TO: Governmental Relations Committee of the Whole

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
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Agenda Topic: Legislative Update

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Purpose of Agenda Item
The purpose of the agenda item is to continue discussing the legislative proposals the Board has been considering over the last several months. Proposals would be submitted for the spring 2010 legislative session.

The Superintendent is recommending the Board vote to formally approve four legislative initiatives during the December Board meeting and Governmental Relations staff will bring additional proposals during the January Board meeting.

For Action at December meeting

- **Performance Evaluation Act/Human Capital Reform:**
  - Expansion of those who can conduct performance evaluations (to include peers);
  - Incorporation of student growth as a significant factor in teacher and principal evaluations;
  - Improved training for evaluators; and,
  - Development of State systems and supports to assist school districts in revamping evaluation systems.

- **Underperforming Schools Incentive:** To provide flexibility for highly effective teachers and administrators to relocate to the State’s High Priority Schools (for example, creating exceptions to Pension Code restrictions on 6% salary increases for teachers and principals relocating to High Priority Schools).

- **Alternative Certification:** To allow a not-for-profit entity to establish an alternative certification program without partnering with a higher education institution; any such program would still need prior approval by the State Board of Education in consultation with the State Teacher Certification Board.

- **Anti-Bullying legislation:** Section 27-23.7 currently requires school districts to have a policy on bullying, but there are no specifics as to what these policies must include.
ISBE staff and supporting partners have been looking national research and legislation in other states and are proposing legislation, which would cover both school districts and recognized non-public schools, to:

- Define “bullying” and explicitly prohibit “bullying” through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 educational institution;
- Specify minimum components of each school district policy, including: a definition of bullying no less inclusive than the definition established in the legislation; procedures to report bullying; reporting requirements for school employees who have knowledge bullying is taking place; a list of potential consequences for individuals who violate the bullying policy; and a list of potential remedies for and protective actions that can be taken for a student who has been subjected to bullying;
- Require each district and recognized non-public school to maintain data regarding bullying and to submit that data to ISBE in a manner determined by the agency;
- Require the agency, subject to availability of funds, to draft a model policy and provide in-service training and materials to school districts and recognized non-public schools regarding bullying.

Initiatives to be discussed further in January

- **District and School Innovations and Interventions:**
  - Align state and federal accountability designations and status to address the following problems and needs:
    - Currently, the different terms used in federal and state law lead to confusion throughout the system.
    - Districts can avoid NCLB sanctions for schools through the local Title I funding allocation process. As a result, many of the State's lowest-performing high schools are not subject to interventions under federal law.
    - The State's accountability system needs to account for changes to the federal accountability system resulting from the State's approved Differentiated Accountability model.
  - Target the State's most intensive intervention authority to persistently low-performing schools and districts. Under current law, the most intensive interventions result solely from the amount of time a school or district is in status, and do not relate to the degree of low-performance.
  - Ensure the State has a full arsenal of interventions in order to improve student achievement outcomes in those districts unwilling or unable to undertake voluntary improvements. Necessary interventions may include:
    - spending or removing the authority of local boards;
    - The ability to override any locally enacted restrictions on reform; and
    - The restructuring of districts through consolidation.
Certification/Reorganization of Article 21: Article 21 of the School Code addresses educator certification. The Agency is considering a reorganization of Article 21 to make the Article more meaningful and user-friendly.

This proposal focuses on multiple areas, including: strengthening educator preparation, and consolidating types of licenses and requirements. In addition, the proposal would change the term “certificate” to “license” and change the name of the State Teacher Certification Board to the State Educator Licensure Board.

**Strengthen Educator Preparation**

- Each subsequent teaching field endorsement on an Illinois professional educator license shall require a minimum of 24 semester hours of coursework in the endorsement area and the applicable content area test. No course with a grade lower than C will count towards an endorsement and endorsements will be available for elementary, middle and secondary levels.
- Induction and Mentoring and Professional Development will focus on increasing the skills and performance needs of teachers and administrators leading to student learning and school improvement.

