



ALLIANCE LEGISLATIVE REPORT (95-57)

LEGISLATURE FINISHES WORK WEEK

The Illinois House of Representatives finished a busy week of considering bills in committee while the Senate accomplished much less. House members worked steadily Wednesday through Friday doing their committee work; the Senate cancelled most of its scheduled committees as well as today's (Friday) session. And in the aftermath of Governor Rod Blagojevich's budget address (see the last Alliance Legislative Report), many legislators were openly questioning the feasibility of the Governor's proposed revenue sources for next year's State budget. Both chambers return to the Capitol next Tuesday to resume the legislative session.

SCHOOL FUNDING BILLS EMERGE

Even though the Governor continues to echo his promise to veto any bill that would increase the income tax rate in Illinois, bills have surfaced to do just that. In the House this week, **HB 750 (Miller, D-Dolton)** was sent back to the House floor for consideration. The tax policy/school funding bill was approved by a House committee last March but then languished on the House floor for the rest of the legislative session without being called for a vote. The bill, as with all bills that were still on the House agenda at the beginning of 2008, was sent back to the Rules Committee. The action this week to return the bill to the House floor is an indication that the leadership in the House of Representatives believes that the idea should be discussed further. Details of HB 750 can be reviewed in Alliance Legislative Report (95-9) at: www.iasb.com/govrel/alr9509.cfm

In the Senate, a new school funding bill has been scheduled for a hearing in the Senate Education Committee next Wednesday. **SB 2288 (Meeks, D-Chicago)** would increase the personal income tax rate from 3% to 5% and the corporate income tax rate from 4.8% to 8%. Revenues from the increase would be used for school funding (elementary and secondary education and higher education), property tax relief, statewide infrastructure, and a family income tax credit. The bill would gradually increase the per pupil foundation level in the State school aid formula by \$1,240 (for a total foundation level of \$6,974) and increase the special education personnel reimbursement amount to over \$19,000 by the 2012-2013 school year. For the complete text of SB 2288, go to the Illinois General Assembly website at:

<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=51&GA=95&DocTypeId=SB&DocNum=2288&GAID=9&LegID=36213&SpecSess=&Session=>

and click on "PDF".

Several school construction bills have also been introduced in the General Assembly this year. **HB 4130 (Dugan, D-Bradley)**, **HB 4701 (Eddy, R-Hutsonville)**, **HB 4921 (Dugan)**, **SB 1845 (Sandoval, D-Chicago)**, **SB 1858 (Sandoval)**, and **SB 2081 (Murphy, R-Palatine)** all contain variations of school construction funding plans. HB 4130 has been approved by a House committee and is pending on the House floor. The rest of the bills listed remain in the Rules Committee.

BILL ACTION THIS WEEK

HB 1279 (Burke, D-Chicago), a bill from last year that was amendatorily vetoed by the Governor, will require all school districts to provide Automated External Defibrillators (AED) at all outdoor athletic facilities. You can review the bill in Alliance Legislative Report (95-40): (www.iasb.com/govrel/alr9540.cfm). The House accepted the Governor's amendatory veto and the bill, opposed by the Alliance, will now go to the Senate for consideration of the Governor's action.

HB 4180 (Fritchey, D-Chicago) allows a teacher to conduct (instead of requiring a teacher to observe) a brief period of silence at the opening of the school day with the participation of all pupils assembled. The bill was approved by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

HB 4219 (Munson, R-Elgin) creates the Identity Protection Act to prohibit a State or local government agency (including school districts) from using an individual's social security number on any document that is mailed or otherwise made available to others. It requires school districts to develop and implement an identity protection policy and requires that any employee who has access to social security numbers receive training on how to keep the numbers confidential. The bill was approved by the House Civil Law Judiciary Committee and was sent to the House floor.

HB 4226 (Eddy) allows the ISBE calculation for State reimbursement for transportation costs to include the number of pupils enrolled in early education programs and those students attending summer school. The bill, supported by the Alliance, was approved by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

HB 4270 (Black, R-Danville) requires public bodies to provide requests regarding the Freedom of Information Act in any form or format requested, if they are readily reproducible in that form or format. It requires that a public body must make reasonable efforts to maintain its records in forms or formats that are reproducible and that the body shall make a reasonable effort to search for records in electronic format. The bill, opposed by the Alliance, was held in the House State Government Administration Committee.

HB 4309 (Reis, R-Willow Hill) as amended, provides that if a school district closes one or more recognized school buildings due to a condition beyond the control of the district prior to providing any instruction, then the district may claim a full day of attendance for a maximum of 2 school days based on the average of the 3 prior school days of attendance immediately preceding the closure of the school building. The bill, supported by the Alliance, was approved by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

HB 4457 (Eddy) allows school districts to accept and open sealed bids at a public bid opening conducted by an electronic process for communicating, accepting, and opening competitive bids. The bill, supported by the Alliance, was approved by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

HB 4727 (Reitz, D-Sparta) provides that a pupil who becomes a non-resident during a grading period (instead of school term) shall not be charged tuition for the remainder of the grading period in which he or she became a non-resident pupil. The bill, supported by the Alliance, was approved by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

SB 1958 (Clayborne, D-E. St. Louis) provides that the amount of the separation benefits for members of the Illinois Municipal Retirement Fund shall include interest at 50% of the prescribed rate of interest per annum from the date of enrollment to the date of termination of participation. The bill, opposed by the Alliance, was approved by the Senate Pensions and Investments Committee and was sent to the Senate floor for consideration.

