Charters

SB 2779 (Holmes, D-Aurora)/HB 4237 (Chapa LaVia, D-Aurora) as amended, eliminates the appeal process for charter proposals that are denied or revoked by the local school board. SB 2779 was not considered prior to the deadline; HB 4237 failed to receive enough votes on the House floor to advance and was not reconsidered by the full chamber prior to the deadline. ED-RED supports the bills.

HB 3754 (Chapa LaVia, D-Aurora) abolishes the State Charter School Commission which was created in 2011 as the entity responsible for reviewing appeals from charter entities that were denied by the local “home district.” Prior to this, the ISBE held the responsibility of reviewing charter appeals. The legislation seeks to revert to the old process and return the responsibility of monitoring charter programs and acting on appeals to the ISBE Board Members and agency staff. Concerns have been raised about the lack of balance in the composition of the Commission, the Commission’s ability to use private funding for operations, and if there is a reason to have a separate entity reviewing charter appeals. HB 3754 passed the House 78-33 and is sponsored by Sen. Lightford in the Senate. ED-RED supports the bill.

HB 3937 (Chapa LaVia, D-Aurora) extends the moratorium for creating new, multi-district virtual charter schools from April 1, 2014 to April 1, 2017. The State Charter School Commission released a report in February 2014 on virtual charter schools. HB 3937 passed the House 87-27 and is sponsored by Sen. Collins in the Senate.

Student Discipline

SB 2760 (Lightford, D-Maywood) creates the Student Bill of Rights and specifies a new process for questioning students who are suspected of being involved in an incident or students who may have information pertaining to an incident. Prior to being asked any question while in the presence of a police officer or a district-employed Student Resource Officer (SRO), a student must be informed of their right to refuse answering questions or making a statement, that they have the right to have a parent or attorney present during questioning, and that information given in the presence of a police officer or SRO may be used in school disciplinary action or criminal prosecution. Before police or a SRO may question a student, a parent or guardian must be notified 48 hours in advance and informed that they...
may be present during the questioning. We believe the bill will severely curtail the use of SROs. SB 2760 was approved in the Senate Education Committee. ED-RED is opposed the bill and worked with the sponsors to understand our concerns; we do not anticipate that the bill will move forward this year.

**SB 2793 (Hutchinson, D-Olympia Fields)** as amended, requires the ISBE to develop a report on student discipline including data on out-of-school suspensions, expulsions, transfers to alternative programs, and criminal citations/arrests on school grounds. ISBE will determine the ranking of districts based on the number of days in which students are excluded from instruction and racial disproportionality. Districts identified in the top quartile of will be required to develop a school discipline improvement plan and post the plan on the district website. SB 2793 passed the Senate unanimously and is sponsored by Rep. Turner in the House. ED-RED is working with the sponsor and proponents of the bill to develop an amendment to address our concerns with the legislation.

**SB 3004 (Lightford, D-Maywood)/HB 4655 (W. Davis, D-Hazel Crest)** limits the ability of school districts to suspend or expel students unless the offense poses a significant threat of imminent serious harm to other pupils or staff (instead of relying on the definition of “gross disobedience” or providing discretion in cases including drugs, theft, etc.). For students removed for more than three days, districts must provide behavioral support in an effort to help students transition back to school. The bill prohibits the ability of police to arrest or cite students for a criminal offense committed on school grounds, in a school vehicle, or at a school activity unless the offense is a felony or the student committed an identical offense within the preceding six months. SB 3004 was approved in the Senate Education Committee and is pending on the Senate floor; HB 4655 was approved in the House Education Committee and is pending on the House floor. We have worked with the proponents of the bill for months in an effort to reach resolution; however, we are unable to support Amendment #2. ED-RED issued an action alert on 4/25/14 to express our opposition to the bill.

**HB 2880 (Ford, D-Chicago)** as amended requires school personnel to meet with each student subject to suspension or expulsion to inform them of alternative educational options, the length of the suspension, the appeals process, and the ability of the student to receive and complete work during the suspension. We believe district policy and written documentation accompanying a decision to suspend or expel a student provides adequate information about the scope and duration of the punishment and discussing alternate educational options could be interpreted as an educator seeking to “counsel out” a student from returning to the school. HB 2880 was not considered prior to the deadline. ED-RED opposes the bill.

