



April 22, 2016

ALLIANCE LEGISLATIVE REPORT (99-43)

LEGISLATURE HITS MIDWAY POINT IN SESSION

The Illinois General Assembly reached the half-way point in the spring legislative session Friday as it was the deadline to pass House Bills out of the House of Representatives and Senate bills out of the Senate. These bills will now move to the opposite chamber and begin the process there. Both the House and Senate will take next week off in observation of Passover. Lawmakers will return to the Capitol on May 3.

The bigger news may be that there was movement on budget issues this week. After a budget stalemate that has lasted the majority of the past fiscal year, a bipartisan group of rank and file members came together to pass **SB 2059 (Cullerton, J., D-Chicago)** that will provide \$600 million earmarked for higher education. While much of the “debate” on the bill was congratulatory, there was also a great deal of concern that this was still not enough for those institutions that rely on this funding. However, this stopgap measure is expected to keep all colleges and universities open through the summer.

In addition to the four-year universities, community colleges are expected to receive about \$74 million under SB 2059. Another institution that will be positively impacted by this is the Illinois Math and Science Academy.

The Governor is expected to sign the bill.

BILL APPROVED TO FREEZE PROPERTY TAXES

The House of Representatives Thursday approved a bill that will place all units of local government, school districts, and community college districts under the Property Tax Extension Limitation Law (PTELL) and permanently set the property tax increase limit at 0%. **HB 696 (Franks, D-Woodstock)** passed on a vote of 71-31-5 and was sent to the Senate for consideration.

Multiple votes have been taken on tax freeze bills over the past year, but until now they were voted down as Republican members have not supported the measures. **Republican Governor Bruce Rauner** has promoted a property tax freeze as part of his legislative agenda, but combined it with other reforms for units of local government to have increased flexibility. When those additional provisions were not a part of the previous property tax freeze bills, all Republicans had voted no. This time, however, Republicans joined Democrats in supporting the bill even without any other reforms included.

Unlike most of the previous bills considered, this does not have an expiration on how long the freeze will be in effect so, without legislative revision, it will be 0% permanently. Also, the bill removes the current provision that would allow a county to hold a referendum to be removed from the scope of PTELL. The PTELL law does allow units of local government to go above the cap with referendum approval.

HB 696 exempts from the freeze those units of local government that are home rule (including the City of Chicago). **HB 695 (Franks)** would have placed all units of local government, including home rule units, under the property tax freeze. That bill was defeated on the House floor on a vote of 56-49-4.

PROPOSALS TO AMEND CONSTITUTION

The General Assembly is considering several proposals to amend the Illinois Constitution covering a range of issues including school funding, legislative redistricting, and graduated income tax rates. In order for a change to occur, a proposal must be approved by both chambers of the legislature by a 3/5 majority vote in order to be placed on the ballot in November for Illinois voters to decide. The deadline to have legislative approval to be placed on the fall ballot is May 7. Only three such initiatives may be placed on a ballot at one election.

Education Funding: The Free Schools Article of the Constitution currently states that education is a fundamental goal of the people of the State. **HJRCA 57 (Madigan, D-Chicago)** proposes to revise the Constitution to make education a fundamental right, and that it is a paramount duty of the State to provide an education system and that the State has the preponderant financial responsibility to fund it. The resolution is awaiting action on the House floor.

Graduated Income Tax Rates: Several measures have been introduced to amend the Constitution to allow for graduated income tax rates instead of the flat rate system. **SJRCA 1 (Harmon, D-Oak Park)** allows for a fair tax where lower rates apply to lower income levels and higher rates apply to higher income levels. The resolution is awaiting action on the Senate floor. **HJRCA 59 (Mitchell, D-Chicago)** simply strikes the phrase “at a non-graduated rate” from the Constitution. The resolution is awaiting action on the House floor.

Legislative Redistricting: Currently, the majority party in the State legislature re-draws the legislative boundaries every 10 years which, ultimately, becomes a political exercise. **HJRCA 58 (Franks)** would replace the current method with an eight member Independent Redistricting Commission appointed by the Chief Justice of the Illinois Supreme Court. The resolution is awaiting action on the House floor. **SJRCA 30 (Raoul, D-Chicago)** would, generally, keep the redistricting process in the hands of the majority in the General Assembly, but would add in the Constitution provisions for racial minority representation and adds an open hearing process. In cases where no agreement was reached by the legislature on the new boundaries, the Supreme Court would be involved to reach a final map. In essence, if one political party controlled the House, Senate, and Governor’s office, there would likely be little change in the re-map process. The resolution was approved by the Senate and was sent to the House of Representatives for consideration.

