Joint Committee Meeting of the Whole
Governmental Relations and Finance & Audit Committees

Wednesday, October 17, 2007
1:30 p.m.

Core Room, Primary Center, 401 North 30th Street,
Mt. Vernon, Illinois

Public Conference Call Access Number: 1-866-297-6391 (listen only);
Confirmation # 1 9 4 3 7 8 0 6

JOINT COMMITTEE AGENDA

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation
4. Minutes of the September Joint Committee Meeting: Finance & Audit Committee/Governmental Relations (pp. 2-6)
5. Legislative Update (Nicole Wills) (pp. 7-31)
6. Legislative Proposals Update (Nicole Wills) (pp. 32-43)
7. P.E. Waiver Policy Discussion (Winnie Tuthill) (pp. 44-56)
8. Budget Process
   a. FY 08 Budget Update (Linda Mitchell & Ronny Wickenhauser) (pp. 57-59)
   b. FY09 Budget Hearings (Linda Mitchell & Ronny Wickenhauser) (pp. 60-61)
9. Contracts & Grants Over $1 Million
   a. Technology Immersion Pilot Project Contract Amendments with Apple & Gateway (pp. 62-63)
      (Connie Wise)
   b. ELL Math Test Development: Federal Grant with University of Wisconsin (pp. 64-65)
      (Connie Wise)
10. Committee Agenda Planning/Additional Items for Finance & Audit Committee
11. Committee Agenda Planning/Additional Items for Governmental Relations Committee
12. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and Board action may be taken in the plenary session.

(End of conference call.)

Budget Hearing
Wednesday, October 17, 2007
4:00 p.m.
Core Room, Primary Center
Mt. Vernon City Schools
401 North 30th Street, Mt. Vernon, Illinois
1. ROLL CALL
   The Joint Committee meeting was called to order at 10:34 a.m.

2. BOARD MEMBER PARTICIPATION BY OTHER MEANS
   NONE

3. PUBLIC PARTICIPATION
   Paula Purdue, lobbyist for the Illinois Association of Health Physical Education Recreation and Dance (IAHPERD), Phyllis Pickett (IAHPERD), Paul Zientarski, Physical Education Department Chairman of Naperville Center High School and Neil Duncan, Physical Education Department Chairman for Glenbard West presented before the committee about learning readiness as a result of physical education. The group spoke on the effects physical education had on student's learning.

4. Minutes of the June Finance and Audit Committee Meeting
   Minutes were approved.

5. Minutes of the June Governmental Relations Committee Meeting
   Minutes were approved.

6. Budget Process
   A. FY08 Budget Update
      Linda Mitchell discussed developments in the FY08 budget process. Ms. Mitchell stated that there has been a lot of activity in the General Assembly regarding the budget, including hearings held by the House throughout the state. She spoke about the issues surrounding the stalled passage of the Budget Implementation Bill (BIMP),
including issues surrounding the calculation of General State Aid and how that might be impacted by what happens or does not happen in the October Veto Session.

B. FY09 Budget Hearings
Linda Mitchell spoke about where and how many budget hearings are setup for fiscal year 2009.

Ronny Wickenhauser asked that the budget hearings be completed by the December board meeting.

7. A-133 Statewide Single Audit
Lisa LaBonte spoke about the A-133 Statewide Single Audit which is required by the federal government. The audit is performed by the Auditor General in conjunction with the public accounting firm KPMG. They only look at major programs in the State taking into account materiality. Such programs are defined as those that exceed $30 million plus in expenditures. Although ISBE has many programs that meet that threshold, ISBE only had three A-133 Audit findings, which was a reduction from ten findings for FY05. For any agency of our size this is quite remarkable.

8. Contract and Grants over $1 million

A. Early Childhood Block Grant Mental Health Consultation and Training Contract
Kay Henderson asked permission for the Superintendent to approve a contract to the Erikson Institute in excess of $1 million for the Early Childhood Mental Health Consultation and Training Project.

After a suggestion from Jesse Ruiz, the Committee voted to allow approval by the Superintendent of contracts up to $2 million rather than “in excess of $1 million” so as to provide a ceiling. The contract will be presented at the plenary session on Thursday.

9. Committee Agenda Planning/Additional Items for Finance & Audit Committee
Dean Clark stated that there would be two things ongoing until January. The FY08 budget update and the FY09 budget hearings. Throughout the year, the committee will be asked to review contracts and grants over $1 million. This is a change from past years in which these grants and contracts were reviewed by function (e.g. Teaching and Learning in Education Policy)

Vinni Hall stated that after the FY09 budget hearings she would like to hear an update about the Illinois Purchasing Network.

Linda Mitchell would like to provide to the board an update on the districts in financial difficulty at a future meeting.
10. RECESS
The Committee recessed at 11:45 for lunch and reconvened at 12:32 p.m.

A presentation was made by Mike Massi (Chair of the Illinois Leadership Council for Agricultural Education), Tannor Spittler (FFA State Reporter) and Marc Schulman, president of The Eli’s Cheesecake Co. and a strong supporter of the Chicago High School for Agricultural Sciences.

The presenters discussed the importance of having an ISBE staff person for agricultural education and the work that those individuals contribute to the field, as well as the revised strategic plan for agricultural education. In addition, comments were made as to the importance of realizing the potential for agricultural education in urban areas. The Chicago High School for Agricultural Sciences has become a model for urban agricultural education with high standards, educational opportunities involving both academic and career opportunities for all students and an educational delivery method focused on agricultural education.

Board members requested that individuals involved in agricultural education assist in the next budget cycle in advocating for funds for agriculture education.

Mr. Massi also stated that agricultural advocates would like to see funds to implement PA 95-0153 (HB 1922) which seeks funding for recruiting and retaining agriculture teachers.

12. Fall Waiver Report (Winnie Tuthill)
Winnie Tuthill presented the Fall 2007 Waiver Report that must be submitted to the General Assembly by October 1. Staff made recommendations for disapproval on 12 waiver requests (seven concerning driver’s education fees, four regarding physical education, and one regarding the Prairie State Achievement Examination).

Superintendent Koch amended the recommendation for the Mundelein School District’s waiver application for a physical education waiver in light of additional information provided after the printing of the Board packet.

The Committee decided to modify the staff recommendation for complete denial of the four PE waiver applications that did not include assessment information to recommend to the General Assembly that they limit the waiver applications to two years instead of five.

Tim Imler from the Funding and Disbursements Division provided comments in response to Board member questions concerning the impact of legislative changes in PA 95-0310, which will require a student to complete all six hours of behind-the-wheel, on-street driving (no use of simulators or range driving) and require a student to hold a driver’s permit for 9 months (instead of 3) before receiving a driver’s license. These changes go into effect July 1, 2008 and January 1, 2008 respectively, and will cost school district’s providing driver’s education.
In light of increased requirements and the $50 fee being over 20 years old, the Board decided to make a recommendation to the General Assembly that limits the waiver applications requesting to exceed $250 to a maximum of a $250 fee.

The Committee amended staff recommendations concerning waiver denials and limitations to be voted on before the full Board. These include:

- A recommendation to limit all waiver application requests for driver's education fees in excess of $250 to a maximum fee of $250. This recommendation would include the waiver applications for Batavia Unit School District 1, McLean County Unit School District 5, Hiawatha Community Unit School District 426, Kaneland Community Unit School District 302, Sterling Community Unit School District 5, Winnebago Community Unit School District 323 and Alton Community Unit School District 11, whom all requested fee increases above $250;

- A recommendation that the waiver request from the Hononegah Community High School District 207 concerning the school attendance schedule during the Prairie State Achievement Exam be denied; and,

- A recommendation for a limitation on the four physical education waiver requests that did not include requested physical education assessment data. The four requests are from the Oregon Community Unit School District 220, Emmons School District 3, Mundelein Elementary School District 75 and El Paso-Gridley Community Unit School District 11 to two years.

13. Legislative Update

HB 3654 - The Grow Your Own Program was flat funded at a $3 million appropriation

SB 143 - The General Assembly increased the ADA Block Grant appropriation by $10 million. The stated purpose of this increase is to allow recognized non-public schools partake of these funds (enacting language for this purpose is in the Budget Implementation (BIMP) bill – HB 471).

SB 446 - The Grow Your Own Program was flat funded at a $3 million appropriation

SB 746 - The Technology Immersion Pilot Program was extended for three years by SB 746 and was flat funded at a $5 million appropriation, though the appropriation appears this year in ISBE's budget instead of the Capitol Development Board's budget.

HR 113 - HR 113 urged funding for the Children's Mental Health Partnership, which was included in the State Board's budget with a $3 million appropriation.

The Board requested that staff look at expanding the legislation chart to determine the fiscal impact on the agency for implementing legislation that does not include appropriation for staffing purposes.
14. NCLB Update (Melina Wright)
In late August/early September, the House education committee released a draft discussion bill regarding NCLB reauthorization. The House has remained adamant that it will release a bill to the House floor by the end of session, which is tentatively scheduled for mid-November. Multiple steps must still be taken before a bill will be ready to be released onto the floor, however. In the Senate, negotiations as to a bill's contents are still ongoing. There has been a lot of discussion on native language assessments and data systems, as well as the call from states for additional funding to implement the NCLB requirements. Superintendent Koch updated the Board on contact he has received from the U.S. Department of Education on his thoughts concerning reauthorization. The Department indicated that they intend to contact the Superintendent again in the future for further discussions.

15. Wellness Goal (PA 94-0199) (Chris Schmitt, Mark Haller, Roxanne Ramage and Shawn Rotherham from the Nutrition Division)

Federal law passed in 2004 required all school participating in programs authorized by the National School Lunch Act have a local school wellness policy in place by the start of the 2006 school year. Then a new State law was passed (PA 94-0199) which required the establishment of a task force on wellness to submit a report to the General Assembly. The legislation required the report be done in three phases: 1) identifying barriers to wellness (report submitted January 2006); 2) recommendations for increasing wellness (report submitted January 2007); and 3) the evaluation component (to be submitted January 2008). The new state law also requires ISBE to establish a goal that all school districts have a wellness policy consistent with recommendations from the CDC. ISBE staff worked with members of the Wellness Policy Task Force, as well as other administrators and field staff to develop the goal that was presented to the Board.

Staff clarified that since approximately 95% of schools participate in the National School Lunch program and already had to have a school wellness policy in place, PA 94-0199 really just focused requirements on the approximate 5% of schools that do not participate in the federal program.

Chairwoman Brenda Holmes requested information from Chris Schmitt with regards to divisional staff capacity as a result of the new state requirements. Chris stated that they are handling the requirements, though increased duties have included increased technical assistance, revising divisional monitoring instruments and working with the Accountability Division to revise the school district compliance probe.

16. Adjournment
The committee adjourned at 2:22 pm with a motion to adjourn by Chris Ward and was seconded by Jesse Ruiz.
TO: Joint Governmental Relations and Finance and Audit Committee

FROM: Christopher A. Koch, Ed.D., State Superintendent

Agenda Topic: Legislative Update

Materials: Summary of active veto session legislation
          Legislative Chart with education-related legislation

Staff Contacts: Nicole Wills, Liaison, Governmental Relations Division

Purpose (s) of Agenda Item
To provide the Board with information on bill action during the fall Veto Session and update Board members on legislative assignments from initiatives that have become law.

Relationship to/Implications for the State Board’s Strategic Plan
None

Expected Outcome(s) of Agenda Item
This information is for discussion purposes only.
### Veto Session Legislation

**HB 4148 – Representative John Bradley**
Amends sections of the School Code concerning special education extraordinary funding by providing that for fiscal year 2008 and each fiscal year thereafter, individual school districts must not receive payments under that Section totaling less than they received for fiscal year 2007. The language requires that ISBE would have to calculate a district’s funds by the formula first. Then the Agency would have to look at any district that would receive less money than it did in the 2006-2007 school year and figure out the additional amount of funds that would be needed when we are putting in the appropriation request.
Passed the House 105-0-0

**HB 4149 – Representative John Bradley**
Makes a supplemental appropriation of $21,000,000 from the General Revenue Fund to the State Board of Education to be used exclusively for school districts that will receive less funding in the 2007-2008 school year as a result of Public Act 93-1022.
Passed the House 105-0-0

**HR 749 – Representative Chapin Rose**
Resolves that the State Board of Education undertake the development of a comprehensive model protocol for school districts to enhance violence response and prevention.
In the House Rules Committee.

**SJR 72 – Senator Kimberly Lightford**
Fall 2007 Waiver Resolution. No language has been added at this time regarding any waivers for denial or limitation.

**HJR 78 – Representative David Miller**
Resolves that it is the intent of the legislature that Public Act 95-241, which became effective on August 17, 2007, does not apply to situations where a board of education contracts only for management or professional expertise and the hourly employees remain school district employees. Public Act 95-241 (HB 1347) sets new requirements for third-party contracting.
Passed the House 104-0-0

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### Legislative Vetoed or Amendatorily Vetoed

**HB 816 – no motion has been filed to override the veto (this legislation was duplicative of SB 396)**

**HB 1559 – no motion has been filed to override the veto (this legislation was a duplicative of SB 1702)**
HB 3654 – no motion has been filed to override the veto (this legislation was a duplicate of SB 446, except for an effective date)

SB 641 – Senator Demuzio filed a motion to override the Governor’s amendatory veto. The Senate voted to override the veto 53-2-0. The amendatory veto must be overridden by the House as well in order for the legislation to become law as passed originally by the General Assembly.

SB 1463 – The Senate voted 42-9-0 to override the Governor’s full veto. The legislation must now go to the House to also be overridden before it can become law.

**Other Legislation**

HB 471 – Education Budget Implementation Bill

- The BIMP has been on the House calendar for a concurrence vote since August 14th, but has yet to be called for a vote on the floor.

SB 785

- Legislation would authorize the state to issue $13 billion in general obligation bonds to be used for public infrastructure purposes. The School Construction Grant Program would be funded with nearly $2 billion spread out over three years. $150 million would be allocated for the 24 school districts on the FY 02 list and $50 million would be made available to school districts for school maintenance grants.
- This legislation passed the Senate 52-3-1 and is in the House Rules committee.

HB 2035

- Legislation authorizes a land-based casino and two additional riverboat casinos as well as expanded gaming positions at the existing riverboats. Receipts from this gaming expansion would be used to fund capital construction projects, education operations, and other state initiatives.
- The House Gaming Committee has scheduled a hearing for Wednesday, October 17th in Chicago to consider this matter.

SB 1110

- Part of the receipts from funds received through the additional gaming expansion in HB 2035 would be used to increase education funding in the State. This legislation would provide an additional $44 million for early childhood education and $259 million more for the General State Aid Formula (which would bring the foundation level up another $166 to $5,900 per student – this is assuming a Budget Implementation bill passes with enacting the $400 foundation level increase already provided by PA 95-0348– the FY 08 operating budget).
- This legislation passed the Senate 58-0-0 and is the House Rules Committee.
This legislation expands several property tax relief provisions that will have an effect on local school districts' tax base. The Governor issued an amendatory veto that, if sustained, makes the 7% cap on equalized assessed value for residential property in Cook County permanent and increases the homeowner exemption cap from $20,000 to $40,000. (The original legislation would allow a three-year extension of the cap and several new and expanded homeowner exemptions statewide.)

