

ALLIANCE LEGISLATIVE REPORT (95-52)



LEGISLATURE MEETS FOR A DAY

The Illinois General Assembly returned to work on Thursday to take action on Governor Rod Blagojevich's amendatory veto of the mass transit funding bill (**HB 656**). Both the Senate and the House of Representatives accepted the Governor's changes and the bill becomes law. The bill allows for an additional sales tax in Cook County and the collar counties to provide revenues for the Chicago Transit Authority and the Regional Transit Authority. The Governor amended the bill to allow all senior citizens to use mass transit services for free. The House also approved a bill that would limit the scope of the "free ride" provision, but this measure was not taken up in the Senate. Both chambers adjourned at the end of the day Thursday and are not scheduled to return to the Capital until February 13.

Votes were close in both Houses Thursday as downstate legislators from both political parties withheld their votes on a "mass transit bailout" until a statewide capital projects bill was agreed to. Downstaters viewed HB 656 as a perk for metropolitan Chicago legislators. For fairness, they have been working toward a public infrastructure bill that would build roads, bridges, and schools for their constituents downstate. Many fear that now that the "leverage" of withholding a mass transit vote is no longer available, this delays even longer the push for a statewide construction bill.

Work on a statewide public works bill continues. It is, of course, still tied to an expansion of gaming as the funding mechanism to pay for the construction bonds. And has been previously discussed in these legislative reports, some legislators are demanding additional "school accountability" if the gaming bill includes any new revenues for public education.

STAY INFORMED ON PENDING ISSUES

Though the legislature is technically just beginning the new 2008 legislative session, several education issues are still pending in the Capitol from 2007.

SCHOOL "ACCOUNTABILITY"

The Alliance lobbyists have been working with legislators and legislative staff regarding the "school accountability" provisions that have been proposed to be part of the gaming expansion bill (please see Alliance Legislative Report 95-51 at www.iasb.com/govrel/alr9551.cfm). The latest draft language contains provisions for mandatory school board training, additional financial reporting requirements for school districts, and the creation of an "Education Inspector General". The Inspector General is given "the authority to conduct investigations into allegations of or incidents of waste, fraud, and financial mismanagement" in school districts and could look into the violation of any "law, rule, regulation, or policy" and allegations of "abuse of authority" among other things.

The Alliance charged that the Inspector General language was overly broad and that much additional work was needed before any such bill should go forward. The mandatory school board training provision is also opposed by the Alliance.

There is no firm time line as to the movement of the gaming bill as many other items – regarding the gaming expansion provisions – are still being negotiated by legislators and stakeholders.

LIBRARY RULES

The Illinois State Board of Education's proposed rule requiring school libraries and the required hiring of new school library staff is still pending (please go to www.iasb.com/govrel/alr9545.cfm for details). The initial public comment period ended on December 24 and the ISBE must now determine what – if any – changes it would like to make to the proposal based upon the comments received. The Alliance strongly opposes the rule as currently drafted. The ISBE has received hundreds of comments from school districts on this issue. Your involvement in this process is vital and much appreciated.

The Alliance will alert you once the ISBE takes further action on this proposal.

FOOD SERVICE/“JUNK FOOD” RULES

The Illinois State Board of Education this week received a presentation from staff regarding the School Wellness Policy Task Force Nutrition Standards. No action was taken this week, but at some point the board must decide whether or not it wants to pursue new rules regarding the task force report. The ISBE adopted new rules on food service and "junk food" prohibitions that went into effect before the 2006-07 school year. These rules only applied to schools with students in 8th grade and below. The task force report contains recommendations for a statewide nutrition standard for all schools – including high schools. The new recommendations call for:

- All Illinois schools to be impacted;
- Nutrition standards to be expanded to food and beverages sold to *high school students*;
- The prohibition of *all carbonated beverages* in all schools (*including high schools*);
- Implementation to occur no later than the first day of school after July 1, 2009; and
- The task force standards to differentiate between students in pre-k through 5th grade versus those students in grades 6-12. So the calorie intake for the 6th grader is the same as that for the senior in high school. Example: a 5th grader would be limited to 4 ounces of 100% juice while the 6th grader would be allowed 12 ounces (also, a 5th grader could not eat a yogurt "smoothie" but a 6th grader could).

The board could take up the issue at its February meeting. In the meantime, you are encouraged to let the members of the State Board of Education know of your concerns with the rule proposal. The proposal can be found at: www.isbe.net/board/meetings/jan08/rules.pdf. Scroll down to page 88.

“GREEN CLEANING” RULES

The Illinois Green Government Coordinating Council has finished accepting public comments on the guidelines for schools as a result of the Green Cleaning Schools Act signed into law by the Governor this summer (please see Alliance Legislative Report 95-47 at www.iasb.com/govrel/alr9547.cfm). One significant change was made based on those comments. They have removed “cleaning equipment” from the required section of the guidelines – the Alliance insisted that the original bill was intended only to address cleaning “products”. The remaining concerns that were listed in Report 95-47 are still included in the guidelines and as such the Alliance is still opposed.