BILLS SCHEDULED FOR HEARING NEXT WEEK

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE
Wednesday, March 27, 8:30 a.m., Room 114, State Capitol

HB 4266 (Mathias, R-Arlington Heights) 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 4307 (Eddy) increases from \$10,000 to \$25,000 the threshold at which a school district must use the competitive bidding process. For those exceptions (i.e. corporations possessing a high degree of professional skill where ability and fitness play an important part, contracts for food services, contracts for repair, maintenance, remodeling, renovation, or construction), it increases the amount to \$50,000 rather than \$20,000. For electricity contracts over \$25,000, the school board must make the award to the lowest responsible bidder or procure electricity through a request for proposals.

HB 4308 (Kosel, R-New Lenox), for homeless students, changes 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 4534 (Gordon, D-Coal City), among many changes regarding misconduct by a teacher, requires the ISBE to develop a streamlined system in which school boards report to the State Board on instances in which misconduct involving a child leads to the teacher's dismissal or resignation.

HB 4702 (Osmond, R-Antioch) states that for payment for students attending a residential program designed to correct alcohol or other drug dependencies, the cost of the educational services shall be paid by the district of the student's residence (instead of providing that the cost of educational services shall be paid by the district in which the student resides in an amount equal to the cost of providing educational services in a treatment facility). This would apply to all Illinois students receiving educational services, whether placed pursuant to the School Code or the Juvenile Court Act of 1987, by court order, or by a State agency or whether the student voluntarily enrolls or is enrolled by a parent or guardian.

HB 4900 (Acevedo, D-Chicago) provides that, in the case of a contract involving the transportation of children with disabilities, the contract must be procured in a manner substantially equivalent to specified procedures under the Illinois Procurement Code.

HB 5240 (Pihos, R-Glen Ellyn), with respect to sick leave for teachers, provides that a school board may require a certificate from a physician as a basis for pay during leave after an absence of 30 days for birth. It provides that for paid sick leave for adoption or placement for adoption, the school board may require that the teacher or other employee provide evidence that the formal adoption process is underway, and such leave is limited to 30 days unless a longer leave has been negotiated with the exclusive bargaining representative.

HOUSE JUDICIARY I – CIVIL LAW COMMITTEE

Wednesday, February 27, 8:30, Room C-1, Stratton Office Building

HB 5188 (Pihos) provides that a confidential communication made by a student 12 years of age or older, or by a parent or a guardian of such a student, must not be disclosed without the voluntary written consent of the person who originally disclosed the information. It provides that a confidential communication made by a student under the age of 12 years may be disclosed to the parent or guardian of the student and that the communication must not become part of the school student record without express written consent.

SENATE EDUCATION COMMITTEE

Wednesday, February 27, 2:30 p.m., Room 212, State Capitol

SB 1939 (Maloney, D-Chicago) allows for a chief school business official endorsement if, among

other conditions, the certificate holder has 2 years of university-approved practical experience (as an alternative to requiring 2 years of administrative experience in school business management).

SB 1953 (Demuzio, D-Carlinville) provides that in implementing a response to intervention (RTI) process for a student suspected of having a specific learning disability or other disability that adversely impacts the academic progress of the student, a school district must comply with specified procedures prior to implementing RTI. If a student who is participating in RTI is alleged to have engaged in behavior that is in violation of a code of student conduct, the school district shall be deemed to have knowledge that the student has a disability, pursuant to federal law, and shall follow the procedures set forth in federal law if the school district proposes to take disciplinary action against the student.

SB 1955 (Lightford, D-Maywood) statutorily requires the last two school district State aid payments to be made in June (instead of July) so the funds are received in the proper fiscal year. Currently, the Governor each year must decide if he wishes to accelerate those payments to be made in June.

SB 1956 (Lightford) allows for a maximum of 5 additional charter schools exclusively for truants or dropouts in Chicago if the limit on the number of charter schools that may operate at any one time in the rest of the State has not been reached.

SB 1997 (DeLeo, D-Chicago) prohibits the IHSA from infringing upon or attempting to regulate in any manner the dissemination of news or the use of visual images by the news media of interscholastic athletic, academic, or other form of competition among schools and students within this State.

SB 2042 (Bond, D-Grayslake) makes changes relating to the residency of pupils in residential facilities and the payment of costs concerning tuition for non-resident pupils, residency and the payment of tuition, determining the resident district with respect to children with disabilities, and special education classes for children from orphanages, foster family homes, children's homes, or in-State housing units.

SB 2091 (Haine, D-Alton) provides that it is a State's Attorney's duty to notify the State Superintendent of Education upon the conviction of any individual known to possess a teachers' certificate of any of certain offenses or any other felony conviction. In provisions concerning suspension or revocation of a certificate, provides that the State Superintendent has the exclusive authority to initiate the suspension of up to 5 calendar years or revocation of any certificate.

SB 2288 (Meeks) is the school funding reform bill highlighted earlier in this report.

SB 2238 (Dillard, R-Hinsdale) requires that the Pledge of Allegiance be recited prior to the observance of the required brief period of silence at the opening of each school day. Currently, it is required to recite the pledge in public schools but no time of day is given in the School Code.

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

www.iasb.com
www.ilga.gov