



## ALLIANCE LEGISLATIVE REPORT (95-8)

### HOUSE MEETS COMMITTEE DEADLINE

The Illinois House of Representatives, a week behind the Senate, met its deadline to have House bills considered by a committee. House members will now focus on floor action where, if approved, House bills will be sent to the Senate for consideration. With the House finishing a busy committee week, and the Senate completing a week of floor action, both chambers decided to cancel session for Friday. Legislators will return next Tuesday to resume floor debate.

### THIRD PARTY CONTRACTING BILL TO BE CONSIDERED

School business officials, administrators, principals, and board members are urged to contact members of the House of Representatives to ask for a “no” vote on a bill that would likely end the practice of a school district contracting for services such as transportation, food service, and janitorial services. **HB 1347 (Hannig, D-Litchfield)** would add burdensome new restrictions for a school board entering into a contract with a third party to perform non-instructional services. The bill will likely be called for a vote on the House floor next week. Under the bill:

- a 90 day written notice would have to be given to educational support personnel (ESP) before a lay-off;
- no contract could be entered into with a third party during the term of a collective bargaining agreement;
- a contract with a third party could only take effect at the beginning of a fiscal year;
- the third party would have to provide comparable insurance and benefits and would have to list the number of employees who would be providing the service along with the wages that would be paid to those employees;
- the third party would have to disclose criminal and disciplinary records and sexual misconduct issues of the employees who would be doing the work for the school;
- the school board would have to provide a cost comparison before entering into the contract (“of each and every expenditure category and account that the school board projects it would incur over the term of the contract if it continued to perform the services using its own employees with each and every expenditure category and account that is projected a third party would incur if a third party performed the service”);
- review and consideration of all bids by third parties must take place in open session of a regularly scheduled board meeting;
- at least two public hearings would have to be conducted to discuss the contract (prior to two regularly scheduled board meetings) and at least 6 months notice would have to be given before the first public hearing; and
- a contract shall contain provisions requiring the contractor to offer available employee positions pursuant to the contract to qualified school district employees whose employment was terminated because of the contract.

These burdensome requirements would make it nearly impossible for a school district to contract for non-instructional services. The difficulty in implementing the changes would discourage vendors from bidding on school proposals; and would likely prohibit school districts from contracting with them.

Please contact your State Representative before session resumes next Tuesday.

## **DIABETES MANAGEMENT BILL APPROVED**

A bill that contains stringent new requirements on school districts regarding the care of students with diabetes was approved by the House Elementary and Secondary Education Committee this week. The Alliance opposed and testified against the bill in committee. The bill is now before the full House.

**HB 146 (Cross, R-Oswego)**, as amended, requires a diabetes medical management plan to be submitted for any student with diabetes who's parents ask for it. If the parents submit a diabetes medical management plan to the school, the school principal must assign a school nurse and a school employee who volunteers to be trained to be an aide to provide diabetes care for the student. For schools where a diabetic student attends, one volunteer aide would be required if there is a school nurse assigned to the school; if no nurse is assigned to the school, then three volunteer aides would be required.

The bill also requires a school to provide an information sheet to school employees that provide transportation for a diabetic student and to any employee who supervises a school-sponsored activity that the student is engaged in. It also states that a school district may not restrict the assignment of a student with diabetes to a particular school on the basis that the school does not have a full-time school nurse or the required volunteer aides, nor may a school deny access to a student on the basis that a student has been diagnosed with diabetes.

The Alliance acknowledged the seriousness of the issue, but stressed that school districts should have the opportunity to adopt local policies to address the problem and to establish training components for their staff that would sufficiently accommodate diabetic students.

Please contact your State Representative and urge opposition to this legislation.

## **BILL APPROVED TO REQUIRE SEAT BELTS IN SCHOOL BUSES**

The House Transportation Committee approved a bill that would require all new school buses to be equipped with seat belts. The Alliance opposed the bill.

**HB 381 (Coulson, R-Glenview)** provides that, beginning July 1, 2008, each school bus that is purchased new shall be equipped with seat safety belts for each passenger. The State Board of Education shall adopt rules to ensure that school districts require all passengers on those buses to wear seat safety belts.

## **BILLS APPROVED BY SENATE**

**The following bills were approved by the Senate and will be sent to the House for consideration:**

**SB 1361 (Crotty, D-Oak Forest)**, when school districts use a bond issue for paying orders issued for the wages of teachers or for the payment of claims against the district, adds that the bonds may also be used for reimbursing the district for property tax refunds.

**SB 1463 (Lightford, D-Maywood)** amends the Silent Reflection and Student Prayer Act to require (instead of allow) a teacher to observe a brief period of silence at the opening of every school day with the participation of all pupils assembled.

**SB 1472 (Kotowski, D-Mt. Prospect)**, as amended to address Alliance concerns, authorizes schools to adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12 and sets forth recommendations regarding minimum hours of instruction and curriculum topics.

**SB 1560 (Demuzio, D-Carlinville)** provides that if the hours of an educational support personnel (ESP) employee works are reduced for certain reasons, then written notice must be given to the employee and that if a reduction in hours is due to an unforeseen reduction in the student population, then the written notice must be mailed and given to the employee at least 5 days (instead of 30 days) before the hours are reduced. The bill, opposed only by the Alliance, also requires a school board that has any vacancies for the following school term to offer the positions to the ESP employees who were removed from that category or *any other category* of position, so far as they are qualified to hold the positions.

**SB 1702 (Lightford)**, as amended, requires that a school district must have a policy before it collects any biometric information (fingerprints, retina scans, etc.) from students and that the policy must require written permission from the students' parents before collecting the information.