The House voted to override the Governor's amendatory veto 92-19-0. The legislation now moves to the Senate.
## 2007 Passed Legislation

<table>
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<tr>
<th>Bill Number</th>
<th>Legislators</th>
<th>Agency Position</th>
<th>Description</th>
<th>Proposed Division Assigned</th>
<th>Appropriation For these purposes In FY 08</th>
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<tr>
<td>HB 18</td>
<td>Representative Lang Senator Lightford</td>
<td>Neutral</td>
<td>This legislation would require each school district to create and maintain a policy on bullying that must be filed with the State Board of Education. The policy must be updated every 2 years and be filed with ISBE after being updated. ISBE is to monitor the implementation of these policies and each school district must communicate its policy on bullying to its students and their parent or guardian on an annual basis.</td>
<td>Accountability</td>
<td>No</td>
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<tr>
<td>HB 223</td>
<td>Representative Linder Senator Holmes</td>
<td>Neutral</td>
<td>This bill allows public and private higher education institutions that have approved teacher education programs to engage pre-service teacher candidates in tutorial services. Additionally, students furnishing tutorial services under this Section may receive compensation for these services while also receiving academic or clinical experience credit or both.</td>
<td>Legal Educator Preparation</td>
<td>No</td>
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<tr>
<td>HB 250</td>
<td>Representative Franks Senator Althoff</td>
<td>Neutral</td>
<td>Amends the Missing Children Records Act by providing that a particular public or private preschool educational program, public or private child care facility, or day care home or group day care home in which a child is enrolled for the first time shall notify in writing the person enrolling the child that within 30 days he must provide either (i) a certified copy of the child's birth certificate or (ii) other reliable proof, as determined by the Department of State Police, of the child's identity and age and an affidavit explaining the inability to produce a copy of the birth certificate. Provides that a preschool educational program, child care facility, or day care home or group day care home must take other actions in relation to children's records. Effective January 1, 2007.</td>
<td>Legal Accountability</td>
<td>No</td>
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<td>HB 258</td>
<td>Representative Smith Senator Koehler</td>
<td>Neutral</td>
<td>Subject to appropriation, the State Board of Education must establish and administer a matching grant program to pay for half of the cost that a school district incurs in training those teachers and other school personnel who express an interest in becoming qualified to administer emergency cardiopulmonary resuscitation or in learning how to use an automated external defibrillator. Grants shall be awarded on a first come first serve basis. Effective January 1, 2007.</td>
<td>Accountability</td>
<td>No</td>
</tr>
<tr>
<td>HB 285</td>
<td>Representative J. Mitchell Senator Noland</td>
<td>Neutral</td>
<td>Effective July 1, 2007, subject to appropriation, the Department of Commerce and Economic Opportunity shall establish and operate a renewable energy grant program to assist school districts in the installation, acquisition, construction, and improvement of renewable energy sources in the public schools. Provides that the grant shall cover 50% of the cost for which the grant is sought, up to a maximum grant of $1,000,000, if the applicant school</td>
<td>School Support – FYI only</td>
<td>No</td>
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district is able to demonstrate that it has funds to pay the other 50% of the cost. Effective July 1, 2007.

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<th>Bill Number</th>
<th>Sponsor</th>
<th>Action</th>
<th>Description</th>
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<tr>
<td>HB 357 PA 95-0053</td>
<td>Representative Chapa LaVia Senator Noland</td>
<td>Support</td>
<td>Extends the sunset on provisions that allow school districts to transfer money from specified funds to another fund for any purpose. Currently, this legislation is set to expire on June 30, 2007 and this legislation would extend the sunset until June 30, 2010.</td>
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<td>HB 425 PA 95-0058</td>
<td>Representative Coulson Senator Schoenberg</td>
<td>Neutral</td>
<td>HB 425 amends the Structural Pest Control Act by making changes a provision concerning economic feasibility of integrated pest management guidelines. Provides that the notification required to be provided to the Department of Public Health of the development and implementation of an integrated pest management program or that the adoption of such program is not economically feasible must be provided within one year after the effective date of the Act and every five years thereafter (instead of on an annual basis). The Department may request copies of a school's or day care center's integrated pest management program plan and notification (instead of inspect schools and day care centers during normal business hours to review integrated pest management program plans and notifications) and offer assistance and training to schools and day care centers on integrated pest management programs (instead of integrated pest management practices).</td>
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<tr>
<td>HB 426 PA 95-0006</td>
<td>Speaker Madigan President Jones</td>
<td>Neutral</td>
<td>Amends the School Code and Election Code by making several changes concerning elections, including that the regular election for school board members will take place at the consolidated election in odd numbered years and at the general primary election in even numbered years. The Election Code has been amended to change the general primary election from the third Tuesday in March to the first Tuesday in February in even-numbered years. (The consolidated election continues to remain on the first Tuesday in April).</td>
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<td>HB 438 PA 95-0198</td>
<td>Representative Pritchard Senator Burzynski</td>
<td>Neutral</td>
<td>Allows districts to provide instruction in gang resistance education and training in all grades K-12. Gang resistance education and training includes educating students about the consequences of gang activity and providing information on cultural sensitivity, personal goal setting, conflict resolution and resisting peer pressure in order to reduce gang activity. Provides that, for purposes of gang resistance education and training, a school board must collaborate with State and local law enforcement agencies. Allows the State Board of Education may assist in the development of instructional materials and teacher training in relation to gang resistance education and training.</td>
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<td>HB 576 PA – 95-</td>
<td>Representative Tryon</td>
<td>Neutral</td>
<td>Sets forth procedures for calculating certain adjustments with respect to the Property Tax Extension Limitation Law.</td>
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<td>Bill Number</td>
<td>Sponsor</td>
<td>Sponsor's Role</td>
<td>Purpose</td>
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<td>HB 724</td>
<td>Representative Dunkin</td>
<td>Neutral</td>
<td>Amends the Private Business and Vocational Schools Act. Removes the dates on which an educational institution must have enrolled a majority of its students in degree programs and maintained an accredited status in order to not be considered to be a private business and vocational school under the Act.</td>
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<td>HB 742</td>
<td>Representative Hamos</td>
<td>Neutral</td>
<td>This legislation amends the Whistleblower Act by expanding the definition of &quot;employer&quot; to include a political subdivision of the State; a unit of local government; a school district, combination of districts, or joint agreement formed by districts; a community college district, State college or university, or State agency primarily providing educational services; an authority, department, division, or other agency of these entities; and a person acting on behalf of an employer in dealing with its employees. Deletes the exception for governmental entities. Also amends the definition of &quot;State&quot;. Makes it unlawful for an employer to knowingly take an adverse action against an employee for disclosing information in a court or administrative hearing, legislative proceeding, or other type of proceeding if the employee has reasonable cause to believe the information discloses a violation of State or federal law or regulation. Provides that the State is preempting home rule units from the exercise of power in this area.</td>
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<td>HB 816</td>
<td>Representative Coulson</td>
<td>Neutral</td>
<td>Currently, when a student who is eligible for special education services reaches the majority age of 18, the rights accorded to the Student's parents under Article 14 transfer to the student. This legislation requires that school district must notify the student and student's parents of the transfer of rights in writing in a meeting convened to discuss the student's individualized education program (IEP) in the year the student turns 17. A transfer of rights shall take place unless the student has been adjudged incompetent by the State, or has voluntarily executed a Delegation of Rights, which would allow the parents or another adult to make decisions concerning the best interests of the child. A student who voluntarily enters into a Delegation of Rights can terminate that document at any time. This legislation also sets forth requirements that must be in the Delegation of Rights. **Identical to SB 396</td>
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<td>HB 817</td>
<td>Representative Coulson</td>
<td>Support</td>
<td>Effective immediately, this legislation would amend the definition of &quot;children with disabilities&quot;, to provide that an eligible student who requires continued public school educational experience to facilitate his or her successful transition and integration into adult life is eligible for special education services through age 21, inclusive, which, for purposes of the Article, means the day before the student's 22nd birthday.</td>
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<td>HB 895</td>
<td>Representative May Martinez</td>
<td>Neutral</td>
<td>Accounting ROE Services</td>
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<td>PA 95-0084</td>
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<td>Senator Martinez</td>
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<td>HB 983</td>
<td>Representative Coulson Schoenberg</td>
<td>Neutral</td>
<td>Budget – FYI</td>
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<td>PA 95-0090</td>
<td>Senator Schoenberg</td>
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<td>HB 1030</td>
<td>Representative Pihos Garrett</td>
<td>Neutral</td>
<td>School Support Special Education Funding Data Systems</td>
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<td>PA 95-0555</td>
<td>Senator Garrett</td>
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<td>HB 1238</td>
<td>Representative Watson Demuzio</td>
<td>Neutral</td>
<td>Funding</td>
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<td>PA 95-0319</td>
<td>Senator Demuzio</td>
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<td>HB 1330</td>
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This legislation creates the Green Cleaning Schools Act by requiring the Illinois Green Government Coordinating Council (IGGCC), in consultation with other agencies, to establish and amend on an annual basis guidelines and specifications for environmentally-sensitive cleaning and maintenance products for use in school facilities.

No later than 90 days after implementation of the guidelines and specifications, all elementary and secondary public and non-public schools with 50 or more students, shall establish a green cleaning policy and exclusively purchase, when economically feasible, and use environmentally-sensitive cleaning products pursuant to the guidelines and specifications, except that a school may deplete its existing cleaning and maintenance supply stocks and implement the new requirements in the procurement cycle for the following school year. A green cleaning policy would be considered not economically feasible if such adoption would result in an increase in the cleaning costs of the school. If a determination is made that such a plan is not economically feasible, then the school must provide annual written notification to the Illinois Green Government Coordinating Council (IGGCC) that the development and implementation of a green cleaning policy is not economically feasible until such time that it is economically feasible. Dissemination of the guidelines and specifications to schools must be done by the IGGCC and Regional Superintendents.

Provides that the definition of “recovered tax value” includes the equalized assessed values recovered upon the termination of a redevelopment project that was established under the Economic Development Project Area Tax Increment Act of 1995.

Effective July 1, 2007, this legislation requires the State Board of Education to issue an annual report (on or before May 1) to the General Assembly and Governor identifying each school district’s special education expenditures; receipts received from State, federal, and local sources; and net special education expenditures over receipts received, if applicable. Provides that expenditures and receipts shall be calculated in a manner specified by the State Board using data obtained from the Annual Financial Report, the Funding and Child Tracking System, and district enrollment information.

This legislation would be effective immediately, it provides that a strobe lamp on a school bus may be lighted at any time when the bus is being used as a school bus and is bearing one or more pupils (rather than only when the bus is stopped or moving very slowly under those circumstances).

Effective immediately, this legislation requires the State Board of Education to

Accountability No
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<tr>
<th>Bill</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>PA 95-0558</td>
<td>Yarbrough, Senator Martinez</td>
<td></td>
<td>Convene an Ensuring Success in School Task Force to develop policies, procedures, and protocols to be adopted by school districts for addressing the educational and related needs of children and youth who are parents, expectant parents, or victims of domestic or sexual violence to ensure their ability to stay in school, stay safe while in school, and successfully complete their education. Sets forth the duties and membership of the task force. Requires the task force to submit a report to the General Assembly on or before January 1, 2009 on its findings, recommendations, and implementation plan. Provides that at least once every 2 years an in-service training program for school personnel who work with pupils must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth.</td>
</tr>
<tr>
<td>HB 1347</td>
<td>Representative Hannig, Senator Harmon</td>
<td>Neutral</td>
<td>Places limitations on districts abilities to enter into third part contracts for non-instructional services. Currently, a district can enter into these contracts if the individual currently performing these duties is given 30 days written notice – this legislation would increase the days notice to 90. This legislation also adds conditions on the entering of such a third party contract, including providing that: including providing that a contract must not become effective during the term of a collective bargaining agreement, providing that a contract may only take effect upon the expiration of an existing collective bargaining agreement (instead of at the beginning of a fiscal year), requiring that a third party contractor submitting a bid must provide evidence of liability insurance and a benefits plan comparable individuals that are already hired by the school district, requiring a list of the number of employees, job classifications and wages for such employees, a minimum 3-year cost projection, composite information about criminal and disciplinary records (including alcohol or other substance abuse, DCFS complaints and investigations, traffic violations, license revocations, other licensure problems, etc), an affidavit signed by the president or CEO of the third party that all employees have completed a background check within 3 months prior to the submission of the bid; providing for an exception to the requirement that the review and consideration of bids take place in open session of a regularly scheduled school board meeting, providing for a minimum of one hearing to discuss the school board’s proposal to contract with a third party to perform the non-instructional services, and changing when the notice of the hearing must be provided. A school district will also only be able to enter into a third party contract if the contractor to offer available employee positions to school district employees whose employment is terminated because of the contract.</td>
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<tr>
<td>PA 95-0247</td>
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</table>
A board of education may enter into a contract, of no longer than 3 months in duration, with a third party for non-instructional services currently performed by an employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation that threatens the safety or health of the school district’s students or staff. Should this legislation become law, the changes made by the amendatory Act are not applicable to non-instructional services of a school district that on the effective date of the amendatory Act are performed for the school district by a third party.

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<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Sponsor Type</th>
<th>Category</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB 1363</td>
<td>Representative Brauer</td>
<td>Neutral</td>
<td>Special Education Certification</td>
<td>Provides that, subject to appropriations for this purpose, the State Board of Education shall provide grants to the Illinois School Psychology Internship Consortium for aid in providing training programs and facilitating interns to improve the educational and mental health services of children in this State.</td>
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<tr>
<td>PA 95-0102</td>
<td>Senator Bomke</td>
<td>Neutral</td>
<td>No</td>
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<tr>
<td>HB 1559</td>
<td>Representative Pritchard</td>
<td>Neutral</td>
<td>Legal Accountability</td>
<td>Sets forth policy requirements for school districts that collect biometric information, including providing for written permission; the discontinuation of use of the information; the destruction of the information following the discontinuation of use; allowed use of the information; a prohibition on the sale, lease, or other disclosure of the information; and the storage, transmittal, and protection of the information. Provides that the failure to provide written consent for the collection of biometric information shall not be the basis for refusal of any services otherwise available to the student. * This legislation is identical to SB 1702.</td>
</tr>
<tr>
<td>Vetoed 8/17/07</td>
<td>Senator Lightford</td>
<td>Neutral</td>
<td>No</td>
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<tr>
<td>HB 1562</td>
<td>Representative Washington</td>
<td>Neutral</td>
<td>School Support – FYI</td>
<td>Provides that the tort immunity tax that school boards and local public entities are authorized to levy for certain purposes may also be levied for the purpose of paying judgments and settlements under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and the Environmental Protection Act. Deletes everything after the enacting clause. Reinserts the contents of the bill as introduced with the following changes. This tax allowance applies only until December 31, 2010.</td>
</tr>
<tr>
<td>PA 95-0244</td>
<td>Senator Link</td>
<td>Neutral</td>
<td>No</td>
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<tr>
<td>HB 1647</td>
<td>Representative Phios</td>
<td>Neutral</td>
<td>Educator Preparation</td>
<td>This bill, beginning July 1, 2008, requires that individuals with a Type 73 School Service Personnel certificate must have 80 hours of continuing professional development in order to renew the certificate every five years. The legislation sets forth the requirements and procedures for renewal, including requiring the completion and the types of activities that can be completed for professional development. The process for renewal and the types of professional development required for certificate renewal under this legislation are similar to provisions already established for teacher’s professional development. The bill also provides for exceptions for individuals who (1) hold an active license issued by the State as a clinical professional</td>
</tr>
<tr>
<td>PA 95-0592</td>
<td>Senator Cronin</td>
<td>Neutral</td>
<td>No</td>
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counselor, a professional counselor, a clinical social worker, a social worker, or a speech-language pathologist; (ii) holds national certification as a Nationally Certified School Psychologist from the National School Psychology Certification Board; (iii) is nationally certified as a National Certified School Nurse from the National Board for Certification of School Nurses; (iv) is nationally certified as a National Certified Counselor or National Certified School Counselor from the National Board for Certified Counselors; or (v) holds a Certificate of Clinical Competence from the American Speech-Language-Hearing Association. These individuals shall be deemed to have satisfied the continuing professional development requirement.

