



ALLIANCE LEGISLATIVE REPORT (98-38)

LEGISLATORS RETURN TO CAPITOL

After taking a week off, Illinois lawmakers returned to the Capitol this week to continue debating bills in committees. Moving through the hundreds of bills scheduled for committee action is a time consuming venture but much action was taken this week. Next Friday is the deadline for bills to be approved by a committee.

COMMITTEE APPROVES BILL TO REMOVE BOARD MEMBERS

The House Elementary and Secondary Education Committee approved legislation Thursday that would allow the Illinois State Board of Education (ISBE) to remove elected school board members based on governance and behavior. **HB 5537 (Currie, D-Chicago)** was approved unanimously by the Committee and was sent to the House floor for further consideration. The Alliance was the only opponent to the legislation.

Current law allows for the ISBE to remove board members and administrators based on student achievement (or lack thereof); this provision was adopted to mirror the original No Child Left Behind federal legislation. Current law also automatically creates a vacancy on a school board if a board member is convicted of a crime and also allows Regional Superintendents of Schools to remove school board members who fail to perform their official duties.

HB 5537 allows the ISBE to remove a school board “specifically related to school board governance”. School boards eligible for removal would be from a district on the ISBE’s “priority schools” list – generally consisting of the schools with the lowest student achievement or high school graduation rates. There are 147 priority schools from 30 school districts currently.

All school boards with a priority school would have to have a needs assessment completed by the ISBE, then go through a months-long review of school board governance by a yet unnamed national education accreditation organization. If the district fails to receive accreditation, the ISBE may remove the entire board of education and replace it with an Independent Authority that would operate the district.

- Each school board member would have the right to individually appeal the ISBE’s decision to remove the board, but the ISBE could only remove the entire school board. Even if there has been no wrong doing by an individual school board member elected by the community, the ISBE would remove them from office.
- The Independent Authority would consist of five to seven people appointed by the State Superintendent of Education (a majority must be from the school district boundaries). The Independent Authority would “have all of the powers and duties of a board and all other powers necessary to meet its responsibilities and to carry out its purposes”.
- School board elections would be “suspended” for two years after establishment of the Independent Authority. Upon the next election, three school board members could be elected. In the next school board election, four school boards could be elected. The Independent Authority stays in place for this entire time period.

- Once seven members of the board have been elected, the Independent Authority stays in place until the district has another accreditation audit performed and achieves accreditation.
- School board members removed from office are prohibited from running for election to the school board for 10 years after the abolishment of the Independent Authority.

Obviously, there are many concerns about this legislation. A body appointed by the Governor removes school board members duly elected by the community; school board members guilty of no wrong doing are removed from elected office; members of the community are disenfranchised by losing their right to vote for members of public office when elections are suspended.

School board members, administrators, and members of the community are urged to contact their State Representative and urge a “NO” vote on HB 5537.

The text of the legislation can be found at:

<http://ilga.gov/legislation/fulltext.asp?DocName=&SessionId=85&GA=98&DocTypeId=HB&DocNum=5537&GAID=12&LegID=80534&SpecSess=&Session=>

BILLS ADVANCE TO PROPOSE MORE MANDATES

Also in the House Elementary and Secondary Education Committee this week, several bills were approved that contained proposals to add more unfunded mandates onto local school districts. In the midst of budget talks that, according to the State Superintendent of Education, could result in a 65% proration of General State Aid for the next school year, lawmakers inexplicably are voting for legislation to add even more programmatic and fiscal requirements for public schools. The Committee sent the following bills to the House floor:

HB 3724 (Burke, D-Chicago) requires training on how to properly administer cardiopulmonary resuscitation and how to use an automated external defibrillator to be included in high school health education classes.

HB 5333 (Davis, M., D-Chicago) requires a school district, at the end of each school year, to file a report with the ISBE that summarizes each school's instruction on Black History for that school year.

HB 5397 (Mayfield, D-Waukegan) provides that the ISBE shall require all schools under its jurisdiction to use, during the 2016-2017 school year and every school year thereafter, the FITNESSGRAM physical fitness assessment and report fitness information to the ISBE to assess student fitness indicators.

HB 5431 (Sente, D-Lincolnshire) requires that the IHSA shall develop an online certification and training on concussion awareness that will be required for high school coaching personnel and athletic directors.

HB 5707 (Cassidy, D-Chicago) sets forth definitions for "policy on bullying" and "restorative measures". It makes changes concerning the creation, maintenance, and implementation of a policy on bullying. New provisions create a mandate for the school to comply with a specific timeline for intervention as well as a reporting requirement to the ISBE.

When talking with your legislators, continue to urge them to vote “NO” on any legislation that contains new programs or requirements for local school districts.

PROPOSAL FOR “MILLIONAIRE TAX”

House Speaker Michael Madigan (D-Chicago) introduced a resolution that proposes to change the Illinois Constitution to allow for an additional tax on households that earn a million dollars or more per year. Since the Constitution specifically prohibits a graduated tax rate, the General Assembly must approve the resolution to place the question on the November General Election ballot (by a 3/5 vote), then voters will vote on the question. If the question is approved by either 3/5 of those voting on the question or a majority of those voting in the election, the change becomes effective.

