



## ALLIANCE LEGISLATIVE REPORT (95-61)

### LEGISLATORS MEET FIRST DEADLINE

Last week was the first real deadline for legislators as bills wind their way through the legislative process. To remain “alive”, bills had to have been approved by a legislative committee and sent to the chamber floor by last Thursday. So, at this first break point, which bills have moved and which have been halted? What impact has the Alliance had on pending legislation?

#### “DEAD” BILLS

The Alliance worked in opposition to the following bills which failed to receive committee approval before the deadline. Such bills could be resurrected through parliamentary moves or have their provisions amended onto other bills later in the session:

**HB 1352 (Dunkin, D-Hazel Crest)** allows the governor to sell or otherwise dispose of the State Lottery with all net proceeds from the sale to be deposited into the Commitment to Education Fund.

**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 4270 (Black, R-Danville)** requires public bodies to provide requests regarding the Freedom of Information Act in any form or format requested. 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.

**HB 4413 (Coulson, R-Glenview) / SB 4413 (Silverstein, D-Chicago)** require all new school buses to be equipped with seatbelts and require the ISBE to enforce a seatbelt usage policy on the buses.

**HB 4546 (Schock, R-Peoria)** changes the terms for a teacher to achieve tenure. It states that the probationary period for a teacher would be 4 school terms that would not have to be consecutive.

**HB 5320 (Hamos, D-Chicago)** requires an employer to provide an employee up to 7 sick days with pay during each 12-month period.

**HB 5619 (Fritchey, D-Chicago)** requires school districts to prohibit a high school student from participating in extracurricular athletics if he or she has a semester grade point average of less than a 2.0 on a 4.0 scale for the 2 preceding high school semesters.

**HB 5769 (Ryg, D-Vernon Hills)** contains provisions of "school accountability" that would require mandatory school board training, the creation of an Education Inspector General, new financial policies on a long term financial plan and a capital improvement plan, the inclusion of certain items in the full budget document, and other mandates.

**SB 1953 (Demuzio, D-Carlinville)** establishes burdensome new requirements in implementing a response to intervention (RTI) process for students.

## AMENDED BILLS

The Alliance was instrumental in amending the following bills to lessen the burden on local school districts in implementing the new requirements:

**HB 1054 (Verschoore, D-Rock Island)**, with the Alliance amendment, contains technical “clean-up” language to facilitate distribution of county sales tax revenues provided under PA 95-0675.

**HB 4159 (Bassi, R-Palatine)**, as amended, requires school districts to periodically review their procurement procedures and specifications related to the purchase of products or supplies and their comprehensive waste reduction plan. The Alliance amendment includes opt-out language (only if it is economically and practically feasible) and eliminates the filing of a cumbersome comprehensive plan.

**HB 4252 (Brady, R-Bloomington) / SB 2575 (Syverson, R-Rockford)** establish new reporting requirements by school districts regarding teacher misconduct. The bills are still under review for more amendments, but Alliance input has drastically improved the bills compared to the bills introduced last year on this complicated issue.

**HB 4437 (Flowers, D-Chicago)**, as amended, creates a 3-year pilot program in Chicago Public Schools only that includes an electrocardiogram (EKG) as part of the health exam required for students who participate in an interscholastic athletic program. The original bill would have required this for student athletes in all school districts.

**HB 4471 (Dugan, D-Bradley)** requires school districts, for every child enrolled in the school, to notify in writing the person enrolling the child that he or she must provide "a copy of a certified copy" (instead of a certified copy) of the child's birth certificate. The bill was modified with an Alliance amendment that provides that once a school has obtained a copy of a certified copy of a child's birth certificate, it need not request another such copy for any other year in which the child is enrolled in that school.

**HB 4537 (Flider, D-Mt. Zion)** requires school districts to provide instruction on disability history, people with disabilities, and the disability rights movement. The original bill required a new unit of instruction for this purpose; the Alliance amendment allows the school district to choose where and how it wishes to incorporate the instruction into the current curriculum.

**SB 2091 (Haine, D-Alton)** is an ISBE initiative containing a comprehensive plan regarding teacher misconduct. Still a work in progress, several changes were made for the Alliance to make the bill easier to implement for school districts. The bulk of the Alliance work on this bill was performed by the association legal staff of the IASB and the IASA.

## BILLS TO BE AMENDED

Several bills were approved by committees with the understanding that they would be further amended because of Alliance concerns:

**HB 5338 (Lindner, R-Sugar Grove)** requires each school board to implement a plan based on the guidelines for the management of students with life-threatening food allergies. An Alliance amendment will make this plan easier to implement for the school district.

**HB 5536 (Brauer, R-Springfield)** amends provisions of the Illinois Vehicle Code requiring each school bus to display at the rear of the bus a sign indicating the telephone number of the owner of the

school bus. It changes the sign verbiage to: "TO COMMENT ON MY DRIVING, CALL (area code and telephone number of school bus owner)". An Alliance amendment will require the new sign only when the district was going to replace the current sticker.

**HB 5615 (Currie, D-Chicago)** creates the Reproductive Justice and Access Act which, among many provisions, requires public schools to offer medically accurate, age appropriate, comprehensive sexual health education. An Alliance amendment will eliminate any additional mandate on schools and place the school instruction provision in the School Code under the current health curriculum.

**SB 2170 (Murphy, R-Palatine)** provides that teachers (not just school authorities) may inspect and search places and areas owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student and without a search warrant. An Alliance amendment will allow the local district to set the parameters by which a teacher may exercise this new authority.