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<tr>
<th>Bill Number</th>
<th>Sponsor Information</th>
<th>Status</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB 1648</td>
<td>Representative J. Mitchell, Senator Demuzio</td>
<td>Support</td>
<td>Amends the School Code and the Board of Higher Education Act by creating the Illinois P-20 Council to study and make recommendations concerning education at all levels, with the goal of avoiding fragmentation of policies, promoting improved teaching and learning, and the cultivation and demonstration of strong accountability and efficiency. Includes provisions concerning membership, funding, staffing, duties, and working groups. Abolishes the Joint Education Committee on the effective date of the amendatory Act.</td>
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<tr>
<td>PA 95-0626</td>
<td>Assistant Superintendent for Teaching and Learning and CTE</td>
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<td>(to be assigned to particular divisions once more is learned about the Council)</td>
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<tr>
<td>HB 1651</td>
<td>Representative Eddy, Senator Demuzio</td>
<td>Neutral</td>
<td>Slightly amends Section 10-22.22b of the School Code to remove a provision that the Regional Superintendent has to be referenced on a school deactivation or reactivation notice.</td>
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<tr>
<td>PA 95-0110</td>
<td>School Support</td>
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<td>Legal ROE Services</td>
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<td></td>
<td>No</td>
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<tr>
<td>HB 1839</td>
<td>Representative Joyce, Senator Delgado</td>
<td>Support</td>
<td>This legislation provides that an approved waiver from or modification to a physical education mandate may remain in effect for a period not to exceed 2 (instead of 5) school years and may be renewed no more than 2 times upon application by the eligible applicant (now there is no limit on the number of renewals).</td>
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<tr>
<td>PA 95-0223</td>
<td>Legal</td>
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<td></td>
<td>No</td>
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<tr>
<td>HB 1847</td>
<td>Representative Phelps, Senator Demuzio</td>
<td>Neutral</td>
<td>Effective immediately, this legislation with respect to the deactivation of school facilities, sets forth how the positions at the school facilities being deactivated that are held by educational support personnel employees at the time of the deactivation are to be transferred to the control of the board or boards that will be receiving the district's students. With respect to the formation of a new school district or districts, a school district or districts that annex all of the territory of one or more entire other school districts, or a</td>
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<tr>
<td>PA 95-0148</td>
<td>Legal School Support</td>
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school district receiving students from a deactivated school facility, provides that lists of the educational support personnel employed in the individual districts for the school year immediately prior to the effective date of the new district or districts, annexation, or deactivation shall be combined for the districts forming the new district or districts, for the annexed and annexing districts, or for the deactivating and receiving districts, as the case may be. It also provides that if there are more full-time educational support personnel employees on the combined list than there are available positions in the new, annexing, or receiving school district, then the employing school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service within the respective category of position, and the employment and position of each educational support personnel employee on the combined list not so removed or dismissed shall be transferred to the new, annexing, or receiving school board. With respect to a school district conversion or multi-unit conversion, sets forth how the positions held by educational support personnel employees are to be transferred.

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<th>Bill Details</th>
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<th>Rating</th>
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<tr>
<td>HB 1872</td>
<td>Represent. Nekritz, Sen. Garrett</td>
<td>Neutral</td>
<td>This legislation repeals a section concerning school boards canvassing after elections, and provides that in the designation of the name of a school board candidate on a petition for nomination, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof may be used in addition to the candidate's surname. Provides that if a candidate has changed his or her name within 3 years before the last day for filing the petition, then (i) the candidate's name on the petition must be followed by “formerly known as (list all prior names during the 3-year period) until name changed on (list date of each such name change)” and (ii) the petition must be accompanied by the candidate's affidavit stating the candidate's previous names during the period specified in clause (i) and the date or dates each of those names was changed. Provides that these requirements do not apply to name changes resulting from adoption to assume an adoptive parent's or parents' surname, marriage to assume a spouse's surname, or dissolution of marriage or declaration of invalidity of marriage to assume a former surname. No other designation, such as a political slogan, title or degree, or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname.</td>
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<tr>
<td>PA 95-0141</td>
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<tr>
<td>HB 1877</td>
<td>Represent. Sommer, Sen. Garrett</td>
<td>Neutral</td>
<td>Effective immediately, in school districts other than the Chicago school district, this legislation amends the Section that lays out provisions for sick leave by allowing sick leave for birth, adoption, or placement for adoption for full-time teachers.</td>
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<td>PA 95-0151</td>
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</table>
| **HB 1910** | **Representative Pritchard**  
| **PA 95-0152** | **Senator Garrett** | **Neutral** | This piece of legislation would allow a school district to claim a full day of attendance in instances where the district must dismiss one or more of its school buildings due to a condition which is beyond its control. In order to be able to do this, the school must have provided at least one hour of instruction. The statute (105 ILCS 5/18-12) currently provides that if a district releases all school buildings due to unforeseen weather conditions or a hazardous threat to the students, the school district will not be penalized as long as one hour of instruction has been provided. House Bill 1910 is being proposed because there are certain circumstances beyond the districts control that may only impact one building (for instance a boiler might break in one building). Currently there is an incentive to dismiss the entire district in order to be able to count all students present for a full day of attendance. This change would allow the one building that has the unforeseen condition to release its students without being assessed an attendance penalty as long as one hour of instruction has been provided. Legislative lists it's effective July 1, 2007, but since the bill was signed August 14, 2007, that date becomes the effective date. | **Funding** | **No** |
| **HB 1922** | **Representative Moffitt**  
| **PA 95-0153** | **Senator Sullivan** | **Support - ISBE Initiative** | Subject to appropriation, HB 1922 requires the State Board of Education to develop an agricultural science teacher training continuum and to provide incentive funding grants to the agriculture education teacher education programs located at Illinois State University, Southern Illinois University, the University of Illinois, and Western Illinois University. Public community colleges that provide an articulated agriculture science teacher education course of study are also eligible for funding. The legislation lays out the parameters by which universities and community colleges receiving funds would be able to utilize those dollars. | **Career Development** | **No** |
| **HB 1964** | **Representative Berrios**  
<p>| <strong>PA 95-0155</strong> | <strong>Senator Martinez</strong> | <strong>Neutral</strong> | HB 1964 requires that school districts must adopt a plan to have a summer food service program before February 15, 2008, if that district has at least 50% of the students eligible for free and reduced price lunch and is operating summer school. The summer food service program under these provisions must be implemented during the summer of 2008. The legislation also contains an op-out provision for participation in the summer food service program, if the expense reimbursement would not fully cover the costs of implementing the program. Districts would have to petition the regional superintendent by January 15th to request an exemption for participation. Sets up procedures and timelines for the opt-out. | <strong>Nutrition</strong> | <strong>No</strong> |</p>
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<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Status</th>
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<tbody>
<tr>
<td>HB 1969</td>
<td>Representative Bruer, Senator Bomke</td>
<td>Neutral</td>
<td>Special legislation for the Rochester Community Unit School District, Prairie Grove Consolidated School District and Prairie Hill Community Consolidated School District. Allows these districts to issue bonds under certain conditions, including referenda approval. Provides that the debt incurred on the bonds will not be considered indebtedness for purposes of any statutory debt limitation.</td>
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<td>PA 95-0594</td>
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<tr>
<td>HB 2787</td>
<td>Representative W. Davis, Senator Delgado</td>
<td>Neutral</td>
<td>Subject to appropriation, provides that funding for civic education professional development for high school teachers must be provided by line item appropriation made to the State Board of Education for that purpose. Requires the State Board of Education to provide this funding to each regional superintendent of schools based on high school enrollment as reported on the State Board of Education's most recent fall enrollment and housing report, except provides that 20% of each annual appropriation must be reserved for the Chicago school district. Provides that in order to establish eligibility for one or more of its schools to receive funding, a school district shall submit to its regional superintendent an application, accompanied by a completed civic audit, for each school. Each regional superintendent shall award funds to a district based on the number of teachers identified by the district to receive professional development multiplied by $250. The civic audit form and its content must be designed and updated as deemed necessary by the Illinois Civic Mission Coalition, data from completed civic audits must be processed by the Illinois Civic Mission Coalition, and the civic audit must be made available by the Illinois Civic Mission Coalition and must be designed to provide teachers and principals with a blueprint to better understand how current curriculum, service learning, and extracurricular activities are providing civic learning experiences for their students.</td>
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<tr>
<td>PA – 95-0225</td>
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<tr>
<td>HB 3327</td>
<td>Representative Beaubien, Senator Holmes</td>
<td>Neutral</td>
<td>Currently, Section 27-17 of the School Code provides that public schools in Illinois may teach safety education to students in all grades. In this section, the definition of safety education includes automobile safety, and that provision is being amended by HB 3327 to include the operation of a vehicle while consuming alcohol. Effective upon becoming law.</td>
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<tr>
<td>PA 95-0168</td>
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<tr>
<td>HB 3624</td>
<td>Representative Lang, Senator</td>
<td>Neutral</td>
<td>Requires each school bus shall display at the rear of the bus a visible and readable sign, indicating the telephone number of the owner of the school bus, and indicating that the number is to be called to report erratic driving by</td>
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<tr>
<td>PA 95-0176</td>
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Silverstein

the school bus driver. The owner of each school bus shall establish procedures for accepting these calls and for taking complaints. The procedures shall include, but not be limited to: an internal investigation of the events that led to each complaint; and a report to the complaining party on the results of the investigation and the action taken, if any. Effective January 1, 2008

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<tr>
<th>Bill</th>
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</thead>
<tbody>
<tr>
<td>HB 3654</td>
<td>Representative Golar, Senator Martinez</td>
<td>Support</td>
<td>This bill amends the Grow Your Own Teacher Education Act by making several essentially technical revisions aimed at facilitating the implementation of the underlying intent. Several of these changes serve to clarify that eligibility for participation in the program is limited to those schools that both serve a significant percentage of low-income students and are hard to staff. Another technical change is a revision to the definition of “hard-to-staff school” to match the current language of ISBE’s rule. Makes changes concerning expenditures under the Initiative with regard to requests to waive the teaching obligation or to defer repayment, the way grants are awarded to provide the required support for a cohort of candidates, and what a program budget must include. Provides that grant funds may be used by any member of a consortium to offset the costs of child care and other direct expenses that are necessary to permit candidates to maintain their class schedules. ***This is a twin bill to SB 446</td>
<td>Certification&lt;br&gt;Legal&lt;br&gt;GYO was flat funded at $3M</td>
</tr>
<tr>
<td>HB 3920</td>
<td>Speaker Madigan, Senator Trotter</td>
<td>Neutral</td>
<td>Makes FY 08 appropriations and reappropriations. This legislation is the one-month budget and is repealed on August 1, 2008.</td>
<td>Budget&lt;br&gt;No</td>
</tr>
<tr>
<td>SB79</td>
<td>Senator Garrett, Representative Bellock</td>
<td>Neutral</td>
<td>Effective January 1, 2008, this legislation would require that when IEP’s are developed for students with a disability on the autism spectrum, the IEP team shall consider certain factors outlined in the legislation. Provides that consideration of these factors must not be construed to require or mandate any specific services.</td>
<td>Special Education&lt;br&gt;Legal&lt;br&gt;No</td>
</tr>
<tr>
<td>SB122</td>
<td>Senator Garrett, Representative Bellock</td>
<td>Oppose</td>
<td>Effective immediately, the bill adds school counselor and school counselor intern to the list of professions included in the definition of &quot;professional worker&quot; in Section 14-1.10 of the School Code.</td>
<td>Funding&lt;br&gt;Special Education&lt;br&gt;No</td>
</tr>
<tr>
<td>SB143</td>
<td>Senator Collins, Representative Brosnahan</td>
<td>Neutral</td>
<td>Amends Section 2-3.25o [105 ILCS 5/2-3.25o] to create subsection (c-5) to require non-public elementary and secondary schools seeking registration and/or recognition from ISBE after July 1, 2007 to comply with criminal history records information (&quot;CHRI&quot;) checks provisions for employees and contractors with public schools found in Section 10-21.9 [105 ILCS 5/10-21.9]. Non-public schools that fail to comply will be prohibited from attaining recognition</td>
<td>Accountability&lt;br&gt;Legal&lt;br&gt;The GA stated that the increase of $10M in the ADA Block</td>
</tr>
<tr>
<td>Bill</td>
<td>Sponsor</td>
<td>Author</td>
<td>Status</td>
<td>Effective immediately, this legislation provides that each school district in the State shall have in place, by January 1, 2008, a policy to ensure that the school bus driver is the last person leaving every school bus and that no passenger is left behind or remains on the vehicle at the end of a route, a work shift, or the work day. Establishes requirements for the policy.</td>
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<tr>
<td>SB 166</td>
<td>Senator Collins</td>
<td>Neutral</td>
<td>Grant</td>
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<tr>
<td>PA 95-0260</td>
<td>Representative Brosnahan</td>
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<tr>
<td>SB 172</td>
<td>Senator Cullerton</td>
<td>Neutral</td>
<td>Grant</td>
<td>This is the Secretary of State's initiative concerning graduated driver's licenses that makes various changes to drivers education requirements, instruction permits for minors; curfews for drivers under a specific age; the number of passengers under a specified age allowed in a vehicle driven by a newly licensed driver under a certain age; the use of seat safety belts; the use of wireless telephones by graduated driver's under age 21 under specified circumstances; required appearances before the presiding judge with a parent or guardian under specified circumstances; vehicle impoundment for drivers arrested for street racing; and other matters.</td>
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<tr>
<td>PA 95-0310</td>
<td>Representative D'Amico</td>
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<tr>
<td>SB 241</td>
<td>Senator Trotter</td>
<td>Neutral</td>
<td>Budget</td>
<td>Contains language for the FY 2007 Supplemental Appropriations Bill.</td>
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<td>PA 95-0270</td>
<td>Representative Hannig</td>
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<tr>
<td>SB 306</td>
<td>Senator Link</td>
<td>Neutral</td>
<td>Certification</td>
<td>Amends the School Code with respect to the Alternative Teacher Certification program by providing that a provisional alternative teaching certificate may be issued to an applicant who has attained at least a cumulative grade average of a &quot;B&quot; if the individual is assigned either to a school district that has not met the annual measurable objective for highly qualified teachers required by the Illinois Revised Highly Qualified Teachers (HQT) Plan or to a school district whose data filed with the State Board of Education indicates that the district's poor and minority students are taught by teachers who are not highly qualified at a higher rate than other students (instead of just if the applicant has been employed for a period of at least 5 years in an area requiring application of the individual's education). The assignment may be made only if the district superintendent and the exclusive bargaining representative of the district's teachers, if any, jointly agree to permit the assignment. Effective immediately.</td>
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<tr>
<td>PA – 95-0270</td>
<td>Representative Franks</td>
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<td>SB 308</td>
<td>Senator Sullivan</td>
<td>Neutral</td>
<td>No One</td>
<td>Provides that the Department of Transportation shall evaluate, fund, and repair within the right-of-way the entrances to public educational facilities that border State highways.</td>
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<td>PA 95-0271</td>
<td>Representative Tracy</td>
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<tr>
<td>SB 395</td>
<td>Senator Frerichs</td>
<td>Neutral</td>
<td>Educator Preparation - FYI</td>
<td>Requires that curriculum in all State universities shall contain instruction in safety education (as defined in 5/27-17 of the School Code) for teachers (rather than an elective course of instruction in safety education for teachers, comprising at least 48 fifty-minute periods or the equivalent thereof) and that this instruction must be appropriate to the grade level of the teaching</td>
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<tr>
<td>PA 95-0371</td>
<td>Representative Jakobsson</td>
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</tbody>
</table>
Currently, when a student who is eligible for special education services reaches the majority age of 18, the rights accorded to the Student's parents under Article 14 transfer to the student. This legislation requires that school district must notify the student and student's parents of the transfer of rights in writing in a meeting convened to discuss the student's individualized education program (IEP) in the year the student turns 17. A transfer of rights shall take place unless the student has been adjudged incompetent by the State, or has voluntarily executed a Delegation of Rights, which would allow the parents or another adult to make decisions concerning the best interests of the child. A student who voluntarily enters into a Delegation of Rights can terminate that document at any time. This legislation also sets forth requirements that must be in the Delegation of Rights.

