



## ALLIANCE LEGISLATIVE REPORT (98-47)

### DRAMA BEGINS IN WANING SESSION DAYS

Before the Illinois General Assembly adjourns at the end of the month, both the Senate and the House of Representatives must approve a State budget for Fiscal Year 2015. Last week the House passed a series of appropriations bills that established such a budget, but it was predicated on passage of legislation that extends the current income tax rates. No such bill has yet been approved – and it looks as though it might not happen. The Senate has promised to hold off action on the appropriations bills until the House passes an income tax bill.

Generally, Democrats have lined up in favor of extending the current income tax rates and Republicans have opposed the idea. **Senate President John Cullerton (D-Chicago)** has indicated that he is confident that a bill to extend or make permanent the current income tax rates can pass in his chamber. Democrats have an extraordinary majority of votes in the Senate with 40-19 advantage. Even with some Democrats voting “no” on an income tax bill, it is likely that at least 30 (the minimum number of votes required in the Senate) will support the idea.

In the House of Representatives, Democrats also have an extraordinary majority with a 71-47 edge. However, many members of the House Democrat Caucus have indicated that they are “no” votes on the income tax bill so, assuming all Republicans are “no” votes as well, that leaves the vote short of the 60 votes required to pass legislation in the House. **Governor Pat Quinn (D-Chicago)**, via an invitation from **House Speaker Michael Madigan (D-Chicago)**, appeared this week at a House Democrat Caucus meeting to urge support for extending the income tax rates. That meeting does not seem to have been successful as Speaker Madigan late Wednesday said that only 34 members of his caucus would vote today for the extension of the income tax rates.

With extension of the current tax rates, General State Aid would likely see a slight increase resulting in a proration of 90% in the per pupil foundation level. If the income tax rates are allowed to drop from 5% to 3.75%, the State will lose roughly \$2 billion in revenues and education funding will likely be cut. The House appropriations committees will begin work today to prepare a budget that is based on revenues with the lower tax rates. Be prepared for a “dooms day” budget to emerge before the end of the week.

### SCHOOL FUNDING BILL AMENDED

**SB 16 (Manar, D-Bunker Hill)**, which significantly changes the way General State Aid is distributed to school districts, was amended this week in committee. On Tuesday in the Senate Education Committee an amendment was adopted that is designed to provide mandate relief to local school districts. Amendment #4 addresses curricular mandates by stating that a school district may use the current mandate relief procedure (in section 5/22-60 of the School Code) to petition out of most any curriculum requirement in Article 27 of the School Code. Exceptions are: learning standards, English, health examinations and immunizations, experiments on animals, and required high school courses.

Though this is not wholesale mandate relief, it is broader flexibility than has been proposed this year. For instance, Physical Education and Drivers’ Education would be allowed to be waived or modified under this amendment.

The Alliance supported the amendment but is still neutral on the underlying bill.

Though the underlying bill still needs some clarification in certain areas, the recognition of and addition of mandate relief is important and should be supported to continue this important discussion. The bill sponsor has often commented that when he met with superintendents and school board members about SB 16, mandate relief was consistently mentioned.

**The Alliance was the only education organization who supported the mandate relief provision.**

Here is Article 27 which contains the curricular requirements:

<http://ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+27&ActID=1005&ChapterID=17&SeqStart=158400000&SeqEnd=165400000>);

Here is the amendment:

<http://ilga.gov/legislation/fulltext.asp?DocName=09800SB0016sam004&GA=98&SessionId=85&DocTypeId=SB&LegID=68381&DocNum=16&GAID=12&Session=>

## **BILLS ADVANCE THAT PROPOSE NEW MANDATES**

The legislature took further action on bills that would place new requirements and unfunded mandates on local school districts. Bills to require all new school construction to include storm shelters large enough to accommodate every person in the school building; to include instruction in cardiopulmonary resuscitation (CPR) and training in the use of an Automated External Defibrillator (AED) for all high school students; and to add new assessments, standards, data collection, and reporting for physical education (P.E.) each were acted upon this week.

**HB 2513 (Phelps, D-Harrisburg)** requires school construction to include storm shelters. The Alliance and the regional superintendents' association were **the only education organizations to oppose the bill**. The bill was approved by the Senate and will be sent to the Governor for his consideration.

**HB 3724 (Burke, D-Chicago)** requires training and instruction on how to properly administer CPR and how to use an AED to be included in high school health education classes. **The Alliance was the only education organization to oppose the bill**. The bill was approved by the Senate and will be sent to the Governor for his consideration.

**HB 5397 (Mayfield, D-North Chicago)**, as amended, requires all public schools to use a physical fitness assessment and report fitness information to the Illinois State Board of Education (ISBE) to assess student fitness indicators. The bill:

- Defines “physical fitness assessment” as a “series of assessments to measure aerobic capacity, body composition, muscular strength, muscular endurance, and flexibility”
- Mandates that (beginning in the 2016-17 school year) the ISBE “requires all schools to use scientifically-based, health-related physical fitness assessment for grades 3-12 and periodically report fitness information to the ISBE”
- Requires schools to “integrate health-related fitness testing into the curriculum as an instructional tool”
- Creates a task force, appointed by the State Superintendent, to make recommendations on validating physical fitness assessment scores, the frequency of the P.E. reports to the ISBE, minimum fitness indicators for aerobic capacity, muscular strength, endurance, and flexibility, and other items
- Requires the ISBE to use the recommendations of the task force in its rules and regulations on the new P.E. assessments

The current amendment was placed on the bill Tuesday in the Senate Education Committee. The Alliance and Chicago Public Schools were **the only education organizations to oppose the bill.**

The amended bill will be called on the Senate floor this week. Alliance members are urged to call his/her Senator to urge a “no” vote on HB 5397.

