I. Reconvene/Roll Call 8:45 a.m.

A. Board Member Participation by Other Means

B. Public Participation

C. Legislative Update (Darren Reisberg, Nicole Wills, Cynthia Riseman) (pp. 2-5)

D. Additional Items

* Items listed with an asterisk (*) will be discussed in committee and action may be taken during plenary session.
ILLINOIS STATE BOARD OF EDUCATION MEETING

TO: Governmental Relations Committee of the Whole
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Darren Reisberg, Deputy Superintendent/General Counsel

Agenda Topic: 2011 Veto Session Update and 2012 Legislative Agenda

Staff Contact(s): Nicole Wills, Governmental Relations
                 Cynthia Riseman, Governmental Relations

Purpose of Agenda Item

The purpose of the agenda item is to (a) update the Board on issues addressed during the Fall Veto Session; (b) further discuss potential ISBE legislative proposals for Spring 2012 (which were initially discussed at the Board’s September 2011 retreat); and (c) discuss potential legislative issues forthcoming in the Spring 2012 session.

2011 Veto Session

The General Assembly returned to Springfield for the Fall Veto Session October 25-27, November 8-10 and November 29th. ISBE tracked the following bills:

PA 97-619/ SB 2147 (Sullivan/Mautino) substantively authorized funding of Regional Office of Education salaries and school services from Corporate Personal Property Replacement Tax for Fiscal Year 2012 only and created the Streamlining Illinois' Regional Offices of Education Commission (“Streamlining Commission”). Agency staff have already begun processing biweekly salary payments (and have processed lump sum backpay covering the period from July 1, 2011 to the effective date of the Public Act) to all applicable Regional Superintendents and Assistant Regional Superintendents. Agency staff has also been processing grant awards to the Regional Offices of Education for school services. As for the Streamlining Commission, State Superintendent Koch has identified the four appointments he has and we are awaiting a decision by the Governor as to who will be appointed to serve as the Chair. We expect the Commission to begin meeting in January 2012 and to have a report delivered to the Governor and General Assembly by April 1, 2012 so that its recommendations may be acted upon by the General Assembly in the Spring 2012 session.

PA 97-620/ SB 2458 (Sullivan/Mautino) was the companion to SB 2147 and contained the actual appropriation from the CPPRT for the Regional Office of Education salary and services lines.

HB 605 (Chapa LaVia/Lightford) statutorily updated language as to the content of the State, school district and school report card. ISBE supported this bill. The passed both houses and awaits the Governor’s signature.

HJR 44 (Chapa LaVia/Lightford) is the bi-annual waiver resolution. Actions by the General Assembly included: (a) limiting the Kenneyville school district’s waiver of the required teacher evaluation rating categories to one year (through 2011-2012); (b) limiting the Ridgewood school
district’s request to charge a $500 fee for driver’s education fee to $300 (which is still above the statutory limit of $250); (c) denying Rockford school district’s waiver request to not offer driver’s education, and (d) denying the Stockton school district’s request to charge a $300 driver’s education fee. Note that the resolution thus is allowing Kenneyville to charge $300 for drivers’ education but rejecting Stockton’s request to charge $300. The rationale apparently is that Keeneyville already had been approved to charge $300 and so this action of the General Assembly would not be changing the status quo there; whereas, this was Stockton’s first request to exceed the statutory maximum. HJR 44 was adopted by both houses.

SB 1795 (Lightford/Chapa LaVia) transfers the regulation of Private Business & Vocational Schools from ISBE to the Illinois Board of Higher Education. This legislation was a Joint IBHE/ISBE initiative. The bill has passed both houses and awaits the Governor's signature.

SB 2412 (Steans/Madigan) includes various supplemental appropriations requested by ISBE staff, including:

- Language to address ARRA Longitudinal Data System activities which were scheduled for FY11 that have been pushed into FY12. The language will ensure that the agency has sufficient spending authority to pay vendors should they successfully complete all deliverables originally scheduled for FY11 and FY12 in FY12.

- $300,000 of appropriation authority (not actual funds) to the State Charter School Commission for receipt of revenues and private donations for ordinary and contingent expenses.

