino in Chicago. But unlike years past when the legislature has approved legislation only to be vetoed by the Governor, the current Governor has indicated that he might support the concept.

### PENSION LAW DECLARED UNCONSTITUTIONAL

The Illinois Supreme Court today (Friday) declared the pension reform bill (SB 1) enacted in December of 2013 unconstitutional and permanently enjoined its enforcement. The law made a number of changes regarding the pension benefits of current workers who participate in the State's retirement systems, including the Teachers' Retirement System (TRS). The pension reform plan would have saved the State billions of dollars in pension liability if upheld, but now legislators will start over their search to get State pension costs under control.

One likely proposed solution will be to shift the normal costs of the TRS pension from the State and onto local school district budgets. Such a shift of costs, a new unfunded mandate, would be disastrous for local school districts, especially in light of potential State education funding cuts and a freeze on local property tax receipts.

### CHARTER SCHOOL BILL NEEDS SUPPORT

A bill that would return authority to local school boards regarding the approval of Charter Schools is pending in the Senate. **HB 397 (Welch, D-Westchester)** removes the ability of the Charter School Commission to override the charter school authorization decision of a local school board except for specific circumstances. The bill was approved by the House of Representatives last month with the bare minimum number of votes necessary for passage, 60-40-2. The bill is awaiting committee assignment in the Senate.

An analysis of the bill with talking points is available at:  
<http://www.iasb.com/govrel/HB397FactSheet.pdf>

Board members and administrators are urged to call State Senators and urge support of HB 397.

When local school district personnel and board members contact their legislators it greatly impacts the discussion in the Capitol on legislative issues. When calls were made regarding SB 100 (student discipline) last month, legislative committee members withheld votes until changes were made to accommodate Alliance concerns. Similarly, when a call to action was put out last week in opposition to HB 4025 (civics education mandate), the bill was held in committee until concerns of opponents are met.

### **HOT BILL ACTION FROM THIS WEEK**

**HB 306 (Guzzardi, D-Chicago)**, as amended, allows students to opt-out of taking a standardized test if the student's parent or guardian requests, in writing, that the student be excused from the examination. The Illinois State Board of Education (ISBE) shall determine the opt-out form. The bill prohibits the ISBE, the Regional Superintendent of Schools, or a school board from taking negative action against a student, school, school district, or member of school staff, through grades or evaluations, due to a student opting out. It also requires that students who are excused from taking the standardized test are offered supervised instructional or enrichment opportunities during the time the State examination is being administered. **The bill was approved** by the House Rules Committee and was sent directly to the House floor for consideration.

**HB 2657 (Winger, R-Bloomingtondale)** is a Vision 20/20 Initiative intended to facilitate teaching license reciprocity. It authorizes the ISBE to use moneys in specified funds to support the recruitment and retention of educators. It also makes changes concerning specific endorsements for chief school business officials and other administrator and teaching licenses. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 3527 (Fortner, R-West Chicago)**, as amended, modifies the Right to Privacy in the School Setting Act to prohibit an elementary or secondary school from requesting or requiring a student to provide a password or other related account information in order to gain access to the student's account or profile on a social networking website. Instead, it requires the school to provide notification to the student and his or her parent or guardian that the school may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 4025 (Conroy, D-Downers Grove)** adds to high school graduation requirements at least one semester of civics education which must be separate and apart from United States History and American Government courses. **The bill, opposed by the Alliance, failed** to receive the requisite number of votes in the Senate Education Committee and the bill remains in the Committee.

**SB 82 (Sullivan, D-Rushville)**, and Alliance initiative, facilitates the process for a school board to move to an at-large election. **The bill was approved** by the House Executive Committee and was sent to the House floor for further consideration.

**SB 565 (Lightford, D-Maywood)**, as amended, would require all students required to receive a physical examination for kindergarten, 6<sup>th</sup> grade and 9<sup>th</sup> grade to submit to a social and emotional screening, administered by their physician. **The amendment, prompted by Alliance concerns with the original language, was approved** by the Senate Executive Committee and the bill is pending on the Senate floor.

### **OTHER BILL ACTION THIS WEEK**

**HB 494 (Cassidy, D-Evergreen Park)**, regarding criminal history records checks for applicants for school district positions, provides that a conviction for a felony more than seven years prior to

application for employment must not, in and of itself, be an automatic bar to employment. Exceptions are made for serious crimes that do bar employment (sex crimes, narcotics, Class X felonies) with a school district. **The bill was approved** by the Senate Executive Committee and was sent to the Senate floor for further consideration.

**HB 1360 (Gabel, D-Evanston)** requires a charter school to comply with all health and safety requirements applicable to public schools under the laws of this State. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 1665 (Sullivan, R-Mundelein)** provides that a private school bus service, having satisfied applicable employer requirements, shall be held to a standard of ordinary care for intentional acts committed in the course of employment by a bus driver permit holder. **The bill was approved** by the Senate Local Government Committee and was sent to the Senate floor for further consideration.