**Curriculum and Assessment**

**SB 2682 (Hastings, D-Matteson)** requires districts to provide instruction in the history of organized labor in America and the collective bargaining process in U.S. History courses in elementary and high school.
SB 2682 was approved in the Senate Education Committee and is pending on the Senate floor. ED-RED opposes the bill. View our fact sheet regarding our opposition to new curricular mandates.

**HB 3724** (D. Burke, D-Chicago) as amended requires high school curricula to include instruction in the proper administration of cardiopulmonary resuscitation and the use of an automated external defibrillator. HB 3724 passed the House 100-12-1 and is sponsored by Sen. Mulroe in the Senate. ED-RED opposes the bill. View our fact sheet regarding our opposition to new curricular mandates.

**HB 4260** (Morrison, R-Palatine) allows districts to discontinue, by publicly adopted resolution, any instructional mandate in the Courses of Study Article of the School Code during a period in which state funding is delayed by at least one payment cycle. The bill provides that if a student requests information on any instructional mandate that has been discontinued, then the school district shall provide the student with the requested information. The legislation exempts P.E. and Drivers Ed from the flexibility. HB 4260 has not been assigned to committee. ED-RED continues to support this approach to providing additional authority at the local level.

**HB 5330** (ChapaLaVia, D-Aurora) creates the Assessment Review Committee under the auspice of the ISBE to review national, statewide, and local assessments and submit an annual report with recommendations to the General Assembly and State Superintendent. HB 5330 passed the House 97-9 and is sponsored by Sen. Lightford in the Senate. ED-RED supports the bill.

**HB 5333** (M. Davis, D-Chicago) requires districts to file a report with the ISBE summarizing its instruction in black history by August 1 each year. Black history is a required area of instruction and currently monitored through the annual review conducted by Regional Offices of Education. The bill passed the House 97-14 and is sponsored by Sen. Lightford in the Senate. ED-RED opposes the bill.

**HB 5621** (Fortner, R-West Chicago) as amended changes graduation requirements for freshmen entering high school in the 2015-2016 school year and each subsequent school year by requiring students to take three years of math in high school and prohibiting courses in the high school sequence (algebra, geometry, and algebra 2) taken during junior high to count toward the three year requirement. HB 5621 was discussed in the House Education Committee and did not advance after committee members advised that the bill required additional discussion. ED-RED will continue working with the sponsor on the proposal.

**Property Taxes/Funding**

**SB 16** (Manar, D-Bunker Hill) as amended includes recommendations from the Senate Education Funding Advisory Committee. The legislation collapses funding for General State Aid, SGSA (low income grant), Special Education, Bilingual Education, and most current ISBE line items into a single funding formula including funding weights for each special population. Early Childhood education, high cost
Special Education, and capital funding is excluded from the formula. SB 16 was approved in the Senate Executive Committee with the agreement of the sponsor that he would not move the bill on the Senate floor prior to the completion of the ISBE analysis of the impact of the legislation on school districts. ED-RED and other stakeholders are in the process of analyzing the legislation.

**SB 2854 (Jones, D-Chicago)** allows property owners in Cook County to seek refunds for an overpayment which occurred within the last twenty years (instead of the last five years). This follows a recent law providing a one year window for property owners to request a refund from their overpayment that occurred within the last twenty years. Proponents estimate that property owners are still owed approximately $300,000 in payments. SB 2854 passed the Senate [50-3](https://illinois立法) and is sponsored by Rep. Rita in the House. ED-RED opposes the bill.

**HB 3727 (Sandack, R-Downers Grove)** requires that districts in PTELL (tax capped) communities for which the total taxable Equalized Assessed Valuation (EAV) in the current levy year is less than the previous year, the allowable increase in a district’s extension is 0% or the rate approved by voters. HB 3727 was not considered prior to the deadline. ED-RED opposes the bill.

**HB 4426 (Sandack, R-Downers Grove)** is a variation of HB 3727. The bill limits the extension (0%) in the event that (i) the total taxable EAV is less than the previous year or (ii) if the median EAV for the current year and the two levy years immediately preceding the current year is less than the median EAV for the three levy years immediately preceding that three year period. HB 4426 was not considered prior to the deadline. ED-RED opposes the bill.

**HB 4680 (Pritchard, R-Sycamore)** as amended increases the maximum tax rate for educational purposes for unit districts (K-12) from 4.0% to 7.0% and the maximum tax rate for operations from 0.75% to 1.1%. This mirrors the allowable rates for a community supporting dual districts (one elementary district and one high school district). HB 4680 failed to receive enough votes on the House floor to advance and was not reconsidered by the full chamber prior to the deadline. ED-RED opposed the original bill (which phased down the maximum tax rate for dual districts) and is neutral on the amended bill.