Two other proposed Constitutional amendments failed this week. **HJRCA 26 (Madigan)**, the “millionaire’s tax”, was defeated on the House floor on a vote of 68-47; 71 votes were necessary for passage. It would have imposed an additional 3% tax on income in excess of \$1 million and distributed it to school districts on a per pupil basis. **SJRCA 29 (Cullerton, T., D-Villa Park)** would have eliminated from the Constitution the Office of Lieutenant Governor. It failed on a vote of 21-28-4.

TIMING RIGHT TO CONTACT LEGISLATORS

With legislators in their home districts for the next week and bills having moved to the new chamber, it serves as an ideal time for school board members and administrators to contact their local Senator and Representative to discuss the issues. Over the hectic last two weeks with hundreds of bills moving simultaneously, Alliance lobbyists were not able to devote as much time as they wished to educate all legislators about onerous bills.

School management supporters are encouraged to reach out to legislators to let them know exactly how these issues will affect local school districts. The property tax freeze highlighted above, as well as bills regarding school district auditors and school breakfast that are listed below, are being opposed by the Alliance. In last week’s Alliance Legislative Report (<http://www.iasb.com/govre/alr9942.cfm>) there

are bills regarding internet postings (HB 5522) and recall rights for support staff (HB 6299) which would be burdensome for districts.

Involvement by school board members, principals, and administrators can make a significant difference in the outcome of such legislation.

OTHER BILL ACTION THIS WEEK

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

SB 229 (Hastings, D-Matteson) prohibits the operator of an Internet website, online service, online application, or mobile application from knowingly engaging in targeted advertising if the targeting of the advertising is based on any information that the operator has acquired for K through 12 school purposes.

SB 235 (Bertino-Tarrant, D-Shorewood) increases the number of days a retired teacher or administrator may work from 100 days to 120 days.

SB 238 (Lightford, D-Westchester) provides that not less than 14% of the Early Childhood Education Block Grant allocation of funds shall be used to fund programs for children ages 0-3.

SB 240 (Lightford) extends the Performance Evaluation Advisory Council's work until June 30, 2021.

SB 241 (Haine, D-Alton) provides for changes made under guaranteed energy savings contracts to be subject to performance reviews and changes the period of time in which guaranteed energy savings contracts begin becoming cost effective from 20 years to 10 years.

SB 242 (Noland, D-Elgin) would allow certain school districts to employ a Chief Executive Officer who does not have traditional superintendent credentials if on his/her staff there are properly licensed assistant superintendents or directors in the areas of instruction, finance, special education, assessments, and career and technology education.

SB 565 (Lightford) requires an age-appropriate developmental and social and emotional screening to be included as part of the examinations and procedures that constitute a health examination.

SB 2186 (Althoff, R-McHenry) provides that a school district is subject to and its school board must comply with any valid local government zoning ordinance or resolution that applies where the pertinent part of the school district is located.

SB 2270 (Stadelman, D-Rockford) provides that units of local government (including school districts and public colleges and universities) shall limit contracts or appointments with auditors to five years and shall competitively bid auditor contracts or appointments. There is a waiver process for certain situations.

SB 2393 (Harmon) would require school districts to provide breakfast to students if 70% or more are eligible for free or reduced-price lunches, are classified as low-income, or can be claimed for free or reduced-price meals.

SB 2440 (Bertino-Tarrant) allows for a principal endorsement to be affixed to a Professional Educator License if a person has, among other qualifications, at least four total years of experience teaching or four total years of experience working in the capacity of school support personnel.

SB 2835 (Manar, D-Bunker Hill) requires a vehicle to stop before meeting or overtaking, from either direction, any school bus stopped on a highway, roadway, private road, parking lot, school property, or at any other location, including, without limitation, a location that is not a highway or roadway for the purpose of receiving or discharging pupils.