**HB 1790 (Cavaletto, R-Salem)** amends the Educator Licensure Article of the School Code to provide that the career and technical educator endorsement on an Educator License with Stipulations may be renewed and, for individuals who were issued the endorsement on or after January 1, 2015, the license may be renewed if the individual passes a test of basic skills. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 2807 (Mitchell, C.,D-Chicago)** provides that any Illinois museum, providing State Superintendent of Education approval, shall be approved for professional development activities for teacher licensure renewal. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 2916 (Martwick, D-Chicago)** provides that the Illinois Municipal Retirement Fund (IMRF) may begin enforcement action against employers who have failed to remit contributions to the Fund when the contributions are 60 (rather than 90) days overdue. **The bill was approved** by the Senate Executive Committee and was sent to the Senate floor for further consideration.

**HB 3123 (Pritchard, R-Sycamore)** provides that school counseling services may include actively supporting students in need of special education services by implementing the academic, personal or social, and college or career development services or interventions as required by a school professional per a student's individualized educational program; participating in or contributing to a student's individualized educational program; or completing a social development history. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**HB 3757 (Andrade, D-Chicago)** provides that if an employer fails to notify the IMRF Board to suspend the annuity of an annuitant who returns to service as a participating employee, the employer may be required to reimburse the Fund for an amount up to the total of any annuity payments made to the annuitant after the date the annuity should have been suspended, as determined by the Board, less any amount actually repaid by the annuitant. **The bill was approved** by the Senate Licensed Activities and Pensions Committee and was sent to the Senate floor for further consideration.

**SB 224 (Bush, D-Grayslake)**, as amended, creates standards for detachment and annexation cases and clarifies who is responsible for bonded indebtedness if a detachment occurs. **The bill was amended and approved** by the Senate and was sent to the House of Representatives for further consideration.

**SB 226 (Lightford)**, as amended, requires, subject to appropriate, the Department of Human Services and the ISBE to develop and implement a training program designed to screen and register kids for the Prioritization of Urgency of Need for Services (PUNS) waiting list for services. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

**SB 780 (Jones, E., D-Chicago)**, in Cook County, provides that when homestead property is sold or transferred the new owner shall notify the assessor and shall be required to reapply for the general homestead exemption and requires the assessor to cancel the exemption if the property owner no longer qualifies. **The bill was approved** by the House Revenue Committee and was sent to the House floor for further consideration.

**SB 1076 (Murphy, R-Palatine)** allows Township High School District 211 to build a building on existing school grounds for special education adult transition programs under certain specifications, without going to referendum. **The bill was approved** by the Senate and was sent to the House of Representatives for further consideration.

**SB 1319 (Martinez, D-Chicago)** deletes obsolete and duplicative language from the School Code. **The bill was approved** by the House Elementary and Secondary Education: Curriculum and Policies Committee and was sent to the House floor for further consideration.

**SB 1340 (Anderson, R-Moline)** requires the School Security and Standards Task Force to submit a report to the General Assembly and the governor on or before Jan.1, 2016 and the State Board of Education on or before July 1, 2016 (instead of on or before Jan. 1, 2015). **The bill was approved** by the House Elementary and Secondary Education: Curriculum and Policies Committee and was sent to the House floor for further consideration.

**SB 1684 (Cullerton, T., D-Villa Park)** creates within the Department of Public Health the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorder which includes a school nurse and a member of the Special Education Division of the ISBE. **The bill was approved** by the House Human Services Committee and was sent to the House floor for further consideration.

**SR 317 (Biss, D-Evanston)**, as amended, calls for an Internal Revenue Service (IRS) ruling on the compliance of Tier-2 state pension employees with safe harbor provisions under the IRS code before moving forward in Illinois to add state employees and teachers to this system. **The bill was approved** by the Senate Executive Committee and was sent to the Senate floor for further consideration.

**HR 398 (Davis, W., D-E.Hazel Crest)** encourages schools participating in the School Breakfast Program, and schools with 70% or higher Free and Reduced Price meal eligibility in particular, to utilize alternative delivery models such as Breakfast in the Classroom and Grab N' Go to provide alternative breakfast models to all students at no cost. **The resolution was approved** by the House Education: School Curriculum & Policies Committee and was sent to the House floor for further consideration.

**HR 404 (Wheeler, R-Crystal Lake)** urges the Governor and ISBE to reevaluate its contract with the Partnership for Assessment of Readiness for College and Careers (PARCC) and urges the ISBE to better communicate changes to the General Assembly and public before entering into the rulemaking process. **The resolution was approved** by the House Education: School Curriculum & Policies Committee and was sent to the House floor for further consideration.

*This legislative report was written and edited by the lobbyists of the Illinois Association of School Boards to provide information to the members of the organizations that comprise the Statewide School Management Alliance.*

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