**SB 589 (Lightford, D-Maywood)** as amended creates a new formula for distributing prorated General State Aid dollars by reducing a district’s appropriation based on a flat dollar amount per pupil vs. a flat percentage applied to the district’s GSA allocation. The foundation grant, alternate level grant, flat grant, and the district’s Supplemental GSA/low income grant are prorated at 89% in Fiscal Year 2014 which has led to a disproportionate impact on districts with a high low income population and/or low property wealth. ED-RED has engaged in discussion with the sponsor and other stakeholders about the “best way” to prorate GSA recognizing that the General Assembly will likely under-appropriate GSA in the next fiscal year and will continue the dialogue during the upcoming budget negotiations. SB 589 has not been considered in committee but may emerge later this Spring.
**HJRCA 49 (Mitchell, D-Chicago)/SJRCA 40 (Harmon, D-Oak Park)** if approved by voters, changes the constitutional provision regarding the state’s flat income tax rate (currently 5% for individuals) to a graduated income tax structure with a different rate for three income brackets. The amendment does not include a specific rate structure (voters will merely have the ability to vote yes/no to authorize a graduated structure) and the actual rates will be set in statue by the General Assembly. One proposal calls for a tax rate of 2.9% for income under $12,500, 4.9% for income between $12,501 and $180,000, and 6.9% for income above $180,000. This structure is estimated to lower the income tax burden for 94% of taxpayers. HJRCA 49 is not assigned to committee; SJRCA 40 was approved in the Senate Executive Committee and is pending on the Senate floor.

**HJRCA 51 (Madigan, D-Chicago)** if approved by voters, assesses a 3% surcharge for income over $1 million and distributes the income to school districts on a per pupil basis. The surcharge is estimated to generate $550 per pupil. The constitutional amendment was approved in the House Revenue Committee and is pending on the House floor.

**District Operations**

**HB 4207 (Fine, D-Evanston)** as amended requires districts to create a policy specifying the process of investigating whether a reported act of cyberbullying is within the scope of the district and, if not, the process for referral of such an act to the appropriate jurisdiction. HB 4207 passed the House 85-21 and is sponsored by Sen. Silverstein in the Senate. ED-RED opposed the introduced bill and is neutral on the amended bill after working with the sponsor to address our concerns.

**HB 4480 (Franks, D-Woodstock)** allows districts to opt out of serving as a polling place if the board determines that serving in this capacity makes it infeasible to enforce its written and standard policies regarding persons who are not students of/employed by the school entering the building. HB 4480 was not considered prior to the deadline.

**HB 4558 (Drury, D-Highland Park)** as amended requires parents to provide written consent to authorize each instance in which a school district or other organizations use student records for research, evaluation, or auditing purposes and provide an opportunity for parents to inspect and challenge the record prior to use. HB 4558 was approved in the House Education Committee but was not considered on the House floor prior to the deadline. ED-RED is working with the sponsors and opponents of the bill to develop an amendment to address our concerns with the legislation.

**HB 4524 (Tabares, D-Chicago)** requires parents to identify and disclose any food allergies of their student(s) to school personnel, requires districts to disseminate the information to all relevant school personnel, and requires districts to develop and implement an individualized health care and food allergy action plan for each student with a life-threatening food allergy. HB 4524 was not considered prior to the deadline.
HB 4779 (Welch, D-Westchester)/SB 2669 (Harmon, D-Oak Park) requires businesses and owners of private property to post a sign indicating that they allow individuals with concealed carry permits to carry firearms in their establishments (instead of requiring them to post if they do not allow individuals to carry). The legislation further removes the requirement for school districts to post signage indicating that individuals may not carry firearms in school buildings (schools are specifically exempt from the areas in which people can carry). The bills were not considered prior to the deadline.