**Identical to HB 816**

This legislation contains two ISBE proposals.

The first part of the legislation brings Illinois law into compliance with the reauthorization of the Individuals with Disabilities Education Act (IDEA) of 2004. IDEA 2004 created the National Instructional Material Accessibility Standard (NIMAS) which requires all requestors of materials for the visually impaired to have textbook publishers (published after August, 2006) provide material in a standardized electronic format which would be filed with the National Instructional Material Access Center (NIMAC). The proposed changes will improve the availability and timely delivery of print instructional materials in accessible formats to students who are blind or have other print disabilities in elementary schools and secondary schools.

The second part changes the Special Education Personnel Reimbursement calculation for a full school year term to 180 days instead of the current 185. Per Section 10-19 a public school district must prepare a regular term school calendar for 185 days to insure 176 of actual pupil attendance. The 185 day calendar includes 5 emergency days which are amended out of the majority of most public school calendars at the end of the year if they are unused. Section 18-12 stipulates that all districts must have a minimum calendar of 180 days or a General State Aid penalty will be assessed. However, the language in Section 14-3.01 stipulates that when filling out information for special education personnel reimbursement, the district base it on 185 days. In the instruction manual the State Board produces, The proposed change in
Section 14-13.01 will clarify the regular school term as 180 days. This change will alter the Special Education Personnel Reimbursement calculation for a full school year to 180 days instead of the current 185 days. Districts are required to set a school calendar at 185 (which allows for 5 emergency days), but the minimum school term is 180 days. Currently, districts are being penalized reimbursement because the formula is based on the 185 days.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Senator</th>
<th>Representative</th>
<th>Committee</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>SB398 PA 95-0313</td>
<td>Demuzio</td>
<td>Lang</td>
<td>Support</td>
<td>Subject to appropriation, this legislation allows reimbursement for the costs of educating a disabled student who is placed residentially by a State agency or the courts for care or custody, welfare, medical or mental health treatment, rehabilitation, and protection, provides that it is the intent of that provision that school districts be reimbursed for the eligible costs of educating all disabled students residentially placed by a State agency or the courts or placed and paid for by a State agency for any of the reasons listed. Provides that reimbursements under the provision shall first be provided for claims made for the 2007-2008 school year payable in fiscal year 2008. Effective immediately.</td>
</tr>
<tr>
<td>SB 423 PA 95-0004</td>
<td>Sandoval</td>
<td>Hernandez</td>
<td>Support</td>
<td>Allows the respective school boards of Berwyn North School District 98, Berwyn South School District 100, Cicero School District 99, and J.S. Morton High School District 201 to withdraw from the jurisdiction and authority of the trustees of schools of Cicero Township and the township treasurer, provided that the school board elects or appoints its own school treasurer. Effective immediately.</td>
</tr>
<tr>
<td>SB 424 PA 95-0299</td>
<td>Delgado</td>
<td>Winters</td>
<td>Neutral</td>
<td>This bill provides that the school board of a school district that maintains any of grades 9 through 12 is authorized to adopt a policy under which a student enrolled in grade 7 or 8 who is enrolled in the unit school district or would be enrolled in the high school district upon completion of elementary school, whichever is applicable, may enroll in a high school course required to receive a high school diploma under certain conditions. Provides that a school board that adopts such a policy must grant academic credit to an elementary school student who successfully completes the high school course, and that credit shall satisfy the high school graduation requirements. Contains provisions concerning transferring students. Provides that a student's grade in any course successfully completed under these provisions must be included in his or her grade point average in accordance with the school board's policy for making that calculation. Effective immediately.</td>
</tr>
<tr>
<td>SB 446 PA 95-0476</td>
<td>Martinez</td>
<td>Golar</td>
<td>Support</td>
<td>This bill amends the Grow Your Own Teacher Education Act by making several essentially technical revisions aimed at facilitating the implementation of the underlying intent. Several of these changes serve to clarify that eligibility for participation in the program is limited to those schools that both</td>
</tr>
</tbody>
</table>
serve a significant percentage of low-income students and are hard to staff. Another technical change is a revision to the definition of “hard-to-staff school” to match the current language of ISBE’s rule. Makes changes concerning expenditures under the Initiative with regard to requests to waive the teaching obligation or to defer repayment, the way grants are awarded to provide the required support for a cohort of candidates, and what a program budget must include. Provides that grant funds may be used by any member of a consortium to offset the costs of child care and other direct expenses that are necessary to permit candidates to maintain their class schedules.

***This is a twin bill to HB 3654

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<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Sponsor's Party</th>
<th>Status</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 505</td>
<td>Senator Cullerton</td>
<td>Support</td>
<td>School Support</td>
<td>Amends the School Construction Law. Provides that with respect to those school construction projects for which a school district first applies for a grant on or after July 1, 2007, the school construction project must receive certification from the United States Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System or the Green Building Initiative's Green Globes Green Building Rating System or must meet green building standards of the Capital Development Board and its Green Building Advisory Committee. Effective July 1, 2007.</td>
</tr>
<tr>
<td>PA 95-0416</td>
<td>Representative Winters</td>
<td>Support</td>
<td>School Support</td>
<td></td>
</tr>
<tr>
<td>SB 538</td>
<td>Senator Raoul</td>
<td>Neutral</td>
<td>Accountability Career Development No</td>
<td>Effective July 1, 2007, this legislation encourages school boards to allow community organizations to use school facilities during non-school hours. Provides that if a school board allows a community organization to use school facilities during non-school hours, the board must adopt a formal policy governing the use of school facilities by community organizations during non-school hours. Provides that the policy shall prohibit such use if it interferes with any school functions or the safety of students or school personnel or affects the property or liability of the school district.</td>
</tr>
<tr>
<td>PA 95-0308</td>
<td>Representative W. Davis</td>
<td>Neutral</td>
<td>Accountability Career Development No</td>
<td></td>
</tr>
<tr>
<td>SB 543</td>
<td>Senator Raoul</td>
<td>Neutral</td>
<td>Data Analysis Accountability Early Childhood Legal No</td>
<td>This bill requires a person having custody or control of a child who is below the compulsory school age and who is enrolled in kindergarten in a public school to cause the child to attend the public school.</td>
</tr>
<tr>
<td>PA 95-0417</td>
<td>Representative Graham</td>
<td>Neutral</td>
<td>Data Analysis Accountability No</td>
<td></td>
</tr>
<tr>
<td>SB 641</td>
<td>Senator Demuzio</td>
<td>Neutral</td>
<td>Data Analysis Accountability No</td>
<td>Effective January 1, 2008, this legislation provides that all children enrolling in kindergarten on or after the effective date of the amendatory Act and any student enrolling for the first time on or after the effective date of the amendatory Act in a public, private, or parochial school shall have an eye examination. Provides that each of these children shall present proof of having been examined within the previous year by a physician licensed to practice medicine in all of its branches or a licensed optometrist before</td>
</tr>
</tbody>
</table>
### October 15th of the school year.

Provides that if the child fails to present proof by October 15th, the school may hold the child’s report card until one of the following occurs: (i) the child presents proof of a completed eye examination or (ii) the child presents proof that an eye examination will take place within 60 days after October 15th. Requires the Department of Public Health to establish a waiver for children who show an undue burden or a lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or to a licensed optometrist. Adds eye examinations to certain provisions that currently apply to health and dental examinations, including exemption from the examination on religious grounds. Provides that physicians licensed to practice medicine in all of its branches and licensed optometrists shall perform all eye examinations. Provides that every school shall report to the State Board of Education by June 30 the number of children who have received the required eye examination.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Sponsor</th>
<th>Author</th>
<th>Category</th>
<th>Funding and Disbursements</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 665</td>
<td>Senator Koehler</td>
<td>Representative Schock</td>
<td>Neutral</td>
<td>Amends the Criminal code of 1961 to provide that electronic records (including, but not limited to, a motion picture, videotape, digital or other visual or audio recording) may be made of the interior of a school bus when used to transport students to and from school and school sponsored activities if the school board has adopted a policy authorizing recording, such policy is included in the student handbook, notice of the policy is provided to parents and notice of such recording is clearly posted on the door and inside the school bus. Such recordings may only be used by school officials and law enforcement personnel for investigations, school disciplinary actions and hearings, proceedings under the Juvenile Court Act and criminal prosecutions related to incidents occurring in or around the school bus.</td>
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<tr>
<td>PA 95-0352</td>
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<tr>
<td>SB 746</td>
<td>Senator Demuzio</td>
<td>Representative Smith</td>
<td>Neutral</td>
<td>Extends the technology immersion pilot project established by the State Board of Education for another 3 years. Extends the repeal of provisions concerning the technology immersion pilot project to August 31, 2010 (instead of August 31, 2007).</td>
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<tr>
<td>PA – 95-0387</td>
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<tr>
<td>SB 841</td>
<td>Senator Munoz</td>
<td>Representative Mendoza</td>
<td>Neutral</td>
<td>This legislation amends the College and Career Success for All Students Act. Subject to appropriation, it requires the State Board of Education to create, under the College and Career Success for All Students program, a program in public schools where at least 40% of students qualify for free or reduced-price lunches whereby fees charged by the College Board for Advanced Placement exams are waived by the school, but paid for by the State, for those students who do not qualify for a fee waiver provided by federal funds or the College Board.</td>
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<tr>
<td>PA 95-0491</td>
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<tr>
<td>SB 843</td>
<td>Senator Noland</td>
<td>Representative</td>
<td>Neutral</td>
<td>Effective immediately, school districts and community college districts may own and operate wind generation turbine farms that directly or indirectly</td>
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<tr>
<td>Bill Number</td>
<td>Sponsor</td>
<td>District</td>
<td>Description</td>
<td>Key Areas</td>
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<tr>
<td>PA 95-0390</td>
<td>Moffitt</td>
<td></td>
<td>reduce energy or other operating costs and may ask for the assistance of any State agency in obtaining financing options.</td>
<td></td>
</tr>
<tr>
<td>SB 850</td>
<td>Senator Halvorson Representative Dugan</td>
<td>Neutral</td>
<td>Allows, if the county board deems proper, reasonable expenses of the regional superintendent of schools to administer life-skills programs related to the healthy social and emotional development of children.</td>
<td></td>
</tr>
<tr>
<td>SB 853</td>
<td>Senator Maloney Representative Black</td>
<td>Neutral</td>
<td>With respect to the high school equivalency testing program, provides that an individual is eligible to apply if he or she is a person who is 17 (instead of 18) years of age or older and is not a high school graduate (instead of is not a high school graduate, but whose high school class has graduated). Lays out provisions for providing sufficient proof of residence and acceptable identification. Makes a change concerning who is eligible to apply for a high school equivalency certificate upon showing evidence that he or she has successfully completed the high school level General Educational Development Tests.</td>
<td></td>
</tr>
<tr>
<td>SB 937</td>
<td>Senator Halvorson Representative Coulson</td>
<td>Neutral</td>
<td>Makes several changes to the State Employees Group Insurance Act of 1971, the Counties Code, the Illinois Municipal Code, the School Code, the Illinois Insurance Code, the Health Maintenance Organization Act, and the Voluntary Health Services Plans Act. In the School Code, changes include requiring that all children in Illinois shall have a health examination upon entering the sixth grade of any public, private, or parochial school. Provides that beginning August 1, 2007, the Department of Public Health must provide all female students who are entering sixth grade and their parents or legal guardians written information about the link between HPV and cervical cancer and the availability of a HPV vaccine. Provides that the Director of Public Health shall prescribe the content of the information about HPV. Requires the Department of Public Health to adopt emergency rules to the extent necessary to administer the Department's responsibilities under these provisions.</td>
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</tr>
<tr>
<td>SB 1165</td>
<td>Senator Demuzio Representative Eddy</td>
<td>Neutral</td>
<td>Repeals several obsolete and duplicative provisions of the School Code.</td>
<td></td>
</tr>
<tr>
<td>SB 1183</td>
<td>Senator Harmon Representative Jakobsson</td>
<td>Neutral</td>
<td>Amends the Local Government Energy Conservation Act, the School Energy Conservation and Saving Measures Article of the School Code, the Public University Energy Conservation Act, and the Public Community College Act. Provides that a unit of local government may enter into any type of agreement, in addition to an installment payment contract or lease purchase</td>
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</tbody>
</table>
agreement, with specified persons for the "funding or financing" of the purchase and installation (instead of only the "purchase and installation") of energy conservation measures. In the School Code Article concerning energy conservation and saving measures, makes changes to the definitions of "energy conservation measure" and "request for proposals", along with certain requirements with respect to a request for proposals. Provides that a licensed architect or registered professional engineer evaluating a proposal must not have any financial or contractual relationship with a qualified provider or other source that would constitute a conflict of interest and that contracts let or awarded must be published in the next available subsequent Illinois Procurement Bulletin.

Each contract or agreement shall be authorized by official action (instead of by resolution) of the unit of local government's governing body.