### **BILLS APPROVED BY EDUCATION COMMITTEE**

**The following bills were approved by the House Elementary and Secondary Education Committee and were sent to the House floor for consideration:**

**HB 232 (Davis, M., D-Chicago)** prohibits the ISBE and school boards from establishing any virtual schools and creates a Virtual Schools Education Advisory Committee.

**HB 390 (Flowers, D-Chicago)** prohibits a school district from transferring a student to an attendance center that is on the academic watch list if the student must be transferred from one attendance center to another within a school district because the attendance center the student is currently attending exceeds its attendance capacity. Only the Alliance opposed the bill. **The sponsor will work** with the Alliance on an amendment to address school district concerns.

**HB 877 (Dugan, D-Bradley)**, as amended, prohibits a school construction grant index from being recalculated when a school district has received its entitlement, but the State has failed to appropriate sufficient funding.

**HB 1141 (Jefferson, D-Rockford)** requires the ISBE to establish and administer a program that provides stipends to teachers who choose to teach at hard-to-staff public schools in this State. Under the program, if a teacher (with at least two years of experience) agrees to teach at a hard-to-staff school for 5 years, the teacher is entitled to a \$4,000 stipend each year for those 5 years. **The bill will be** further amended to make the program subject to appropriation.

**HB 1466 (Rita, D-Blue Island)** authorizes the ISBE to appoint an academic oversight panel, and to establish school district academic authority panel in cases where the ISBE believes the district is having academic difficulty or guilty of mismanagement. **The bill was amended** to address collective bargaining protections and will be further amended to address Alliance concerns.

**HB 1825 (Winters, R-Shirland)**, originally would have created a voucher program for autistic students, but was amended to address Alliance and ISBE concerns. As amended, the bill requires the ISBE to conduct a study regarding administering an autism scholarship program.

**HB 1847 (Phelps, D-Norris City)** requires ESPs to be hired by the newly established school district in instances of consolidation or reorganization. Only the Alliance opposed the bill.

**HB 1849 (Phelps)**, an Alliance initiative, allows a school board to award a contract to a qualified local bidder if the bid does not exceed 2% over the lowest responsible bid received by the school board.

**HB 1964 (Berrios, D-Chicago)**, as amended to address Alliance concerns, requires school districts to have a plan to offer a summer breakfast or lunch program for the duration of their summer school program (if summer school is not offered, there is no requirement to offer the food service) in each school that has at least 50% of the students eligible for free or reduced-price lunch. A school district is allowed to opt out of the summer food program if the expense reimbursement would not fully cover the costs of implementing and operating the program (the opt-out provision is through the regional office of education like the current school breakfast opt-out provision).

**HB 1977 (Chapa LaVia, D-Aurora)** establishes a 4-year pilot program in selected school districts to achieve a ratio of high school students to certified school counselors of 250 to 1.

**HB 1999 (Smith, D-Canton)** rewrites the Financial Oversight Panel and School Financial Authority statutes and combines them into one section of the School Code.

**HB 3512 (Brady, R-Bloomington)** provides that when a criminal sexual offense is committed or alleged to have been committed by a school district employee, a copy of the law enforcement records or circuit court records relating to the investigation of the offense shall be transmitted to the superintendent of schools of the district.

**HB 3730 (Cross)** provides that teachers (not just school authorities), based on reasonable suspicion, may inspect and search places and areas owned or controlled by the school to ensure that classrooms, school buildings, school property, and students remain free from the threat of illegal drugs, weapons, or other illegal or dangerous substances or materials.

### **OTHER BILL ACTION**

**HB 425 (Coulson, R-Glenview)** changes the Integrated Pest Management (IPM) law for school districts to, among other requirements, provide training for the school district's designated IPM person. **The bill was approved** by the House and was sent to the Senate for consideration. It was amended to address some of the Alliance concerns.

**HB 750 (Miller, D-Calumet City)** contains a comprehensive tax reform initiative with several school funding reform provisions. **The bill was discussed** in a House committee but no vote was taken. Discussion on the bill will continue next Tuesday when the House Appropriations – Elementary and Secondary Education Committee re-convenes.

**HB 895 (May, D-Highland Park)** would require schools to use environmentally safe products for cleaning. **The bill was approved** by the House and was sent to the Senate for consideration. It was amended to address some of the Alliance concerns.

**HB 913 (Currie, D-Chicago)** provides that the residence of a person who has legal custody of a pupil is deemed to be the pupil's residence when the person exercises custody under a short-term guardianship, provided that a court order is entered that establishes the person as the pupil's permanent guardian within 365 days (at present, 60 days) of the pupil's enrollment in the school district. **The bill was approved** by the House and was sent to the Senate for consideration.

**HB 3583 (Dugan)** allows an employer of a school bus driver that has a substantiated reason to suspect that a bus driver showing up for work is under the influence of alcohol, to require the driver to submit to testing for alcohol at a licensed testing facility before he or she is allowed to drive a school bus. **The bill was approved** by the House Transportation Committee and was sent to the House floor.

**SB 794 (Garrett, D-Lake Forest)**, as amended, allows a county board to establish a standard exemption transfer amount for the senior citizens assessment freeze allowing portability of the freeze to a newly acquired homestead within the county. **The bill was approved** by the Senate Revenue Committee and was sent to the Senate floor for consideration.

**SB 1428 (Sandoval, D-Chicago)** adds school board members as mandated reporters under the Abused and Neglected Child Reporting Act and, originally, increased the penalty for everyone who violates the act from a misdemeanor to a felony. **The bill was amended** to delete the provision enhancing the penalty and will be further amended to address Alliance concerns about board members being covered. **The bill was approved** by the Senate Judiciary Criminal Law Committee and was sent to the Senate floor for consideration.

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

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