**Consolidate Types of Educator Licenses and Requirements**

Educators can currently obtain multiple certificates for each of the subjects they are authorized to teach, as well as additional certificates for administrative areas. The proposal reduces the number of licenses to three:

1. **Illinois Professional Educator License.** Each educator will be issued one professional educator license endorsed in each area and grade level for which they are eligible to seek employment in teaching, administration, or school service. Each professional educator license is valid for five years and requires professional development for renewal.

2. **Illinois Educator License with Stipulations.** This license would include any current certificate that is limited in some manner. Examples include: (a) provisional educator, (b) alternative provisional educator, (c) alternative provisional superintendent's endorsement, (d) resident teacher, (e) provisional vocational, (f) alternative provisional vocational, (g) transitional bilingual, and (h) visiting international teacher. Educator licenses with stipulations vary in their period of validity and renewal requirements.

3. **Substitute Teaching License.** Substitute teaching licenses will be valid for five years (instead of four) and will be registered only in the county of residence.

- With the three license system, the Initial, Standard, and Master certificates will be eliminated. The National Board of Professional Teaching Standards (NBPTS) designation and the master principal designation will be noted on the Illinois professional educator license.
- All Professional Educator Licenses will be valid for five years with the exception of those with an NBPTS designation and/or a master principal designation, which will be valid for ten years.
Addressing Inequities in Funding to Chicago (the Block Grant Issue): Agency staff intend to further analyze and discuss with the Board ways in which to democratize mandated categorical and other block grant funding to all Illinois school districts so that these dollars more closely follow the relevant students. This proposal would be done in conjunction with the Board’s budget recommendations.

Phasing Out General State Aid Hold Harmless: Despite the Board’s and Agency’s attempts this past session, the General Assembly did not pass a bill that would statutorily phase out the GSA hold harmless. Agency staff believes this issue is important enough to attempt again. This proposal would be done in conjunction with the Board’s budget recommendations.

Revisions to the Private Business and Vocational Schools Act: Agency staff intend to closely review the PBVS Act so as to ensure that the State and PBVS students are best protected and, that the program is administered efficiently until such point as it is transferred to a state agency more logically equipped to administer it.

FOP/SFA Legislation:
The proposed legislation would provide consolidation provisions for Financial Oversight Panels and the School Finance Authorities and allow for the eventual repeal of Articles 1E and 1F.

Currently, the School Code has 3 different sections that govern school finance authorities and financial oversight panels. Each of the three different sections offer various assistance to the school district or various amounts of control to the Financial Oversight Panel (FOP) or the School Finance Authority (SFA). This legislation would create a new FOP that all future affected districts needing an FOP would use. The new FOP consists be a five member board and has duties and powers similar to those that exist for the current FOPs and SFAs. School districts under current FOPs and SFAs would continue to operate as they have been while in existence, but any future FOPs would be under the new statute and old SFAs and FOPs would be repealed when there were no longer any in existence.

Clean-Up Bill: As we have done for the past few years, the Agency intends to pursue a clean-up bill to address audit findings or any statutory inconsistencies or concerns brought forth by Agency staff.

Superintendent’s Recommendation
The State Superintendent recommends that the State Board of Education adopt the following motions:

The State Board of Education hereby authorizes Agency staff to continue working with stakeholders and then move forward with the following legislative proposals in the spring 2010 legislative session:

- Performance Evaluation Act/Human Capital Reform;
- Underperforming Schools Incentive;
- Alternative Certification; and,
- Anti-Bullying Legislation
The Board further recommends that Governmental Relations staff continue to work on the other legislative proposals outlined in this memo and bring those before the Board for review during the January Board meeting.

**Next Steps**
Staff will move forward with drafting all approved legislative proposals and will proceed with securing legislative sponsors for the spring 2010 legislative session.