### **ACTION ON “HOT BILLS” THIS WEEK**

**HB 3232 (Gordon-Booth, D-Peoria)**, as amended, makes changes concerning a charter school admissions lottery, the admissions process, intake activities, and waitlists. It also provides that, to ensure financial accountability for the use of public funds, each charter school shall submit to its authorizer and the ISBE a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. **The amendment was adopted** in the Senate Education Committee and the bill is pending on the Senate floor.

**HB 3814 (Madigan)**, as amended, creates the Minimum Wage Increase Referendum Act that will place a statewide advisory public question on the ballot at the November 4, 2014 General Election asking whether the minimum wage in Illinois for adults over the age of 18 should be raised to \$10 per hour by January 1, 2015. **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

**HB 3939 (Jackson, Sr., D-East St. Louis)** makes minor changes to the Educational Opportunity for Military Children Act, including allowing children to be placed in grades and courses they were in at their last school until school administrators can verify placement. It also removes the sunset date. **The bill was approved** by the Senate and was sent back to the House of Representatives for concurrence in the Senate amendment.

**HB 4207 (Fine, D-Glenview)** prohibits a student from being subjected to bullying through the transmission of information from a computer that is accessed off school property or from the use of technology or an electronic device that is not owned by a school district if the bullying substantially interferes with or limits the victim's ability to participate in opportunities offered by a school. **The bill was defeated** on the Senate floor, but could be re-called for another vote.

**HB 5330 (Chapa La Via, D-Aurora)** requires the State Superintendent of Education to appoint a committee to review the tests administered by ISBE and national, statewide, and local assessments administered by school districts. **The bill, supported by the Alliance, was approved** by the Senate and will be sent back to the House of Representatives for concurrence in the Senate amendment.

**HB 5707 (Cassidy, D-Chicago)** requires numerous new procedures and policies regarding bullying. **The bill was amended to address Alliance concerns** in the Senate Education Committee and is pending on the Senate floor.

### **OTHER LEGISLATIVE ACTION THIS WEEK**

**HB 3700 (Osmond, R-Gurnee)** requires the ISBE to distribute to school boards information on screening instruments available to identify students who exhibit potential indicators of dyslexia. **The bill was approved** by the Senate and will be sent to the Governor for his 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 Senate and will be sent to the Governor for his consideration.

**HB 4262 (Fine)** removes a requirement that new teachers provide evidence of freedom from tuberculosis and, instead, states that they may be subject to additional health examinations, including screening for tuberculosis. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 3948 (Golar, D-Chicago)** makes changes to the Grow Your Own Teachers program to create new criteria for applicants to the program. **The bill was approved** by the Senate and was sent back to the House of Representatives for concurrence in the Senate amendment.

**HB 4185 (Harris, D., R-Arlington Heights)** extends the Tax Increment Financing (TIF) district to 35 years for the Village of Arlington Heights. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4336 (Jakobsson, D-Urbana)** changes references relating to General Educational Development (GED) testing and certificates to high school equivalency testing and certificates. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4440 (Chapa La Via)** provides that not less than 14% (instead of 11%) of the Early Childhood Education Block Grant shall be used to fund programs for children ages 0-3, which percentage shall increase to at least 20% by Fiscal Year 2016 (instead of 2015). **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4542 (Manley, D-Joliet)** requires the Young Adults Heroin Use Task Force to conduct a study on the heroin use problem in grades 6 through 12 (instead of in high schools). **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4591 (Martwick, D-Chicago)** provides that if a charter school dismisses a pupil from the charter school it shall return to the school district an amount equal to 100% of the school district's per capita student tuition, on a pro rata basis, for the time the student is not enrolled at the charter school. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4612 (Sandack, R-Downers Grove)** provides that any two or more school districts that share the same boundaries may combine transportation activities to achieve savings to these school districts as well as this State. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4767 (Chapa La Via)** makes changes to the Alternative Route to Teacher Certification programs. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 4995 (Mitchell, B., R-Decatur)** makes changes with respect to the debt limitations for Monticello Community Unit School District 25. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 5283 (Harms, R-Watseka)** makes changes with respect to the debt limitations for Milford Township High School District 233. **The bill was approved** by the Senate and will be sent to the Governor for his consideration.

**HB 5286 (Bost, R-Carbondale)** provides that four years of working in the capacity of school support personnel (i.e. counselors) shall be counted towards a principal endorsement for a Professional Educator License. **The bill was approved** by the Senate and will be sent to the Governor for his 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 Senate and will be sent to the Governor for his consideration.

**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, opposed by the Alliance, was approved** by the House of Representatives and will be sent to the Governor for his 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 ISBE to meet the definition of school psychologist. **The bill was approved** by the House of Representatives and will be sent to the Governor for his consideration.

*This legislative report was 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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