Making Illinois Schools Second to None: A Review of HR 1 and S 1
--Recommendations to the Illinois Delegation for the Conference Report--
July 2001

The Illinois State Board of Education commends the authors of HR 1 and S 1 in crafting a document that both reflects the principles of No Child Left Behind and meets the needs of schools and students. Illinois has the Illinois Learning Standards in place, which will be used as the foundation for student assessment and school accountability. Other provisions of the bills will assist Illinois in providing an education for 2 million schoolchildren that is Second to None, such as the Reading First and Early Reading First initiatives.

A few concerns remain with the language in the two bills. Those are stated below. Specific recommendations are offered for consideration by the Illinois delegation.

High Standards and Assessment
- Students in grades 3, 5, and 8 currently take the state exams in reading, writing and mathematics, as well as in grades 4 and 7 in science and social science. Local districts generally test students in the elementary grades not tested by the state examinations.

  Illinois advocates that the final language in the conference committee report requires a state assessment system aligned to state standards and measures annual student progress toward state standards in grades 3-8 in reading and mathematics.

- In order to establish trend lines and provide data for “confirming state test results,” NAEP testing or a similar system has been recommended.

  To minimize student time on testing yet meet the intent, Illinois recommends that NAEP be administered every other year rather than on an annual basis.

- There are slight differences between HR 1 and S 1 on adequate yearly progress (AYP), and many questions on how the proposals would be implemented regarding sub-groups of students, particularly the 100% goal, the 1% gain requirement, alternative assessments, and statistically valid and reliable data for all individuals with disabilities and students with limited English proficiency. There is also concern about how the provision for results being available by the end of the school year will align with states seeking to administer some open-ended test items.

  The intent should be to concentrate on those schools with student performance that is furthest from the state standards. Illinois recommends modifying the language on AYP so that the poorest performing schools can be identified for program improvement, and resources are concentrated in a system of support for those schools and students.

Bilingual Education
- HR 1 requires parental consent for bilingual education services. S 1 on the other hand requires parents to be informed prior to services beginning, but does not require consent.

  Illinois prefers the approach delineated in S 1 as consistent with state law and practicality.
There is also concern with HR 1 that program limits would be set by federal law, which could result in students with limited English proficiency having to exit programs before they are ready for all-English instruction. Illinois law says exit occurs in three years but has a clause that allows a longer time based on individual assessment.

*Federal law should have a similar provision allowing for individual local assessment.*

**Special Education**

- **Given the significant requirements delineated in IDEA ’97 and that there has never been the required federal appropriation to fund the 40% average per pupil expenditure as outlined in the original law, Illinois supports the S 1 provision for full mandatory funding of IDEA.**

- The new discipline provision in S 1 appears to be less clear and specific than the current law, the Individuals with Disabilities Education Act (IDEA) ’97. It appears to add an additional decision-making layer to an already cumbersome but currently workable process. It may result in more students being expelled.

  *Illinois recommends the language of IDEA ’97 be retained in this area.*

- S 1 would also allow school districts to suspend or expel students with disabilities without providing an education if the act was not a manifestation of the students disabilities. This is in direct conflict with IDEA ’97.

  *Illinois recommends the language of IDEA ’97 be retained in this area.*

- S 1 allows a parent to place a child with disabilities in a private school with the district paying the per-pupil expenditure. This will subsidize parental private special education placements in private schools. The concern is poor families being unable to afford the alternative placement with the districts only paying the per pupil expenditure.

  *Illinois recommends eliminating this provision in the final language.*

**Financial Issues**

- Given the significant requirements delineated in IDEA ’97 and that there has never been the required federal appropriation to fund the 40% average per pupil expenditure as outlined in the original law, Illinois supports the S 1 provision for full mandatory funding of IDEA.

- While not in HR 1 or S 1, Illinois supports continued funding of the Urgent School Repair, Special Education and Technology line item funding.

- Illinois students and schools continue to need financial resources in order to achieve the highest quality education and become Second to None.

  *Illinois urges the conferees to adopt the higher level of authorization from either HR 1 or S 1 for programs such as Reading First or Early Reading First, and indeed for all of the ESEA programs.*

If you have questions, please contact Gail Lieberman, Illinois State Board of Education Federal Liaison, at 217/782-5053 or Bill Himpler and Scott Barnhart, Barbour Griffith and Rogers, Inc. at 202/333-4936.