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Senator/Representative</th>
<th>Sponsorship</th>
<th>Description</th>
<th>Legal Accountability</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 1428</td>
<td>Senator Sandoval</td>
<td>Support</td>
<td>This legislation amends the Abused and Neglected Child Reporting Act by adding members of a school board, the Chicago Board of Education, or the governing body of a private school as mandated reporters only to the extent required in accordance with other provisions expressly concerning the duty of school board members to report suspected child abuse if such an allegation is raised to a school board member during the course of a school board meeting. Effective immediately.</td>
<td>No</td>
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<tr>
<td>PA 95-0461</td>
<td>Representative Hernandez</td>
<td></td>
<td></td>
<td>Legal Accountability Certification Educator Preparation</td>
<td></td>
</tr>
<tr>
<td>SB 1463</td>
<td>Senator Lightford</td>
<td>Neutral</td>
<td>Amends the Silent Reflection and Student Prayer Act to require (instead of allow) a teacher to observe a brief period of silence at the opening of every school day with the participation of all pupils assembled.</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Vetoed 8/28/07</td>
<td>Representative Will Davis</td>
<td></td>
<td></td>
<td>Curriculum Accountability</td>
<td></td>
</tr>
<tr>
<td>SB 1472</td>
<td>Senator Kotowski</td>
<td>Neutral</td>
<td>Effective immediately, each school may adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12. Sets forth recommendations regarding minimum hours of instruction and curriculum topics. Provides that a school may submit the curriculum for review to the Office of the Attorney General.</td>
<td>No</td>
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<tr>
<td>PA 95-0509</td>
<td>Representative Miller</td>
<td></td>
<td></td>
<td>Legal Accountability</td>
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<tr>
<td>SB 1474</td>
<td>Senator Lightford</td>
<td>Neutral</td>
<td>Authorizes the Chicago Board of Education and the exclusive representative of the school district's teachers to enter into an agreement to establish alternative procedures for teacher evaluation, remediation, and removal for cause after remediation.</td>
<td>No</td>
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<tr>
<td>PA 95-0510</td>
<td>Representative Currie</td>
<td></td>
<td></td>
<td>Legal Accountability</td>
<td></td>
</tr>
<tr>
<td>SB 1557</td>
<td>Senator Frerichs</td>
<td>Neutral</td>
<td>Effective immediately, this legislation requires a driver education course to include classroom instruction on distracted driving as a major traffic safety issue.</td>
<td>No</td>
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<tr>
<td>PA 95-0339</td>
<td>Representative Jakobsson</td>
<td></td>
<td></td>
<td>Funding Legal</td>
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<tr>
<td>SB 1560</td>
<td>Senator Demuzio</td>
<td>Neutral</td>
<td>Effective immediately, this legislation amends a Section concerning educational support personnel employees by providing that if the hours the</td>
<td>Legal and Accountability –</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Representative</td>
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<td>Legal Accountability</td>
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<tr>
<td>Bill</td>
<td>Sponsor</td>
<td>Type</td>
<td>Description</td>
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<tr>
<td>PA 95-0396</td>
<td>Hannig</td>
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<td>Employee works are reduced for certain reasons, then written notice must be given to the employee. Provides that if a reduction in hours is due to an unforeseen reduction in the student population, then the written notice must be mailed and given to the employee at least 5 days (instead of 30 days) before the hours are reduced. With respect to educational support personnel employees removed or dismissed for certain reasons, provides that if a school board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available within a specific category of position shall be tendered to the employees who were removed or dismissed from that category or any other category of position (now, just from that category), so far as they are qualified to hold the positions.</td>
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<tr>
<td>SB 1702</td>
<td>Senator Lightford</td>
<td>Legal Accountability</td>
<td>No</td>
<td></td>
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<tr>
<td>PA 95-0232</td>
<td>Representative Riley</td>
<td></td>
<td>Sets forth policy requirements for school districts that collect biometric information, including providing for written permission; the discontinuation of use of the information; the destruction of the information following the discontinuation of use; allowed use of the information; a prohibition on the sale, lease, or other disclosure of the information; and the storage, transmittal, and protection of the information. Provides that the failure to provide written consent for the collection of biometric information shall not be the basis for refusal of any services otherwise available to the student. <em>This legislation is identical to HB 1559.</em></td>
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<tr>
<td>HR 11</td>
<td>Representative M. Davis</td>
<td>Nutrition – FYI</td>
<td>No</td>
<td></td>
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<tr>
<td>HR 113</td>
<td>Representative Ryg</td>
<td>FYI only – Budget, Special Education, Early Childhood, Curriculum</td>
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<tr>
<td>HR 115</td>
<td>Representative Tryon</td>
<td>School Support - FYI</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HR 139</td>
<td>Representative Eddy</td>
<td>Public Information (can determine at a later point which division)</td>
<td>No</td>
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<tr>
<td>Bill Number</td>
<td>Sponsor</td>
<td>Type</td>
<td>Text</td>
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<tr>
<td>HR 162</td>
<td>Representative Kosel</td>
<td>Neutral</td>
<td>Proclaims November 15 in 2007, and November 15 of each year thereafter, as School Board Members Day in the State of Illinois.</td>
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<tr>
<td>HR 228</td>
<td>Representative Rose</td>
<td>Neutral</td>
<td>Urges the State Board of Education to develop a curriculum for implementing shaken baby syndrome prevention and awareness programs for junior high and high school students.</td>
<td></td>
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<tr>
<td>HR 384</td>
<td>Representative Ryg</td>
<td>Neutral</td>
<td>Establishes the After-school Funding Policy Task Force to develop recommendations for the administration and coordination of the after-school, mentoring, and student support line item in the State Board of Education's budget. The resolution lays out the make up and duties of the taskforce and requires a report outlining policy recommendations be submitted to the General Assembly no later than October 1, 2007.</td>
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</tr>
<tr>
<td>HR 450</td>
<td>Representative Moffitt</td>
<td>Neutral</td>
<td>Urges all regional Superintendents of Schools in the State of Illinois to distribute information to schools in their region on the importance of folic acid.</td>
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</tr>
<tr>
<td>HJR 1</td>
<td>Representative Meyer, Senator Garrett</td>
<td>Neutral</td>
<td>Create a Joint Task Force on Deaf and Hard of Hearing Education Options that will be collectively administered by ISBE, the Dept. of Human Services and the Illinois Deaf and Hard of Hearing Commission. The task force is required to submit a report to the General Assembly by December 31, 2007.</td>
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<tr>
<td>HJR 40</td>
<td>Representative M. Davis, Senator Lightford</td>
<td>Neutral</td>
<td>Creates the Council on Re-enrolling Students Who Dropped Out of School in order to carry on the work of the Task Force on Re-Enrolling Students Who Dropped Out of School by continuing to examine and develop ways to address the growing issue of students who left school before earning a high school diploma.</td>
<td></td>
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<tr>
<td>HJR 66</td>
<td>Representative J. Michelle</td>
<td>Neutral</td>
<td>Requests that the Chicago Board of Education renew the charter of Youth Connection Charter School.</td>
<td></td>
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<tr>
<td>SJR 21</td>
<td>Senator Raoul, Representative Riley</td>
<td>Neutral</td>
<td>Proclaims the second Tuesday in September of each year as Kindergarten Day in the State of Illinois.</td>
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<tr>
<td>SJR 26</td>
<td>Senator Garrett Representative Meyer</td>
<td>Neutral</td>
<td>Reconstitutes the Joint Task Force on Deaf and Hard of Hearing Education Options created under House Joint Resolution 43 of the 94th General Assembly. Requires the Joint Task Force to submit a report to the General Assembly no later than December 31, 2008.</td>
<td>Special Education</td>
<td>No</td>
</tr>
</tbody>
</table>
TO: Joint Governmental Relations and Finance and Audit Committee
FROM: Christopher A. Koch, Ed.D., State Superintendent

Agenda Topic: Potential State Board Legislative Initiatives

Materials: Legislative Recommendations from the 2007 Cumulative Waiver Report
Statutory language for Parent-Teacher Conference changes
Statutory language for School Holiday Waiver changes
Statutory language changes for Driver’s Education Fee Increase

Purpose(s) of Agenda Item
To provide the Board with potential statutory language for legislative proposals regarding
parent-teacher conferences, school holiday waivers and an increase in the maximum allowable
driver’s education fee.

Relationship to/Implications for the State Board’s Strategic Plan
None

Background Information
The State Board has made suggestions in the Cumulative Waiver report over the last few years
regarding changes to parent-teacher conference schedules, school holiday waivers and the
driver’s education fee. A summary of the change is below and actual language changes are
attached.

Parent-Teacher Conferences
The legislation would allow a school district to consider parent-teacher conference time to be a
day of attendance in the following circumstances:

1. when students are not in attendance but the district has held at least five
   hours of parent-teacher conferences during that day;
2. when at least two hours of parent-teacher conferences are held in the
   evening following a full day of student attendance*, and at least three hours
   of parent-teacher conferences are held on the next day; and
3. when several evening sessions are held after full days of student
   attendance*, provided that when taken together the time used for the
   parent-teacher evening sessions is equal to at least five clock-hours.

Districts could implement any of these three scenarios for parent-teacher conferences without
needing to receive a waiver from the General Assembly.

The State Board in its 2007 Cumulative Waiver Report recommended that the General
Assembly amend the law to allow these uses of time for parent-teacher conferences, particularly
since the legislature has never denied any of these types of requests.
The suggested language also retains the current prohibition in the law that these days cannot be used of the purposes of calculating general state aid (GSA), but only for meeting the calendar requirements of Section 10-19. Finally, it should be noted that the need for parent-teacher conference waivers would not be eliminated. The bill would simply codify two common schedules, one allowed under ISBE policy and the other found in waiver requests. There could be other requests, in limited circumstances and ways, that a district might submit that would not be covered under these options.

If this proposal was currently law, all eleven parent-teacher conference waiver requests the Board transmitted to the General Assembly without comment in the Fall 2007 waiver report would not have been necessary.

School Holiday Waivers
These proposed changes amend Section 24-2 in the School Code and eliminate the need for districts to apply for modifications of the School Code concerning school holiday waivers. School districts would still be required to hold a public hearing and provide advance notice of the hearing to the public and collective bargaining unit. However, after meeting these requirements, the district would no longer be required to submit the application to the State Board for approval. (Currently approval is given as long as the district has met the requirements listed above).

Driver’s Education
Section 27-23 of the School Code authorizes school districts to charge up to $50 for students to participate in driver’s education. The proposed statutory changes would increase the maximum fee a school district would be allowed to charge (without a waiver) to $250 per student. The Board made a recommendation to the General Assembly in the 2007 Cumulative Waiver that legislation should be introduced to raise the maximum fee from $50 to $250 per student. The Board may wish to consider a driver’s education fee limit above $250, in light of recent legislation (PA 95-0310/SB 172) which may increase driver’s education costs due to the elimination simulator use and the proficiency examination for on-the-road driving.

Analysis and Implications for Policy, Budget, Legislative Action and Communication
Policy Implications: These changes would reduce the number of waivers submitted to the State Board and provide greater flexibility at the local school district level by reducing administrative paperwork, thus moving forward with ISBE’s goal of reducing paperwork and red tape for both districts and the agency.

Budget Implications: Although there would not be a direct budgetary reduction as a result of these changes, there would be a reduction in staff time in preparing and checking waivers for these purposes.

Legislative Action: If the Board chooses to move forward with these changes, legislative action would be required in the spring 2008 legislative session.

Communication: If these changes move forward, staff would need to inform school districts of the new changes and requirements.

Expected Outcome(s) of Agenda Item
A decision by the Board to pursue these legislative changes as a part of the Board’s legislative initiatives for the spring 2008 legislative package.
Additional Information
The Legislative Recommendations section from the 2007 Cumulative Waiver report is attached and contains additional historical information about the parent-teacher conference requests, school holidays and the driver’s education fee.
Legislative Recommendations

The following recommendations propose amendments to the School Code in the areas of legally mandated school holidays and parent-teacher conferences.

Holidays

Since 1995, 99.3 percent of school districts statewide have received approval for relief from the requirements of Section 24-2 of the School Code regarding legally mandated school holidays. In the last year, school districts submitted 255 holiday requests that received approval from the State Board of Education; of these requests, 42 were from school districts seeking relief for the first time. For the 2006-07 school year, 87.8 percent of districts – 766 – have holiday modifications that are currently in effect.

In addition, 28 percent of area vocational centers, 51.1 percent of regional offices of education and 35.2 percent of special education cooperatives also have been granted holiday modifications. Overall, 2,306 applications have been approved since 1995 to allow these school districts and other entities to use legally mandated school holidays for purposes other than school dismissal.

Since the 1998 cumulative waiver report, the State Board of Education has been urging the General Assembly to amend Section 24-2 of the School Code to allow school districts to determine locally whether they wish to observe certain legally mandated school holidays with school attendance or to use the holidays for another purpose (i.e., staff development, teacher institute, parent-teacher conferences). Four bills have been introduced to incorporate this recommendation (SB 2073, introduced in 2002 by Senator Brad Burzynski; SB 1037, introduced in 2003 by Senator Donne Trotter; HB 403, introduced in 2005 by Representative Roger Eddy; and HB 4381, introduced in 2006 by Rep. Eddy); none of the bills progressed further than committee consideration. Each bill would have allowed school districts and other eligible entities to schedule school attendance, teacher institutes, or parent-teacher conferences on five of the 12 legally mandated holidays listed in the School Code, and two bills would have also allowed inservice training to take place on such days. The holidays could be used for these purposes provided that the district recognized the person or persons being honored by the holiday through instructional activities. The holidays included in the proposed legislation and in staff’s recommendation are those honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, Christopher Columbus, and all veterans of foreign wars.

Given the large number of requests to modify requirements for certain legally mandated school holidays, the State Board of Education continues to believe that the scheduling of school or other activities on these holidays should be an issue that is decided at the local level. Therefore, the State Board of Education intends to propose legislation to amend Section 24-2 of the School Code (105 ILCS 5/24-2), allowing entities eligible to receive waivers to establish a calendar using one or more legally mandated school holidays for student attendance, staff development, teacher institutes, and/or parent-teacher conferences, provided that the applicant holds a public hearing about the holiday(s) and that instruction is presented to students about the person or
persons being honored by the holiday(s). This condition for approval mirrors the instructional requirements for commemorative holidays and assures that students are knowledgeable about the person(s) being recognized by the designated holiday(s). Under current law, legally mandated school holidays are observed only by the dismissal of school; no related instruction is required.

The legislative proposal will apply to Veterans' Day and the holidays honoring Dr. Martin Luther King, Jr., Abraham Lincoln, Casimir Pulaski, and Christopher Columbus. Of the 12 legal holidays listed in the School Code, only July 4, Thanksgiving, Christmas Day, and New Year's Day have not been the subject of waiver requests to date. Eligible applicants cite continuity of instruction and fewer disruptions as the primary reasons for having students attend school on legally mandated school holidays. In a growing number of instances, eligible applicants have proposed using certain holidays for staff development, teacher institute days, or parent-teacher conferences, without students being in attendance.

The State Board's proposal to amend Section 24-2 will also include a technical change to eliminate Good Friday as a legally mandated school holiday, in light of the federal court decision in 1995 that declared the provision unconstitutional and prohibited the agency from enforcing the mandate. A bill introduced in the 90th General Assembly (1997-98) to eliminate Good Friday from Section 24-2 failed to gain passage, and the legislature restored Good Friday as a legally mandated school holiday in a bill that sought to eliminate it from the School Code.

Parent-teacher conferences

Over the years, the State Board has interpreted Section 18-8.05(F)(2)(d)(1) of the School Code fairly narrowly as it pertains to districts' use of parent-teacher conference days. This interpretation, backed by a long-standing State Board of Education policy and legislative wishes, has meant that most applications to adjust the timing of parent-teacher conferences have been classified as waivers of the School Code, which can be considered only twice a year by the General Assembly. Such waivers are rarely discussed during hearings and only one out of 106 applications submitted has been denied.

