February 17, 2015

TO: The Honorable John J. Cullerton, Senate President
    The Honorable Christine Radogno, Senate Republican Leader
    The Honorable Michael J. Madigan, Speaker of the House
    The Honorable Jim Durkin, House Republican Leader

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

SUBJECT: 2014 Educational Mandates Report

Enclosed are copies of the report on educational mandates required by 105 ILCS 5/2-3.104. The report lists all mandates enacted in the 2014 legislative session, along with a description and cost estimate for each.

If you have questions or comments, please contact Nicki Bazer, General Counsel, at 217/782-8535.

cc: The Honorable Bruce Rauner, Governor
    Tim Mapes, Clerk of the House
    Tim Anderson, Secretary of the Senate
    Legislative Research Unit
    State Government Report Center
Foreword

The Illinois State Board of Education, pursuant to 105 ILCS 5/2-3.104, must submit to the Illinois General Assembly by March 1 of each year a report listing "all State mandates applicable to the common schools during the school year covered by the report, excluding only those mandates that relate to school elections." The report must include a description of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and whether the mandate exists because of a federal law or regulation.

For the purposes of this report and in an effort to have a common definition for the term "mandate," the definition in the State Mandates Act (30 ILCS 805/3(b)) was used; that is, a mandate would be any action at the state level that would require a local education agency to incur additional costs payable from local revenue in carrying out that action. Cost determinations for these mandates were made based upon available data.

This annual report covers all education-related mandates enacted in the 2014 legislative session and effective for the 2014-2015 school year.

Christopher A. Koch, Ed.D.
State Superintendent of Education
Introduction

*Educational Mandates* lists all state mandates applicable to the common schools except those that relate to school elections. The report includes a summary of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and, if applicable, whether the mandate exists because of a federal law or regulation.

**Identification of Mandates**

For the purposes of identifying state mandates pertaining to education, the definition contained in the State Mandates Act (30 ILCS 805/3(b)) was used:

... any State-initiated statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a court other than any order enforcing such statutory or executive action.

This report covers all education-related mandates enacted in the 2014 legislative session and effective for the 2014-2015 school year. In compiling the report, State Board staff examined all amendments to existing statutes and all new statutes from the 2014 legislative session to determine whether the public acts contained a mandate on school districts.

**Determination of Cost**

Since it is often difficult to determine the exact cost of a mandate on a school district, cost estimates in the report are based on available data. Three general categories are used for cost estimates:

A. The mandate does impose an additional cost, which is  

This category will include those mandates for which there has been an appropriation. It cannot be determined, however, whether the appropriation fully covers the cost of the mandate on the school district nor the amount of local resources used to make up a shortfall.

B. The mandate does not impose an additional cost.

These categories will include those mandates that:
1. impose additional duties of a nature that can be carried out by existing staff and procedures at no appreciable net cost increase, or
2. create additional costs but also provide offsetting savings resulting in no aggregate increase in net costs, or
3. create an additional cost that is wholly or largely recovered from federal, state, or other external financial aid.

C. The mandate imposes an additional cost, but that amount is indeterminate.

Under the "Cost" section of the report, a letter corresponding to the above categories is used. A key is provided at the bottom of each page.
## 2014 Laws

### Public Act/Summary

<table>
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<tr>
<th>Public Act</th>
<th>Summary</th>
<th>Cost</th>
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<tbody>
<tr>
<td><strong>P.A. 98-408</strong></td>
<td>Amending 325 ILCS 5/4, effective July 1, 2014</td>
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<tr>
<td>Requires school personnel (who are required to report child abuse) to complete mandated reporter training within one year of initial employment and at least every 5 years thereafter; the training must be conducted by a provider or agency with expertise in recognizing and reporting child abuse.</td>
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| **P.A. 98-513** | Amending 105 ILCS 5/2-3.25g, effective January 1, 2014                 |      |
| Beginning September 1, 2014, prohibits school districts from implementing the provisions of approved waivers that expire after that date pertaining to performance evaluations that include data and indicators of student growth for teachers and principals. | B    |