HB 5332 (M. Davis, D-Chicago) aligns state statute with the provisions of the “70/30 Rule” in state Administrative Code defining “general education classroom” and the allowable staff/student ratio. Districts report that the 70/30 Rule places an unnecessary restriction on the composition of general education classrooms, fails to consider the specific accommodations required under IEPs, and do not distinguish between students who require/do not require support in the content area. Over the last year, this issue has been a subject of vigorous debate at the ISBE. The State Superintendent supported the elimination of the 70/30 Rule; however, the Board did not proceed with the rule change. The Illinois Association of Administrators of Special Education, ED-RED, and many other organizations supported the change. Some parents and teachers were concerned that without the 70/30 Rule in place, classrooms will be overloaded with students with IEPs; however, this does not acknowledge that districts make staffing decisions based on the accommodations required by each student and the parameters of their IEP. HB 5332 was not considered prior to the deadline. ED-RED opposes the bill.

HB 5427 (Cabello, R-Loves Park) requires several new policies and processes in an effort to eliminate harassment, intimidation, and bullying in school districts. The legislation requires new training for teachers, student teachers, administrators, and school board members; it also requires the ISBE to create an online tutorial which may be used to satisfy the training requirement. The legislation further requires principals to provide a public report on the number and status of investigations into reported incidents of violence, vandalism, harassment, intimidation, and bullying. This information will be used to “grade” schools based on criteria set by the State Superintendent. Districts would also be required to appoint a district anti-bullying coordinator, an anti-bullying specialist at each school, and school safety teams at each school. HB 5427 was not considered prior to the deadline. ED-RED opposes the bill.

HB 5537 (Currie, D-Chicago) as amended includes new parameters for ISBE intervention in local school districts. Current law allows ISBE to intervene if districts are on the academic watch list for three years. There are over 100 districts currently eligible for this action; ISBE has taken action twice to remove the school board due to pervasive instances of poor governance decisions (East St. Louis and North Chicago). The bill provides that school districts on the academic watch list for at least three years with student performance in the lowest 5% would undergo an academic, fiscal, and governance review through an outside entity (chosen by ISBE based on the agency’s criteria). ISBE would consider this information and determine if the board failed to protect district assets, engaged in unethical behavior, or failed to adhere to district policy. If so, ISBE would have the authority to remove the board and replace it with an
Independent Authority (IA). The IA would be appointed by the State Superintendent and have the same authority and responsibilities as the school board. After removal, board members would be eligible to run in a school board election (if they were selected to serve on the IA) or ten years after the IA is no longer working with the district (if they were not selected to serve on the IA). The bill was further amended to specify that the ISBE could not intervene in more than four districts at a time. HB 5337 was approved passed the House 77-25-8 and is sponsored by Sen. Steans in the Senate.

**HB 5707 (Cassidy, D-Chicago)** requires districts to develop an extensive policy on bullying including specific procedures for reporting bullying incidents to principals, communicating with parents, and the timeline for conducting investigations. The bill further requires districts to compile and post information regarding the number of reports of bullying, investigations conducted, substantiated/unsubstantiated reports, and outcome of substantiated reports. HB 5707 passed the House 64-43 and is sponsored by Sen. Silverstein in the Senate. ED-RED opposes the bill.

**HB 5755 (Cassidy, D-Chicago)** provides that a school district is encouraged to close the school or hold a teachers institute on that day with students not in attendance for the day of an election. HB 5755 passed the House 65-44-4 and is sponsored by Sen. Steans in the Senate.

**HB 5838 (Mitchell, D-Chicago)** as amended allows students to re-enroll in an alternative school or an IHOPE program through the age of 23 (instead of 21). HB 5832 passed the House unanimously and is sponsored by Sen. Kotowski in the Senate. ED-RED is neutral on the amended bill.

**SB 2647 (Althoff, R-Mchenry)** requires school districts to adhere to local government zoning ordinances or resolutions that apply where the pertinent part of the school district is located. SB 2647 was approved in the Senate Education Committee but is not postured to move forward this session.

**SB 3310 (Bertino-Tarrant, D-Shorewood)** as amended reduces the frequency of required annual or biennial inservice training in several areas to only be required upon employment, renewal of a license, or if a position specifically requires the training. SB 3310 failed to advance out of the Senate Education Committee. ED-RED supports the bill.

**Pensions**

**HB 3760 (Franks, D-Woodstock)** changes pension benefits for individuals who retire after the effective date of the bill and become employed in a position that is eligible to receive benefits in the same or a different pension system. The bill allows the retiree to keep $2,000 per month of their annuity but considers any additional revenue an “offset” for the salary that they are receiving from their new employer. The bill further requires the state pension systems to cease assessing a contribution from an employee who has “maxed out” on their retirement benefit. HB 3760 was not considered prior to the deadline. ED-RED opposes the bill.