Given the near-certainty of legislative approval of parent-teacher conference requests, and considering the needs of districts for more flexible scheduling options, the State Board will propose legislation for the Spring 2007 session that would allow applicants certain uses of parent-teacher time that do not require submission of a waiver request. Staff have analyzed waiver applications to determine which schedules are most commonly requested and have formulated three scenarios to meet those situations:

1. A district would be allowed to count as a day of attendance one in which students are not in attendance but the district has held at least five hours of parent-teacher conferences during that day.

2. A district would be allowed to count as a day of attendance the combination of at least two hours of parent-teacher conferences in the evening following a full day of student attendance*, plus at least three hours of parent-teacher conferences held on the next day.

3. A district would be allowed to count as a day of attendance several evening sessions held after full days of student attendance, provided that when taken together the time used for the parent-teacher evening sessions is equal to at least five clock hours.
* Staff have used “5 clock-hours of school work” in defining a “full day of student attendance.” In the past, State Board “policy” considered a “full day” to be the district’s regular school day, even if it exceeded five clock-hours of instruction. That interpretation meant that districts with more than five hours had to submit a waiver to dismiss students after five hours in order to hold parent-teacher conferences.

**Driver’s Education**

Section 27-23 of the School Code authorizes school districts to charge up to $50 for students participating in a driver’s education course. The General Assembly has approved 167 petitions from 125 school districts since May 1996 seeking to raise this $50 limit. Of the 16 petitions receiving approval during the last waiver cycle, nine have been renewals of previously approved requests; in those cases, three districts asked for approval to increase the fee over the amount previously approved.

While the percentage of school districts seeking to increase the driver’s education fee is not significant (14.3 percent), both the increased frequency of the submission of fee increase requests and the maximum fee requested indicate that some school districts believe the $50 fee is insufficient to fund driver’s education programs, and they are seeking ways to cover the shortfall in revenues by charging students more to take the course.

Up until May 2003, the General Assembly considered fewer than 10 requests in each report. In the spring 2003 report the legislature approved 19 requests. During the last three years the legislature approved 54 petitions in the 2004 reports, 20 requests in the 2005 reports, and 16 petitions in the 2006 reports. Of these 90 petitions receiving approval, 55 percent sought fees greater than $250 per student. Only 17 percent of the districts with waivers in effect asked to limit the fee to $150 or less. The General Assembly has approved three requests for $500, and four other districts have permission to charge up to $450 per student.

The majority of the requests that have been approved – 65.2 percent – are from districts located in Cook County or one of the five collar counties. Many of the other districts receiving approval are concentrated in or near urban centers such as Rockford, Bloomington, and the metro-east area.

Given that the law establishing the $50 maximum is more than 20 years old and that 53.8 percent of all driver’s education fee waiver requests granted since 1995 have been approved in the last three years, the State Board recommends that the General Assembly introduce legislation to raise the maximum fee from $50 per student to $250 per student. Such an increase would eliminate nearly half of the current waivers.
Statutory Language - Parent/Teacher Conference

105 ILCS 5/18-8.05 (F)(2)(d)

A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 5 days per school year of which a maximum of 4 days of such 5 days may be used for parent-teacher conferences, provided a district conducts an in-service training program for teachers which has been approved by the State Superintendent of Education; or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day of attendance required under Section 10-19 of this Code; (1.5) when, of the 5 days allowed under item (1), a maximum of 4 days of the 5 days are used for parent-teacher conferences, or, in lieu of 4 such days, 2 full days are used, in which case each such day may be counted as a day of attendance required under Section 10-19 of this Code, provided that the full-day, parent-teacher conference day (i) consists of a minimum of 5 clock hours of parent-teacher conferences, (ii) consists of both a minimum of 2 clock hours of parent-teacher conferences held in the evening following a full day of student attendance, as specified in subsection (F)(1)(c), and a minimum of 3 clock hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences, or (iii) consists of multiple parent-teacher conferences held in the evenings following full days of student attendance, as specified in subsection (F)(1)(c), in which the time used for the parent-teacher conferences is equivalent to a minimum of 5 clock hours; and (2) when days in addition to those provided in items item(1) and (1.5) are scheduled by a
school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Any full days used for the purposes of this paragraph shall not be considered for computing average daily attendance. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.
Statutory Language – School Holiday Waivers

(105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

Sec. 24-2. Holidays.

(a) Except as provided in subsection (b) of this section, teachers shall not be required to teach on Saturdays, nor shall teachers or other school employees, other than noncertificated school employees whose presence is necessary because of an emergency or for the continued operation and maintenance of school facilities or property, be required to work on legal school holidays, which are January 1, New Year's Day; the third Monday in January, the Birthday of Dr. Martin Luther King, Jr.; February 12, the Birthday of President Abraham Lincoln; the first Monday in March (to be known as Casimir Pulaski's birthday); the day designated as Memorial Day by federal law; July 4, Independence Day; the first Monday in September, Labor Day; the second Monday in October, Columbus Day; November 11, Veterans' Day; the Thursday in November commonly called Thanksgiving Day; and December 25, Christmas Day. School boards may grant special holidays whenever in their judgment such action is advisable, except that no school board or board of education may designate or observe as a special holiday on which teachers or other school employees are not required to work the days on which general elections for members of the Illinois House of Representatives are held. No deduction shall be made from the time or compensation of a school employee on account of any legal or special holiday.

(b) A School Board and other entities eligible to apply for waivers and modifications under Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g] are authorized to hold school; schedule teachers’ institutes, parent-teacher conferences, or staff development on the third Monday in January, the Birthday of Dr. Martin Luther King, Jr.; February 12, the Birthday of President Abraham Lincoln; the first Monday in March (to be known as Casimir Pulaski’s birthday); the second Monday in October, Columbus Day; and November 11, Veterans’ Day, provided that:

(i) the person or persons honored by the holiday are recognized through instructional activities conducted on that day or if the day is not used for student attendance, on the first school day preceding or following that day, and

(ii) the school board that chooses to exercise this authority first holds a public hearing about the proposal. The school board shall provide notice preceding the public hearing to both educators and parents. Such notices shall set forth the time, date and place of the hearing, describe the proposal, and indicate that the school board will take testimony from educators and parents about the proposal.

(c) Commemorative holidays, which recognize specified patriotic, civic, cultural or historical persons, activities, or events, are regular school days. Commemorative holidays are: January 28 (to be known as Christa McAuliffe Day and observed as a commemoration of space exploration), February 15 (the birthday of Susan B. Anthony), March 29 (Viet Nam War
Veterans' Day), September 11 (September 11th Day of Remembrance), the school day immediately preceding Veteran's Day (Korean War Veterans' Day), October 1 (Recycling Day), December 7 (Pearl Harbor Veterans' Day) and any day so appointed by the President or Governor. School boards may establish commemorative holidays whenever in their judgment such action is advisable. School boards shall include instruction relative to commemorated persons, activities, or events on the commemorative holiday or at any other time during the school year and at any point in the curriculum when such instruction may be deemed appropriate. The State Board of Education shall prepare and make available to school boards instructional materials relative to commemorated persons, activities, or events which may be used by school boards in conjunction with any instruction provided pursuant to this paragraph.

(d) City of Chicago School District 299 shall observe March 4 of each year as a commemorative holiday. This holiday shall be known as Mayors' Day which shall be a day to commemorate and be reminded of the past Chief Executive Officers of the City of Chicago, and in particular the late Mayor Richard J. Daley and the late Mayor Harold Washington. If March 4 falls on a Saturday or Sunday, Mayors' Day shall be observed on the following Monday.

(Source: P.A. 92-704, eff. 7-19-02.)
Driver’s Education Fee
(105 ILCS 5/27-23) (from Ch. 122, par. 27-23)
Sec. 27-23. Motor Vehicle Code. The curriculum in all public schools shall include a course dealing with the content of Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code, the rules and regulations adopted pursuant to those Chapters insofar as they pertain to the operation of motor vehicles, and the portions of the Litter Control Act relating to the operation of motor vehicles. Instruction shall be given in safety education in each grade, 1 through 8, equivalent to 1 class period each week, and in at least 1 of the years in grades 10 through 12. The course of instruction required of each eligible student at the high school level shall consist of a minimum of 30 clock hours of classroom instruction taught by a certified high school teacher who has acquired special qualifications as required for participation under the terms of Section 27-24.2 of this Act. Each school district maintaining grades 9 through 12: (i) shall provide the classroom course for each public and non-public high school student resident of the school district who either has received a passing grade in at least 8 courses during the previous 2 semesters or has received a waiver of that requirement from the local superintendent of schools (with respect to a public high school student) or chief school administrator (with respect to a non-public high school student), as provided in Section 27-24.2, and for each out-of-school resident of the district between the age of 15 and 21 years who requests the classroom course, and (ii) may provide such classroom course for any resident of the district over age 55 who requests the classroom course, but only if space therein remains available after all eligible public and non-public high school student residents and out-of-school residents between the age of 15 and 21 who request such course have registered therefor, and only if such resident of the district over age 55 has not previously been licensed as a driver under the laws of this or any other state or country. Each school district (i) shall provide an approved course in practice driving consisting of a minimum of 6 clock hours of individual behind-the-wheel instruction or its equivalent in a car, as determined by the State Board of Education, for each eligible resident of the district between the age of 15 and 21 years who has started an approved high school classroom driver education course on request, and (ii) may provide such approved course in practice driving for any resident of the district over age 55 on request and without regard to whether or not such resident has started any high school classroom driver education course, but only if space therein remains available after all eligible residents of the district between the ages of 15 and 21 years who have started an approved classroom driver education course and who request such course in practice driving have registered therefor, and only if such resident of the district over age 55 has not previously been licensed as a driver under the laws of this or any other state or country. Subject to rules and regulations of the State Board of Education, the district may charge a reasonable fee, not to exceed $250, to students who participate in the course, unless a student is unable to pay for such a course, in which event the fee for such a student shall be waived. The total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. All moneys deposited into the school district's driver education fund must be used solely for the funding of
a high school driver education program approved by the State Board of Education that uses instructors certified by the State Board of Education. If a district provides the classroom or practice driving course or both of such courses to any residents of the district over age 55, the district may charge such residents a fee in any amount up to but not exceeding the actual cost of the course or courses in which such residents participate. The course of instruction given in grades 10 through 12 shall include an emphasis on the development of knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles including motorcycles insofar as they can be taught in the classroom, and in addition the course shall include instruction on special hazards existing at, and required extra safety and driving precautions that must be observed at, emergency situations, highway construction and maintenance zones, and railroad crossings and the approaches thereto.
TO: Governmental Relations Committee

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Darren Reisberg, General Counsel

Agenda Topic: Discussion of State Board Policy on Physical Education Programs and Physical Education Waiver Requests (March 2001)

Materials:
- Physical Education Policy
- Physical Education: An Overview
- State Board Waiver Recommendations and General Assembly Action
- Text of Public Act 95-223

Staff Contact(s): Winnie Tuthill
Shelley Helton

Purpose of Agenda Item
At the request of Brenda Holmes, Chair of Governmental Relations, the Committee will discuss the Board’s policy on physical education programs and physical education waiver requests. The State Board last discussed this policy in the late fall of 2005, and convened a related meeting in January 2006 at which State Board staff, the Governor’s Office, teacher union and school management representatives, and physical education advocacy groups shared information and opinions. In view of P.A. 95-223, which places limits on the number of years an applicant can request a waiver of physical education and restricts the number of times applications can be renewed, it seems timely and appropriate to reconsider the Board’s 2001 policy.
Physical Education Programs and Physical Education Waiver Requests 2001

In March 2001, the State Board of Education adopted a policy to guide its decision-making regarding physical education waiver and modification requests (Attachment A). As a result of this policy, the State Board has requested that each applicant submit with its physical education waiver or modification request information about its students’ achievement of the Illinois Learning Standards for Physical Development and Health (specifically Goals 19 through 21). In addition, an applicant should describe the opportunities to be afforded students to achieve these standards in instances where they are not engaged in physical education on a daily basis.

- Eligible applicants submitting a new waiver or modification request of the physical education mandate, or a request to renew a previously approved waiver or modification, are asked to submit “baseline information” on the performance of their students against the Illinois Learning Standards for Physical Development and Health (PD/H). (See Physical Education Application Addendum at [http://www.isbe.net/isbewaivers/html/application.htm](http://www.isbe.net/isbewaivers/html/application.htm).)
- Each applicant must also describe how it plans to ensure that students affected by the waiver or modification can continue to make progress in relation to the PD/H standards.
- The State Board of Education will use both the applicant’s baseline performance data and the applicant’s plans for continued student progress in relation to the PD/H standards in its consideration of the applicant’s physical education waiver or modification request.
- If the waiver or modification request is approved, then the district will be asked to support any subsequent request to renew the waiver or modification with data about student performance relative to its baseline data.

Specific details about these procedures are provided in Attachment B. Should you have any questions about the waiver or modification process after reviewing this material, please call Winnie Tuthill, Rules and Waivers Unit, at 217/782-5270.
Attachment A

Policy Statement Regarding Physical Development and Health

The State Board of Education is committed to ensuring that Illinois students are able to meet the Illinois Learning Standards for Physical Development and Health.

Because requests to waive or modify the physical education requirements may curtail or eliminate students' learning opportunities in relation to these Standards, the State Board expects that districts making such requests will provide documentation regarding their students' achievement of the Learning Standards for Physical Development and Health.

By a date certain, districts requesting a waiver from or modification to the physical education and health mandate will be asked to provide baseline data to show how well their students are meeting the Illinois Learning Standards in Physical Development and Health. Districts requesting a renewal of an approved physical education modification or waiver will be asked to document improved student achievement of the Illinois Learning Standards for Physical Development and Health in relation to the baseline data.

State Board decisions to approve or deny requests to “modify” the physical education requirements, or to recommend that the General Assembly deny requests to “waive” the physical education requirements will be made on an individual basis, with consideration given to the evidence of student achievement, the implications of the specific waiver or modification proposal for student learning opportunities and future student achievement in physical development and health, and whether the request meets any of the criteria for denial stated in the law - i.e., the request:

- is not based on sound educational practices;
- endangers the health or safety of the students or staff;
- compromises equal opportunities for learning;
- fails to demonstrate that the intent of the mandate can be met in a more effective, efficient, or economical manner; or
- does not have improved student performance as a primary goal.
Attachment B

Physical Education Waivers and Modifications
Procedures and Resources

Information to Support Waiver/Modification Requests

Each applicant for a waiver or modification of the daily physical education mandate (Section 27-6 of the School Code) is asked to provide information about its students' achievement relative to the Illinois Learning Standards for Physical Development and Health (PD/H), specifically those that address Goals 19 through 21.

Each applicant is asked to provide:
• A description of the assessment(s) it uses to measure student achievement of the PD/H standards;
• Baseline data that show students' current achievement relative to the PD/H standards; and
• A description of how the applicant plans to assure that, if the request is approved, students affected by the waiver or modification will continue to make progress toward meeting or exceeding the PD/H standards.

Format

An addendum to the waiver/modification application is available on the State Board's website (see http://www.isbe.net/isbewaivers/html/application.htm). The format of the addendum will help you provide the requested physical education information in a succinct and understandable way.