### BILLS ON THE MOVE

The following bills are “alive” and moving through the process:

**HB 4130 (Dugan)**, strongly supported by the Alliance, for Fiscal Year 2008, re-appropriates \$150 million to the Capital Development Board for school construction grants pursuant to the School Construction Law.

**HB 4727 (Reitz, D-Sparta)**, an Alliance initiative, provides that a pupil who becomes 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.

**HB 5325 (Smith, D-Canton)**, an Alliance initiative, authorizes the ISBE to administer a Continued Reading Improvement Grant Program and provides funds for the program to be made available to school districts with students in any of grades 7-12 who are reading significantly below grade level.

**HB 5578 (Mautino, D-Spring Valley)**, an Alliance initiative, gives protections to school districts when a public school employee receives a subpoena to testify during school hours.

**HB 5717 (Coulson)**, an Alliance initiative, clarifies that any child who received a health examination before entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination before entering 6th grade in the 2008-2009 school year.

**HB 5732 (Smith)**, an Alliance initiative, disallows the regional superintendent from imposing an unfunded mandate on a school district with a compliance review audit unless statutory authority exists for such finding.

**SB 1874 (Forby, D-Benton)** makes a supplemental appropriation of \$21 million from the General Revenue Fund to the ISBE to be used exclusively for school districts' costs for extraordinary special education services.

**SB 1939 (Maloney, D-Chicago)**, an Alliance initiative, 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 1955 (Lightford, D-Maywood) / HB 4522 (Pritchard, R-Hinckley)**, strongly supported by the Alliance, statutorily require 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.

**SB 2293 (Maloney)** requires that certain contracts involving an expenditure in excess of \$25,000 or a lower amount as required by school board policy (rather than \$10,000) be awarded to the lowest responsible bidder.

**SB 2500 (Demuzio)**, an Alliance initiative, creates the new superintendent mentoring program, established by the ISBE.

#### OTHER IMPORTANT EDUCATION BILLS

**HB 750 (Miller, D-Dolton)** contains comprehensive tax policy and school funding provisions.

**HB 4180 (Fritchey)** 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.

**HB 4226 (Eddy, R-Hutsonville)** 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 Alliance supports the bill.

**HB 4232 (Lang, D-Skokie)**, reconstitutes the ISBE and requires the Governor to select his appointments for the board only from a list of names provided by a nominating panel.

**HB 4387 (D'Amico, D-Chicago)** requires that all vehicles used for driver's education programs be American Made. The Alliance opposes the bill.

**HB 4441 (Flowers)** allows children who have attended preschool and will attain the age of 5 years on or before Dec. 31 to attend school. The Alliance opposes the bill.

**HB 4442 (Flowers)** prohibits a school district from transferring a student from one attendance center to another because of overcrowding if the "new" attendance center is on the academic watch list – unless the student's parent prefers the student be transferred there. The Alliance opposes the bill.

**HB 4582 (Lyons, D-Chicago) / SB 1997 (DeLeo, D-Chicago)** prevent the IHSA from allowing exclusive coverage of any sporting events, overturning the current policy requiring the media to sign a waiver stating that it will not re-sell photographs for a profit. The Alliance opposes the bills.

**HB 4702 (Osmond, R-Antioch) / SB 2042 (Bond, D-Grayslake)** make changes regarding payment for students attending a residential program designed to correct alcohol or other drug dependencies.

**HB 4726 (Mitchell, J., R-Sterling)** provides that if any State officer or employee (including an employee of a school district) is placed on administrative leave pending the outcome of a criminal investigation or prosecution, and that employee is removed from employment for a reason directly related to that criminal matter, then the employee must pay the State (or school district) for all compensation and the value of all benefits received during the administrative leave. The Alliance supports the bill.

**HB 5240 (Pihos, R-Glen Ellyn)** limits the amount of sick leave a teacher can use for birth or adoption to 30 days.

**HB 5669 (Meyer, R-Naperville)** requires school boards to post on the school district's website a detailed annual expenditure report for each school building. The Alliance opposes the bill.

**HB 5914 (Rose, R-Charleston)** provides for a State Board of Education consisting of 7 members elected on a nonpartisan basis at the general election in 2010 and every 6 years thereafter (now, the Board consists of 9 members appointed by the governor with the advice and consent of the Senate).

**SB 1958 (Clayborne, D-E. St. Louis)** increases the amount of the separation benefits for members of the IMRF. The bill, opposed by the Alliance, will increase the amount of the payment a school district must make to IMRF.

**SB 1959 (Clayborne)** changes how a supplemental benefit payment is calculated for members of the IMRF and will increase this amount for IMRF members. The bill, opposed by the Alliance, will increase the amount of the payment a school district must make to IMRF.

**SB 1960 (Clayborne)** changes the minimum number of years of service an IMRF employee must work to be eligible for a retirement annuity from 8 to 5. The bill, opposed by the Alliance, will increase the amount of the payment a school district must make to IMRF.

**SB 2288 (Meeks, D-Chicago)** contains comprehensive tax policy and school funding provisions.

**SB 2858 (Trotter, D-Chicago)** requires the ISBE to adopt rules for the elimination of foods containing trans fats in public school cafeterias. The Alliance opposes the bill.

**SB 2892 (Clayborne)** implements a “sales tax holiday” from the first Friday in August for 9 days to the following Sunday for school supplies including any article of clothing or footwear or a computer sold at or below certain selling prices. The Alliance opposes the bill.