House Joint Resolution Constitutional Amendment 51 proposes to charge an additional 3% of income taxation on any income over \$1 million. According to Speaker Madigan, the proposal would generate an additional \$1 billion for State coffers and, as drafted in the resolution, would be distributed on a per pupil basis to every school district.

The Alliance appreciates the recognition that additional revenue is required to adequately fund Illinois schools and will be engaged in future discussions about school funding and equitable distribution of funds. Equally important to finding new revenue streams is putting an end to the proliferation of unfunded mandates on local school districts and moderating the implementation of new local district accountability programs. School administrators and boards need the flexibility to assess the needs of their community and school district to best utilize State funding for quality education and fiscal responsiveness.

OTHER LEGISLATIVE ACTION THIS WEEK

HB 3163 (Ford, D-Chicago) requires the ISBE to conduct a study on the impact and effectiveness of standardized testing. **The bill, supported by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 3695 (Dunkin, D-Chicago) allows one of the three years of mathematics that a pupil must successfully complete as a prerequisite to receiving a high school diploma to be an Advanced Placement computer science course. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 3754 (Chapa La Via, D-Aurora) repeals the law that establishes the State Charter School Commission and returns charter school authorizing and appeal powers to the ISBE. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration.

HB 3777 (Mussman, D-Schaumburg) authorizes the ISBE to make grants to special education cooperatives established by school districts for school maintenance projects. **The bill, supported by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 3937 (Chapa La Via), as amended, extends the moratorium on virtual charter schools from April 1, 2014 to December 31, 2017. **The bill, supported by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 4440 (Chapa La Via) extends by one year the “sunset date” for the Early Childhood Education Block Grant. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration.

HB 4527 (Chapa La Via) requires a charter school to comply with all federal and state laws and rules applicable to public schools that pertain to special education and the instruction of English language

learners. **The bill was approved** by the House of Representatives and was sent to the Senate for further consideration

HB 4616 (Cavaletto, R-Salem) allows a school board to use remaining funds on hand in the Fire Prevention and Safety Fund for required safety inspections. **The bill, supported by the Alliance, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 4865 (Brady, D R-Bloomington), an Alliance initiative, allows the use of an audio recording assistive technology device, used to improve functional capabilities for special education students. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 5283 (Harms, R-Watseka), concerning the debt limitations of school districts, provides that Milford Township High School District 233 may issue bonds with an aggregate principal amount not to exceed \$17,500,000 if certain conditions are met. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 5288 (Chapa La Via) provides that school counseling services in public schools may be provided by school counselors, or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 5330 (Chapa La Via) requires the State Superintendent of Education to appoint a committee to review the tests administered by the ISBE and national, statewide, and local assessments administered by school districts. **The bill, supported by the IASB, was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 5588 (Mautino, D-Spring Valley) removes several outdated, obsolete and duplicative provisions of laws governing schools. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 5707 (Cassidy, D-Chicago) sets forth definitions for "policy on bullying" and "restorative measures". It makes changes concerning the creation, maintenance, and implementation of a policy on bullying. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

SB 68 (Lightford, D-Chicago) raises the minimum wage in increments beginning in October 1, 2014 to \$9.25 per hour, July 1, 2015 to \$10 per hour, and July 1, 2016 and beyond to \$10.65 per hour. **The bill, opposed by the Alliance, was approved** by the Senate Executive Committee and was sent to the Senate floor for consideration.

SB 2870 (Silverstein, D-Chicago) provides that no student shall be subjected to bullying through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school. **The bill, opposed by the Alliance, was held** in the Senate Education Committee.

SB 2945 (Harmon, D-Oak Park) requires the Illinois Purchased Care Review Board to approve the usual and customary rate or rates of certain out-of-State, non-public providers of special education programs. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

SB 2972 (Bertino-Tarrant, D-Plainfield) allows a superintendent endorsement to be affixed to the Professional Educator License of a holder who has had at least two years of experience employed full-time in a general administrative position, among other qualifications. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

SB 2989 (Delgado, D-Chicago) allows a psychologist who holds a valid Nationally Certified School Psychologist (NCSP) certificate and has such additional qualifications as may be required by the ISBE to meet the definition of school psychologist. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

SB 3033 (Frerichs, D-Gifford) requires the ISBE to annually confer with the Illinois Community College Board to identify industries and occupations that face workforce shortages and to notify school districts of these identified industries and occupations. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

SB 3374 (Sullivan, D-Quincy) extends the expiration date by five years (June 30, 2013 to June 30, 2018) for the time allowed retired teachers to work in shortage areas in school districts. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

SB 3412 (Steans, D-Chicago) requires the ISBE to establish the academic standards that are to be applicable to students who are subject to State assessments and establishes the new process for standardized tests in grades 3-12. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for further consideration.

The legislative report is 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.

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

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