Decision Criteria

The information provided by an applicant to support its physical education waiver or modification request will be used by the State Board to determine if the request should be considered for disapproval, based on whether the information indicates that the proposed waiver or modification:
• is not based on sound educational practices;
• endangers the health or safety of the students or staff;
• compromises equal opportunities for learning;
• fails to demonstrate that the intent of the mandate can be met in a more effective, efficient or economical manner; or
• does not have improved student performance as the primary goal.

Decision Process

All waiver and modification requests are reviewed by staff members who are knowledgeable about the waiver law and the subject matter being addressed in the application. A determination is made as to whether the application and the physical education addendum are complete and whether the request is a waiver (must be acted on by the General Assembly) or a modification (must be acted on by the State Board of Education). Action on a waiver or
modification request is not taken until the application is complete.

As indicated in its policy, the State Board is particularly concerned about waiver requests that will result in students not having equal learning opportunities in relation to the PD/H standards. Therefore, the information provided by the applicant will be critical in determining whether a modification request is approved or recommended for denial, or whether a waiver request is transmitted to the General Assembly with a recommendation that that body deny the request. The process for each circumstance is explained more fully below.

**Physical Education Modification Requests.** Requests to offer physical education on less than a daily basis are generally considered to be waivers of Section 27-6 of the School Code. The exceptions to that determination are requests to provide physical education for an amount of time that is comparable to what would have been provided daily (i.e., block scheduling). These requests are usually treated as modifications of the School Code mandate addressing physical education.

- The State Board of Education must either approve or disapprove a modification request within 45 days of the agency’s receipt of the application.
- If the State Superintendent recommends that the State Board deny a modification request, then the district making application will have an opportunity to discuss its request with the State Board during a regularly scheduled public meeting before any action is taken.

**Physical Education Waiver Requests.** If the request is for a waiver of the School Code mandate, then the district is notified that the request will be forwarded to the General Assembly as part of the semi-annual report. Before the report is sent to the General Assembly, State Board members review the waiver requests and any recommendations from the State Superintendent. The State Board will take one or more of the following actions regarding a waiver of a School Code mandate:

- to forward the waiver request to the General Assembly without comment;
- to recommend that the General Assembly deny the waiver request, based on a recommendation from the State Superintendent (the district submitting such a request will have an opportunity to discuss its proposal with the State Board during a regularly scheduled public meeting before such a recommendation is acted by the Board); and/or
- to provide comment about specific areas of concern that the Board believes should be brought to the attention of the General Assembly.

Before the General Assembly acts on waiver requests, the House and Senate education committees hold hearings, and districts have an opportunity to discuss their individual requests with the members of those committees. Those waiver requests that are not disapproved by the General Assembly (as part of a joint resolution that must be adopted by a majority in each House) are considered to be approved.

**Data Options**

Districts can support their waiver or modification requests with data from any assessment or assessments that they believe show how their students are achieving in relation to the PD/H standards.

Many districts routinely use classroom assessments, either commercial or of their own design, to evaluate their students’ knowledge and skills in physical education. Data from such
assessments can be used as support for waiver and modification requests, if the data clearly show an alignment to the PD/H standards.

To support the development and use of high-quality, standards-aligned classroom assessments, the State Board has placed sample classroom assessments and rubrics on its website (see http://www.isbe.net/ils/pdh/capd.htm). Another resource allows users to review standards-aligned classroom lessons by grade level and standard (see http://standards.isbe.net/vision/standards/standards_search.asp).

**Illinois Standards Achievement Test (ISAT).** Applicants with grade levels tested by the science ISAT for achievement of the PD/H standards or those that have recently participated in the voluntary grade 9 and 10 physical education assessment may continue to submit those results through the 2004-05 school year (re: 2004 results). P.A. 93-838, effective July 30, 2004, has eliminated the requirement that the State Board provide a state assessment in the area of physical development and health, starting with the spring 2005 administration of the ISAT.

**Illustrations**

The following examples illustrate the kind of assessment and achievement information that applicants can provide to support their requests.

**School District X:** The district administers a teacher-developed physical fitness test for all students in kindergarten through grade 6. The test covers strength, agility, coordination, endurance, etc., and there are performance standards for each area of the test. Student performance is as follows:
- Kindergarten – 67 percent meet or exceed standards
- Grade 1 – 70 percent meet or exceed standards
- Grade 2 – 64 percent meet or exceed standards, etc.

**School District Y:** All students in grades 9 through 12 (except those exempted via board policy consistent with Section 27-6(b) of the School Code) are given a *Fitnessgram* assessment each spring. An average of 59 percent of students at all grade levels meet the fitness levels.

**School District Z:** Students take the Presidential Fitness Test each year. Of the 690 students in the district, 512 received the fitness certificate. In addition, fitness is assessed as an ongoing part of the physical education program, which emphasizes health awareness and cardiovascular strength.

**Additional Information and Resources**

Additional information about physical education assessments and related issues can be obtained via the following websites. Please note that this information is provided to help you explore options and does not indicate an endorsement of the specific information on each.

http://www.indiana.edu/~preschal (The Presidential Fitness Test)
http://www.americanfitness.net (Fitnessgram)
http://www.pecentral.org/
Additional Assistance

If you would like to talk to teachers who have had experience with assessing student achievement against the PD/H standards and with aligning physical education programs to the Illinois Learning Standards, we would be happy to put you in contact with the Illinois Association for Health, Physical Education, Recreation and Dance (IAHPERD).

That organization has a consultant directory and can also link you to individuals who have expertise in specific areas of interest. Please contact Glenn Steinhausen at gsteinha@isbe.net to request such a contact.
Physical Education: An Overview

- **1915**: First mention of physical education in Illinois law with the passage of the Physical Training Act, which required the provision of at least one hour a week of physical education by all schools and institutions receiving state support.

- **1944**: A new law was enacted that required a minimum of 200 minutes a week of physical education.

- **1957**: Daily physical education was first required. The same law eliminated references in the Code to recess and lunch periods.

- **1985**: The 1985 reform package (P.A. 84-126) allowed certain exemptions to the daily physical education requirement for students in grades 11 and 12 (i.e., ongoing participation in interscholastic athletic programs, or courses needed for graduation or postsecondary if failure to take the course would result in the student not graduating or being admitted to the postsecondary institution).

- **1995**: Section 2-3.25g of the School Code was expanded to allow waivers and modifications from nearly all mandates contained in the School Code or the agency’s administrative rules. The first waiver report submitted to the General Assembly in October 1995 contained 14 physical education modifications that the State Board of Education had approved and 20 waiver requests that the General Assembly subsequently approved.

- **1996**: State Board staff informed school districts and regional offices that the one-year “variances” from providing daily physical education that had been granted due to inadequate facilities would need to be requested through the waiver process outlined in the law.

- **1996**: P.A. 89-618, effective August 9, 1996, amended the physical education law to allow exemptions for students in grades 9 through 12 for ongoing participation in Reserved Officers Training Programs or a marching band program, if credit was given for such participation.

- **2000**: Representative William Delgado holds several hearings focused on physical education and waivers and modifications of the daily requirement.

- **2001**: The State Board of Education in March adopts its physical education waiver policy, asking districts to submit with any waiver or modification request evidence that students are meeting the Illinois Learning Standards for Physical Development and Health and to provide a description of other opportunities to achieve the standards to be afforded to students not participating in daily physical education. This information was submitted by districts starting with the spring 2002 report.

- **2001**: A bill introduced by Representative Delgado that would require the submission of baseline data pertaining to students’ achievement of the standards in physical development and health fails to gain passage.

- **2002**: Agency staff, as directed by the Board, hosted a meeting with school district representatives to discuss acceptable assessments to be used in providing data about students’ achievement of the standards with requests to waive or modify the daily physical education requirement.

- **2002**: Senator Todd Sieben requested that the State Board of Education explore ways in which the number of waiver requests sent to the General Assembly could be reduced. A task force with representatives from the IASA, Management Alliance, IEA, IFT and IAHPERD met to discuss the issue that fall.

- **2005**: P.A. 94-198, effective January 1, 2006, provided an exception to the daily physical education mandate for public schools engaged in block scheduling. Since the State Board has determined that only block scheduling requests are modifications of state law, the new law essentially eliminates the need for any physical education modifications.
State Board of Education  
Physical Education Waiver Recommendations  
and General Assembly Actions  

Summary (as of Report 24):  
414 PE Waivers requested; GA has limited 1 and denied 7

<table>
<thead>
<tr>
<th>Report # / Number of PE waivers</th>
<th>Date</th>
<th>SBE Recommendation</th>
<th>GA Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 – 33 waivers</td>
<td>May 1996</td>
<td>None</td>
<td>Two denials</td>
</tr>
<tr>
<td>12 – 19 waivers</td>
<td>May 2001</td>
<td>Limit all to 2 years (15 requested for 5 years, 3 requested for 3 years, and 1 requested for 1 year)</td>
<td>17 approved as written; 2 denials</td>
</tr>
<tr>
<td>14 – 13 waivers</td>
<td>April 2002</td>
<td>Limit all to 1 year (11 requested for 5 years and 2 requested for 1 year)</td>
<td>All approved as written</td>
</tr>
</tbody>
</table>
| 15 – 11 waivers                  | October 2002 | One denial  
One limit to 2 years (9 requested for 5 years, 1 requested for 4 years, and 1 requested for 3 years) | All approved as written                          |
| 16 – 20 waivers                  | May 2003   | Condition approval of future requests on annual submission of PE achievement data  | All approved as written (with no conditions placed on future requests) |
| 18 – 16 waivers                  | May 2004   | One denial                                                                          | All approved as written                          |
| 20 – 22 waivers                  | May 2005   | Two denials  
One limit to 1 year (18 requested for 5 years, 2 requested for 2 years, and 2 requested for 1 year) | GA accepts SBE recommendations (2 denials; 1 limited to 1 year); remainder approved as written |
| 21 – 11 waivers                  | October 2005 | One denial                                                                         | GA accepts SBE recommendation for 1 denial; remainder approved as written |
| 22 – 23 waivers                  | May 2006   | Two limit to 1 year (20 requested for 5 years, 1 requested for 2 years, and 2 requested for 1 year) | All approved as written                          |
| 23 – 10 waivers                  | October 2006 | Three denials                                                                     | All approved as written                          |
| 24 – 18 waivers                  | March 2007 | One denial  
Two limit to 2 years (14 requested for 5 years, 2 requested for 3 years, and 2 requested for 1 year) | All approved as written                          |
| 25 – 8 requests                  | October 2007 | Four limit to 2 years (All 8 requested for 5 years)                               | To be determined                                 |
AN ACT concerning education.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Section 2-3.25g as follows:

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)
Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section: "Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement. "Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education. "State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, teacher tenure and seniority, or Section 5-2.1 of this Code or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110).

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason
that intent of the mandate can be addressed in a more economical manner shall include in
the application a fiscal analysis showing current expenditures on the mandate and
projected savings resulting from the waiver or modification. Applications and plans
developed by eligible applicants must be approved by the board or regional
superintendent of schools applying on behalf of schools or programs operated by the
regional office of education following a public hearing on the application and plan and
the opportunity for the board or regional superintendent to hear testimony from staff
directly involved in its implementation, parents, and students. The time period for such
testimony shall be separate from the time period established by the eligible applicant for
public comment on other matters. If the applicant is a school district or joint agreement
requesting a waiver or modification of Section 27-6 of this Code, the public hearing shall
be held on a day other than the day on which a regular meeting of the board is held. If the
applicant is a school district, the public hearing must be preceded by at least one
published notice occurring at least 7 days prior to the hearing in a newspaper of general
circulation within the school district that sets forth the time, date, place, and general
subject matter of the hearing. If the applicant is a joint agreement or regional
superintendent, the public hearing must be preceded by at least one published notice
(setting forth the time, date, place, and general subject matter of the hearing) occurring at
least 7 days prior to the hearing in a newspaper of general circulation in each school
district that is a member of the joint agreement or that is served by the educational service
region, provided that a notice appearing in a newspaper generally circulated in more than
one school district shall be deemed to fulfill this requirement with respect to all of the
affected districts. The eligible applicant must notify in writing the affected exclusive
collective bargaining agent and those State legislators representing the eligible applicant's
territory of its intent to seek approval of a waiver or modification and of the hearing to be
held to take testimony from staff. The affected exclusive collective bargaining agents
shall be notified of such public hearing at least 7 days prior to the date of the hearing and
shall be allowed to attend such public hearing. The eligible applicant shall attest to
compliance with all of the notification and procedural requirements set forth in this
Section.

(d) A request for a waiver or modification of administrative rules and regulations or for
a modification of mandates contained in this School Code shall be submitted to the State
Board of Education within 15 days after approval by the board or regional superintendent
of schools. The application as submitted to the State Board of Education shall include a
description of the public hearing. Following receipt of the request, the State Board shall
have 45 days to review the application and request. If the State Board fails to disapprove
the application within that 45 day period, the waiver or modification shall be deemed
granted. The State Board may disapprove any request if it is not based upon sound
educational practices, endangers the health or safety of students or staff, compromises
equal opportunities for learning, or fails to demonstrate that the intent of the rule or
mandate can be addressed in a more effective, efficient, or economical manner or have
improved student performance as a primary goal. Any request disapproved by the State
Board may be appealed to the General Assembly by the eligible applicant as outlined in
this Section.
A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each March 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification (except a waiver from or modification to a physical education mandate) may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

An approved waiver from or modification to a physical education mandate may remain in effect for a period not to exceed 2 school years and may be renewed no more than 2 times upon application by the eligible applicant. An approved waiver from or modification to a physical education mandate may be changed within the 2-year period by the board or regional superintendent of schools, whichever is applicable, following the procedure set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) On or before February 1, 1998, and each year thereafter, the State Board of Education shall submit a cumulative report summarizing all types of waivers of mandates and modifications of mandates granted by the State Board or the General Assembly. The report shall identify the topic of the waiver along with the number and percentage of eligible applicants for which the waiver has been granted. The report shall also include any recommendations from the State Board regarding the repeal or modification of waived mandates.

(Source: P.A. 93-470, eff. 8-8-03; 93-557, eff. 8-20-03;
93-707, eff. 7-9-04; 94-198, eff. 1-1-06; 94-432, eff. 8-2-05;
94-875, eff. 7-1-06.)

Effective Date: 1/1/2008
TO: Finance and Audit Committee
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Riley Mitchell, Chief Financial Officer

Agenda Topic: FY08 Budget Update

Materials: None

Staff Contact(s): Ronny Wickenhauser, Division Administrator, Budget and Financial Management

Purpose of Agenda Item
The purpose of this agenda item is to provide an update on the FY08 budget to the committee.

Relationship to/Implications for the State Board’s Strategic Plan
Many aspects of the FY08 budget have a relationship to the Board’s strategic plan. Successful implementation of the budget is critical to the success of the strategic plan.

Expected Outcome(s) of Agenda Item
None. This agenda item is for informational purposes only.

Background Information
The General Assembly approved a budget for FY2008 (HB3866) on August 10, 2007. The Governor filed a veto/amendatory veto motion on August 23, 2007. Items not vetoed and items reduced by the Governor in his message became the budget on that date.

The House voted on motions to override the Governor’s vetoes on October 2 and October 3, 2007. All of the item and reduction vetoes made to the ISBE budget were restored in the House override motion. The motions will go to the Senate for concurrence. It is not known at this time if the Senate will take any action on the motions.