- $120,000,000 of appropriation authority to the State Board of Education so that it can expend federal Race to the Top Three funds ($50 million in appropriation authority) and so that, if awarded, it can expend federal Early Learning Challenge funds ($70 million in appropriation authority); and

- Appropriation authority to allow FY 12 Mandated Categorical (MCAT) payments to be paid out of the Educational Assistance Fund, which will allow for timely FY 12 MCAT payments to school districts.

- $550,000 appropriation from the Private Business and Vocational Schools Quality Assurance Fund to the Board of Higher Education for costs and expenses associated with the administration and enforcement of the Private Business and Vocational Schools Act of 2012, including refunds for both the current and prior fiscal years.

The bill passed both houses and awaits the Governor’s signature.

SB 1311 (Steans/ Currie) contained budget implementation language that includes language authorizing the Charter School Commission to begin spending funds out of the State Charter Commission Fund for ordinary and contingent expenses. SB 1311 passed both houses and awaits the Governor’s signature.
2012 Spring Session

Over the past several years, ISBE has initiated or been a partner in numerous major education initiatives, including the Performance Evaluation Reform Act, Senate Bill 7 (education reform), a rewrite of the certification system, establishment of a longitudinal data system, and an overhaul of principal preparation program requirements. While ISBE’s Governmental Relations staff has highlighted below potential issues that ISBE may want to see addressed during Spring 2012 (see below), we believe it is important to spend this coming year focused less on additional legislative actions and more on assisting the education field with implementation of recent legislative successes.

Here are a few issues that ISBE may want to see addressed:

- **Trailer Bill to SB 7/Education Reform** – ISBE staff and members of other education groups have been working on the implementation of SB 7. As part of this process, we have identified areas that would benefit from statutory clean-up.

- **Creation of an ISBE Foundation** – The Illinois Department of Natural Resources established by statute the Illinois Conservation Foundation as a vehicle to accept and expend private donations outside of standard procurement and other processes. Because of the significant support that private entities have been offering ISBE to support education reform initiatives, ISBE may wish to pursue the establishment by legislation of a similar vehicle.

- **Alignment of School Construction and Modernization with the State’s and ISBE’s Priorities** – There is merit to considering how the school construction law can be modified to incentivize actions by grantees that align with the priorities of the State and ISBE.

- **School Transportation Funding** – There is also merit to considering whether the funding formula for reimbursement school transportation costs can better incent efficiency in transporting students.

- **“Clean Up” Bill** – For the past several years, ISBE has initiated a bill to “clean up,” among other things, obsolete and duplicative provisions in education-related statutes as well as to streamline and reduce bureaucratic requirements on ISBE and school districts. Governmental Relations has begun gathering suggestions from ISBE staff and the education field.

Other Potential Spring Legislative Issues

Since mid-October ISBE staff, prompted by a legislative hearing on Driver’s Education held in Chicago, have been working with Senator Susan Garrett (D-Lake Forest) to examine current driver’s education policies as well as potential legislative changes regarding: (a) drivers’ education standards; (b) provision by school districts of certain information on drivers’ education costs; (c) the process for notifying the public about a school district’s intent to pursue a waiver of drivers’ education requirements; and (d) requirements around the certification of instructors in commercial driving schools. Legislation may be introduced in the spring around these issues.

The Governor’s office has also initiated discussions with numerous stakeholders, including staff at the State Board of Education and the Department of Human Services, on the Illinois School
for the Deaf and the Illinois School for the Visually Impaired (both located in Jacksonville, IL) by forming the Governor’s Working Group on the Education of Illinois’ Deaf and Blind Students. The Working Group is looking at: (a) the governance of the schools (currently they are both under the jurisdiction of DHS); (b) the budget and funding sources for the schools; (c) family support for deaf and blind students; and (d) educational outcomes for this population of students.

Next Steps

Governmental Relations will continue discussing the State Board’s and Agency staff’s legislative needs with internal staff, the education field and the Board, and will come back before the Board at its January meeting with a final legislative package.