This first comment period was an “internal process” for the coordinating council. The Council has just recently decided that it would be in its best interest to publicly submit the guidelines to the Joint Committee on Administrative Rules (JCAR) before trying to force schools to comply. The Alliance is supportive of this decision. Once the guidelines are submitted as rules to JCAR, it will be necessary to submit all comments again as these comments are required to be disclosed to the JCAR legislators.

Because of input from school administrators, business officials, principals, and board members, the Alliance was successful in forcing change through the first public comment period and you are

encouraged to be just as diligent in the second round. The Alliance will alert you to the proper procedure once the proposed rules are officially submitted.

Thank you again for your assistance with this unfunded mandate. Your efforts made a difference.

BILL INTRODUCTIONS

As the new legislative session begins, hundreds of new bills have already been introduced. The following are some of the education-related bills that have been submitted.

HB 4140 (Molaro, D-Chicago) amends the Wrongs to Children Act to prohibit any coach, parent, teacher, or other person to knowingly allow the use of an aluminum bat during a recreational baseball or softball game in which a person under the age of 13 is a participant.

HB 4159 (Bassi, R-Palatine) requires school districts to ensure that purchased products or supplies are reusable, durable, or made from recycled materials if economically and practically feasible. It requires each school board in the State to develop a comprehensive waste reduction plan by July 1, 2010 covering a period of 15 years that addresses the management of solid waste generated by academic, administrative, and other institutional functions.

HB 4180 (Fritchey, D-Chicago) changes the title of the Silent Reflection and Student Prayer Act to the Student Silent Reflection Act. It allows a teacher to conduct (instead of requiring a teacher to observe) a brief period of silence at the opening of every school day with the participation of all pupils assembled.

HB 4225 (Eddy, R-Hutsonville) provides that a school district must not be certified by the ISBE to be in financial difficulty as a result of the failure of the Comptroller to disburse reimbursements for receipt by the school district no later than June 30th of each year.

HB 4226 (Eddy) provides that when calculating the State reimbursement for transportation costs, the ISBE may not deduct the number of pupils enrolled in early education programs from the number of pupils eligible for reimbursement if the pupils enrolled in the early education programs are transported at the same time as other eligible pupils.

HB 4227 (Eddy) allows an annuitant of the Illinois Municipal Retirement Fund to accept employment as a school bus driver without impairing retirement status.

HB 4266 (Mathias, R-Buffalo Grove) requires the ISBE to reimburse school districts for interest not earned on general State aid allocations beginning in August 2007 due to the delay in implementing the Fiscal Year 2008 State budget.

HB 4268 (Davis, M., D-Chicago) provides that if a student has been expelled from an attendance center, the school district must permit the student to transfer to another attendance center within the district for the remainder of the expulsion.

HB 4307 (Eddy) raises the threshold on the amount of a contract which must be competitively bid from \$10,000 to \$25,000. It also provides that a school board must either award electricity contracts involving an expenditure in excess of \$25,000 to the lowest responsible bidder or procure electricity through a request for proposals.

HB 4308 (Kosel, R-New Lenox) and **SB 1886 (Radogno, R-LaGrange)** amend the Education for Homeless Children Act to change the definition of "school of origin" from the school that the child attended when permanently housed or the school in which the child was last enrolled to the school last legally attended by the child.

HB 4309 (Reis, R-Willow Hill) provides that if, during any school day, a school district closes a school building that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, then that day may be counted as a full day of attendance.

HB 4413 (Coulson, R-Glenview) requires all school buses purchased after July 1, 2009 to be equipped with seat safety belts for each passenger. It requires the ISBE to adopt rules to ensure that school districts require all passengers on those buses to wear seat safety belts.

HB 4437 (Flowers, D-Chicago) requires students who participate in an interscholastic athletic program to undergo an electrocardiogram (EKG) test.

SB 1876 (Rutherford, R-Chenoa) amends the Silent Reflection and Student Prayer Act to allow (instead of require) a teacher to observe a brief period of silence at the opening of every school day with the participation of all pupils assembled.

SB 1936 (Frerichs, D-Gifford) allows school boards to award high school diplomas to honorably discharged veterans who served in the armed forces of the United States during the Vietnam Conflict.

HJRCA 30 (Lindner, R-Aurora) this resolution proposes to amend the Legislature Article of the Illinois Constitution to limit a person's total service in either or both of the offices of Speaker of the House of Representatives and President of the Senate to a total of 10 years.

HJRCA 31 (Lindner) this resolution proposes to amend the Suffrage and Elections Article of the Illinois Constitution to provide for elections to recall State executive branch officers, members of the General Assembly, and supreme, appellate, and circuit judges. It also would allow the General Assembly, by law, to provide for recall of officers of units of local government and school districts.

HJRCA 32 (Lindner) this resolution proposes to amend the Legislature Article of the Illinois Constitution provide that the Governor must have the written consent of all 4 legislative leaders to call a special session of the General Assembly and must have the written consent of the President and Minority Leader of the Senate to call a special session of the Senate.

Alliance Legislative Reports:
Bill Text/Status: Illinois General Assembly

www.iasb.com
www.ilga.gov