The Budget Implementation Bill (BIMP) (HB471), which contains the substantive language to enact many important provisions in the FY2008 budget, passed the Senate on August 14, 2007. This legislation has not been called for a vote in the House yet. Several important items in the FY2008 budget cannot be implemented without the BIMP bill, including the $400 increase to the foundation level and the increases in Special Education Personnel reimbursement.

The Senate passed a capital bill (SB1110) on September 18, 2007, that included, besides capital appropriations, increases in appropriations for General State Aid and Early Childhood Education in the amounts of $259.8 million and $44.4 million respectively. The increase for General State Aid would take the foundation level to $5,900 (up from the current $5,334 and the $5,734 contained in the FY2008 BIMP). The increase for Early Childhood Education would fund the full increase requested by the Board and the Governor for FY2008. In addition to increased funding for General State Aid and Early Childhood Education, the capital bill also includes appropriations to immediately fund the districts entitled in 2002 that are still waiting for state
funding, as well as funding for the first year of a three-year, $2 billion school construction and maintenance program. This bill awaits action by the House.

Finally, the House has passed two companion bills (HB4148 and HB4149) related to funding for Special Education Extraordinary. Three years ago the funding formula for this line item was changed and when it was, the legislation included a three-year hold harmless. That hold-harmless expired at the end of fiscal year 2007. When the formula was run for the first time without the hold harmless in FY2008, 255 districts saw a reduction in funding from Special Education Extraordinary. There has been a significant outcry about this loss and the General Assembly has responded by proposing legislation to add $21 million to the FY2008 budget to hold the 255 losing districts harmless to what they received in FY2007. The companion legislation would also extend that hold harmless indefinitely, however, the hold harmless will be calculated in such a way that the formula is still allowed to work (i.e. districts will still receive funding under the formula and then ISBE would have to calculate who is getting less than they would in FY2007 and add the amount to make them whole to the final Special Education Extraordinary appropriation).

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: The committee and the Board should be reminded that the FY2008 BIMP includes a change to the ADA block grant that will require ISBE to collect ADA data from private schools and to give private schools funding from the ADA block grant.

Budget Implications: Without a BIMP, the foundation level will remain flat at the FY2007 level and Special Education Personnel reimbursements cannot increase.

Without a BIMP, new initiatives, such as Targeted Interventions, Hard to Staff Schools grants and Rural Learning grants cannot be implemented.

Without a BIMP, federal personal services funding continues to be strained due to the change requested by ISBE in the FY2008 budget on how indirect costs are drawn in and appropriated. The appropriation bill did not anticipate the use of federal appropriations to expend federal indirect costs (a separate appropriation was created). Without the BIMP, ISBE cannot deposit indirect costs into the fund from which federal indirect costs were to be expended. If there continues to be no BIMP, ISBE may have to request a supplemental appropriation for federal personal services and related and other operational funds.

The general lack of a final resolution to the FY2008 budget and the failure to date to pass a BIMP has created significant difficulties in implementing the FY2008 budget from an operational standpoint.

Legislative Action: The agency will continue to inform the legislature of the importance of passing a BIMP.

Communication: The committee, the full Board, and school districts will continue to be updated on the FY2008 budget.
**Pros and Cons of Various Actions**
None. This item is for informational purposes only.

**Superintendent’s Recommendation**
None. This item is for informational purposes only.

**Next Steps**
Staff will continue to keep the committee and the Board updated on the FY2008 budget.
ILLINOIS STATE BOARD OF EDUCATION MEETING  
October 17-18, 2007

TO: Finance and Audit Committee

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education  
       Linda Riley Mitchell, Chief Financial Officer

Agenda Topic: FY2009 Budget Hearings

Materials: Budget Hearings Schedule

Staff Contact(s): Jean Ladage, Board Services Coordinator  
                  Ronny Wickenhauser, Division Administrator, Budget and Financial Management

Purpose of Agenda Item
The purpose of this agenda item is to inform the committee of the locations, dates and times for public budget hearings on the fiscal year 2009 budget.

Relationship to/Implications for the State Board’s Strategic Plan
Constituent groups will have the opportunity to discuss funding and how it relates to the strategic plan.

Expected Outcome(s) of Agenda Item
Committee members will be informed of locations, dates and times of budget hearings.

Background Information
The Finance and Audit Committee has held budget hearings on the State Board's budget the past few years.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: N/A

Budget Implications: To solicit input from the public as part of the Board’s preparation of a budget for FY 2009.

Legislative Action: N/A

Communication: Once the schedule is approved, hearings will be posted and the general public will be made aware of hearing dates and schedule.

Pros and Cons of Various Actions
Budget hearings allow the public an opportunity to comment on and make suggestions for the fiscal year 2009 budget.

Superintendent’s Recommendation
N/A

Next Steps
The hearings will take place per the attached schedule. Board members will be informed of the participation and the requests made by the public at each hearing.
Finance and Audit Committee FY 2009 Budget Hearings

Those wishing to participate in these hearings may sign-in upon arrival at each location. Please provide 15 copies of written testimony.

For further information, please call the State Board of Education at 217-782-2223.

<table>
<thead>
<tr>
<th>DATE</th>
<th>DAY</th>
<th>SITE</th>
<th>TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 17, 2007</td>
<td>Wednesday</td>
<td>MT. VERNON&lt;br&gt; Mt. Vernon City Schools Primary Center&lt;br&gt; 401 North 30th Street, Mt. Vernon, IL</td>
<td>4 – 6 pm</td>
</tr>
<tr>
<td>October 30, 2007</td>
<td>Tuesday</td>
<td>GLEN ELLYN SCHOOL DISTRICT. #41&lt;br&gt; Library&lt;br&gt; Hadley Junior High School&lt;br&gt; 240 Hawthorne Avenue, Glen Ellyn, Illinois</td>
<td>7 – 9 pm</td>
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<tr>
<td>November 1, 2007</td>
<td>Thursday</td>
<td>ROCK ISLAND/MILAN SCHOOL DISTRICT #41&lt;br&gt; Library&lt;br&gt; Rock Island High School&lt;br&gt; 1400 25th Avenue, Rock Island, Illinois</td>
<td>6 – 8 pm</td>
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<tr>
<td>November 5, 2007</td>
<td>Monday</td>
<td>MAINE TOWNSHIP HIGH SCHOOL DISTRICT #207&lt;br&gt; Room L101&lt;br&gt; Maine Township High School West&lt;br&gt; 1755 Wolf Road, Des Plaines, Illinois</td>
<td>6 - 8 pm</td>
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<td>November 13, 2007</td>
<td>Tuesday</td>
<td>CHAMPAIGN – FORD COUNTIES REGIONAL OFFICE OF EDUCATION&lt;br&gt; Media Room&lt;br&gt; 200 South Fredrick Street, Rantoul, Illinois</td>
<td>6 – 8 pm</td>
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<tr>
<td>November 14, 2007</td>
<td>Wednesday</td>
<td>SPRINGFIELD&lt;br&gt; Board Room, 4th Floor&lt;br&gt; Illinois State Board of Education&lt;br&gt; 100 N. First Street, Springfield, Illinois</td>
<td>3:30 – 5:30 pm</td>
</tr>
<tr>
<td>November 20, 2007</td>
<td>Tuesday</td>
<td>CHICAGO&lt;br&gt; 9th Floor, Conference Room 9-040&lt;br&gt; James R. Thompson Center&lt;br&gt; 100 West Randolph Street, Chicago, Illinois</td>
<td>2 - 4 pm</td>
</tr>
<tr>
<td>November 28, 2007</td>
<td>Wednesday</td>
<td>ST. CLAIR COUNTY REGIONAL OFFICE OF EDUCATION&lt;br&gt; Conference Rooms A &amp; B&lt;br&gt; 100 South Illinois Street, Belleville, Illinois</td>
<td>6 – 8 pm</td>
</tr>
</tbody>
</table>
TO: Illinois State Board of Education

FROM: Dr. Christopher A. Koch, Ed.D., State Superintendent of Education
Dr. Connie Wise, Assistant Superintendent

Agenda Topic: Technology Immersion Pilot Project Contract Amendments: Apple & Gateway

Materials: None

Staff Contact(s): Marica Cullen

Purpose of Agenda Item
To request authorization for the State Superintendent to enter into contract amendments with the two vendors supplying hardware and software packages related to the Technology Immersion Pilot Project authorized by Section 2-3.135 of the School Code [105 ILCS 5/2-3.135].

Relationship to/Implications for the State Board’s Strategic Plan
GOAL 1 Enhancing Literacy; Phase IV: Review the existing State Technology Plan and collaborate with existing State Technology Hubs to develop a change innovation grant program around the integration of technology and 21st century literacy skills.

The Technology Immersion Pilot Program is a change innovation grant program.

Expected Outcome(s) of Agenda Item
Board approval for the State Superintendent to enter into contract amendments with Apple Inc. and Gateway Inc., such that the total amount of each contract, as amended, will be over $1 million.

Background Information
Public Act 093-0901, which became effective on August 10, 2004, permits the Illinois State Board of Education to establish a technology immersion pilot project (TIPP) that will provide wireless laptops to each student, teacher, and relevant administrator participating in the project that will be used both within the classroom and at home (the relevant section of the School Code (2-3.135) was set to expire on August 31, 2007; however, the sunset date was extended through August 31, 2010 by legislation enacted this session).

By statute: “The State Board shall select 7 school districts to participate in the pilot project. One school district shall be located in the City of Chicago, 3 school districts shall be located in the area that makes up the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside of the City of Chicago, and 3 school districts shall be located in the remainder of the State.” The TIPP further allows for the purchase of equipment relevant to the implementation of the TIPP and an evaluation related to the integration of technology into the classroom for teachers and administrators involved in the project.
In the FY2007 budget, the Capital Development Board (CDB) received an appropriation of $5 million with respect to the TIPP. CDB entered into an interagency agreement with ISBE whereby this Agency administered the TIPP during FY07. As part of such administration, ISBE:

- Adopted rules—see Part 365;
- Issued an RFP for participating school districts and chose the following districts pursuant to the RFP:
  - District 299 (Augustus H Burley School; John H. Hamline Elementary School; John H. Kinzie School; J. L. Marsh Elementary School; Longdale Middle School; Ninos Heroes Academic School; Oscar F. Mayer School; St. Benedict Elementary School; and Thomas J. Waters Fine Arts School);
  - District 59 (Friendship Junior High School);
  - District 200 (Northwood Middle School);
  - District 86 (Washington Junior High School);
  - District 186 (Benjamin Franklin Middle School; Lincoln Technology Magnet School; and U.S. Grant Middle School);
  - District 337 (Southeastern Junior High School); and
  - District 40 (Calhoun Junior High School).
- Issued a Board-approved RFSP for providers of hardware and software (ultimately resulting in contracts with both Apple Inc. and Gateway, Inc.).

In the first year of the TIPP, more than 2200 students in seventeen Illinois schools were furnished with laptop or tablet PCs for use in the classroom as well as at home. Additionally, over 300 teachers and administrators received the same equipment to better facilitate the use of technology in the process of teaching and learning. Reports from participating districts relative to Year One of the Pilot Project are currently being reviewed. Early indicators, however, show that the increased access to technology within Pilot Project schools is having a positive impact on participating teachers and students as they embrace a whole new way of learning utilizing leading computer technology.

In the FY08 budget, ISBE received a direct appropriation (i.e., not through CDB) of $5 million. So as to continue the successes of the TIPP for the remainder of the pilot period, Agency staff would like to enter into contract amendments with both Apple Inc. and Gateway Inc. The amendment to the contract with Apple Inc. would maintain the maximum amount of the contract at $1,770,992. The amendment to the contract with Gateway Inc. would maintain the maximum amount of the contract at $2,279,288.

**Superintendent’s Recommendation**

I recommend that the Board adopt the following motion:

The State Board of Education hereby authorizes the State Superintendent of Education, with regards to the Technology Immersion Pilot Program, to enter into contract amendments with both Apple Inc. and Gateway Inc., with the maximum amount of each such amended contract being no more than $1,770,992 and $2,279,288 respectively.

**Next Steps**

Curriculum & Instruction staff will work with Legal staff to finalize the contract amendments with Apple Inc. and Gateway Inc.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Connie Wise, Ph.D., Assistant Superintendent

Agenda Topic: ELL Math Test Development:
   Federal Grant with University of Wisconsin: ONPAR (Obtaining Necessary Parity through Academic Rigor)

Materials: None

Staff Contact(s): Barry Pedersen, Joyce Zurkowski

Purpose of Agenda Item
The student Assessment Division seeks Board authorization to expend $1,890,491 of federal grant funds received to develop improved mathematics assessments for English Language Learners.

Relationship to/Implications for the State Board’s Strategic Plan
GOAL 1 Enhancing Literacy and Numeracy.
There is critical need to improve the quality of assessments used throughout the nation for ELL students in the content area of mathematics. The improved ELL mathematics assessment that will result from this study will enhance the accuracy of educational decisions and instructional practices based upon interpretation of future ELL assessments.

Expected Outcome(s) of Agenda Item
The Board will approve ISBE funding the WIDA Consortia of the Wisconsin Center for Educational Research to implement the research and development activities necessary to conduct the activities of the USDE grant. The activities include provision of staff salaries, travel and meeting expenses, administrative costs, report preparation to support research, and development of improved ELL mathematics assessment. The USDE grant application has termed this activity ONPAR (Obtaining Necessary Parity through Academic Rigor).

Background Information
The assessment of English Language Learners is emerging as an area of national concern as well of key interest to ISBE. Participation in this research and development grant will provide support and enhancement of ELL assessment activities for ISBE as well as the partner states in the WIDA consortia. The project will place particular emphasis on studies of test alignment and validity of measures in mathematics ability for ELL students.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: This activity supports enhanced services to the various needs of the ELL population in the state.
Budget Implications: ISBE is providing grant administration support only to the researchers conducting the study. Only funds from the federal grant are involved. ISBE undertakes minimal costs for project monitoring and evaluation.

Legislative Action: None

Communication: The grant award from USDE should be publicized, particularly with the ELL Assessment Advisory Committee.

Pros and Cons of Various Actions
It is a positive enhancement of the agency service mission to be in a leadership position in an area of effort that is receiving increasing national attention to the need for research work for this population. This effort is an elaboration on previous efforts that ISBE has undertaken with the WIDA consortia. The need for further studies of validity of measures for ELL students and alignment of ELL assessments has been particularly identified for ISBE in the recent USDE peer review process. This project provides an additional formalized method to address these issues.

The costs for oversight and monitoring of activities are minimal. Existing staff will be used to provide these services. The geographic proximity of Wisconsin keeps travel expenses at a minimum.

Superintendent’s Recommendation
I recommend that the following motion be adopted:

The ISBE staff is directed to develop a grant agreement with the Board of Regents of the University of Wisconsin (WIDA Consortia of the Wisconsin Center for Education Research) to implement the provisions of the United States Department of Education grant to the Illinois State Board of Education to develop improved assessment measures for English Language Learners, termed ONPAR Mathematics. The amount of the grant is expected to be $1,890,491, though the Board authorizes staff to enter into a grant agreement with WIDA up to $2,000,000.

Next Steps
ISBE staff shall follow ISBE guidelines to prepare a grant agreement for signature by ISBE and University of Wisconsin officials.