SB 2908 (Stadelman), with respect to an individual with a license in retired status returning to work in a position that requires a Professional Educator License, provides that a registration fee does not need to be paid if the licensee is returning to work as a substitute teacher for less than 50% of full-time equivalency for any particular school year.

SB 2912 (Luechtefeld, R-Okawville) makes changes to teacher licensure laws in line with those suggested by Vision 20/20. It addresses provisional in-state educator endorsements, provisional career and technical educator endorsements, substitute teacher licenses (by removing the provision that requires a test of basic skills for renewal), teacher leader endorsements, and minimum requirements for educators trained in other states.

SB 2964 (Harmon) provides that the prevailing wage shall not be less than the rate that prevails for similar work performed under collective bargaining agreements in the locality provided that the agreements cover at least 30% of the workers.

SB 2970 (Lightford) would create a program mandating universal screening for second and fifth graders to identify gifted and talented children, if certain conditions are met.

SB 2975 (Cunningham, D-Chicago) creates an agriculture education teacher grant program to fund personal service costs for agriculture education teachers, subject to appropriation.

SB 3337 (Harmon) changes the calculation for the senior citizens assessment freeze homestead exemption to the greater of the amount of the exemption calculated under the current Statute or \$2,000.

SB 3367 (Barickman, R-Bloomington) allows Paxton-Buckley-Loda Community Unit School District 10 to issue bonds with an aggregate principal amount not to exceed \$28,500,000 if the voters of the district approve a proposition.

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

HB 2262 (Mitchell, R-Decatur) provides that the minimum amount of \$2,000,000 of liability insurance required for a vehicle with a school bus driver permit may be satisfied by either a \$2 million combined single limit primary commercial automobile policy; or a \$1 million primary commercial automobile policy and a minimum \$5 million excess or umbrella liability policy.

HB 4232 (Reis, R-Olney) makes re-appropriations from the School Construction Fund and the Capital Development Fund for ongoing school construction and improvements for fiscal year 2016.

HB 4362 (Unes, R-Pekin) requires the Illinois State Board of Education (ISBE) to contract with two vendors to administer college entrance exams and requires ISBE to pay school districts to administer at least one exam of the district's choice to students.

HB 4432 (Moffitt, R-Galesburg) allows a child in any of grades 6-12 to be absent from a public school on a particular day for the purpose of sounding "Taps" at a military honors.

HB 4462 (Mussman, D-Schaumburg) extends the opportunity for the self-administration and self-carry of asthma medication and epinephrine auto-injectors to students while being transported to and from school and adds school bus drivers to the list of who can be "trained personnel".

HB 4715 (Bryant, R-Mt. Vernon) increases the fine the court can impose on a public body if they willfully and intentionally failed to comply with a FOIA request. It also creates a new fine courts can impose if the public body fails to comply with a court order on a FOIA request.

HB 4996 (Welch, D-Westchester) allows schools to appoint a person to act as liaison with DCFS.

HB 4999 (Guzzardi, D-Chicago) prohibits an employer or prospective employer from requiring an employee to access a personal online account in an employer's presence, invite the employer to join an online group affiliated with a personal online account, join an online account established by an employer. The bill also prohibits an employer from requiring username and passwords for personal online accounts.

HB 5025 (Welch, D-Chicago) provides that references to "regional superintendent" and assistants shall also include a chief administrative officers and assistant administrative officers of Cook County educational service centers and provides a formula for calculating their salaries.

HB 5561 (McSweeney, R-Cary) creates an accelerated college pilot program authorizing a community college to enter into a program agreement with any school district in the community college district. The program must offer a group of high school students the right to take community college courses and provides that the coursework shall be transferable to all Illinois public universities.

HB 5729 (K. Burke, D-Oak Lawn) sets forth provisions concerning postsecondary career expectations; a competency-based, high school graduation requirements pilot program; transitional mathematics courses; reading and communication transitional competencies; College and Career Pathway Endorsements and State Distinction programs; and administrative rules.

HB 5902 (Guzzardi) provides that a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the school district or by use of school facilities or produced in conjunction with a class in which the student is enrolled.

HB 6044 (Chapa LaVia, D-Aurora) changes the school years in which the Vision 20/20 Balanced Accountability Committee will implement balanced accountability measures to 2021-22 and delays the abolishment of the committee to June 1, 2023.

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.

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