| **P.A. 98-632** | Amending 105 ILCS 110/3, effective July 1, 2014                       |      |
| Requires school districts with any of grades 9 through 12 to include in their comprehensive health curricula training about how to both properly administer cardiopulmonary resuscitation (CPR) and use an automated external defibrillator. CPR training must be aligned to the standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization. Adds a provision that school districts must excuse a student from participating in the trainings if the student's parent submits a written objection, and prohibits the school district from suspending or expelling a student based on a student's refusal to participate in the training. | C, B |

| **P.A. 98-640** | Amending 105 ILCS 5/27A-11, effective June 9, 2014                   |      |
| Requires school districts to provide to a charter school, on a quarterly basis, a prorated portion of public funding for a student from the school district who transfers to the charter school between the quarterly payments the district has made to the charter school. | B    |

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**NOTE:** Please see "Introduction" for further explanation of these categories.

A. The mandate does impose an additional cost, which is ________.
B. The mandate does not impose an additional cost.
C. The mandate imposes an additional cost, but that amount is indeterminate.
P.A. 98-648
Amending 105 ILCS 5/24-12, effective July 1, 2014

Sets forth procedural requirements for school boards and joint agreements relative to the list of teachers subject to reduction in force, including the content of the list and the order in which teachers who have been honorably dismissed under this process are rehired should positions later become available.

Limits a teacher's rating from his or her last evaluation for use in determining the sequence of dismissals and prohibits the school board or joint agreement from using "averaged" ratings, unless agreed to by the collective bargaining agreement or contract.

Requires that the board or joint agreement "disclose" to the collective bargaining representative a teacher's grouping and ranking on the sequence of dismissal list (previously, disclosure was optional).

P.A. 98-669
Amending 105 ILCS 5/27-23.7, effective June 26, 2014

Expands specifications to an existing requirement that school districts create, maintain and implement a policy on bullying that include, among other requirements, that the policy address reporting, investigation and intervention procedures; involves "school stakeholders" in its development; and contains a process to assess its effectiveness every two years.

P.A. 98-673
Adding 105 ILCS 70/32, effective June 30, 2014

Amends the Educational Opportunity for Military Children Act to require that a school base enrollment of a student who is a child of active military personnel on the unofficial student record if the official student record is not received. Requires the school from which the student transferred to provide the official record within 15 days after receiving a request for the record from the new school.

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A. The mandate does impose an additional cost, which is ________.
B. The mandate does not impose an additional cost.
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P.A. 98-673 (continued)
Adding 105 ILCS 70/33, effective June 30, 2014

Amends the Educational Opportunity for Military Children Act to require a school that is enrolling a student who is a child of active military personnel to place the child in the grade level in which the student was enrolled at his or her previous school or, if the child has completed requirements for that grade, at the next highest grade level, although the school may conduct subsequent evaluations to ensure proper placement.

Amending 105 ILCS 70/35, effective June 30, 2014

Amends the Educational Opportunity for Military Children Act to require a school that is enrolling a student who is a child of active military personnel to place the child in the coursework or programs similar to those in which the student was enrolled at his or her previous school, although the school may conduct subsequent evaluations to ensure proper placement. Additionally, the school shall "facilitate" the child's extracurricular activities, to "the extent the (child is) qualified and space is available".

Also requires the school, at the discretion of the superintendent, to allow additional absences if the child's parent has been "called to duty for, on leave from, or has immediately returned from a combat zone or combat-supporting posting" so the child can visit the parent.

P.A. 98-766
Adding 820 ILCS 275/21, effective July 16, 2014

Requires an employer seeking a workplace protection restraining order involving an employee who is a victim of unlawful violence by a family or household member (or other victims as provided) to notify the employee in writing, as well as to directly and orally consult with the employee prior to seeking a workplace protection restraining order, to determine safety or well-being and whether the employer's action interferes with the employee's own legal actions.

Requires a four-day waiting period before filing if the employee does not give "full and voluntary consent", unless there is an immediate threat of physical harm to the workplace and the employer is seeking an emergency order.

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A. The mandate does impose an additional cost, which is ________.
B. The mandate does not impose an additional cost.
C. The mandate imposes an additional cost, but that amount is indeterminate.
P.A. 98-766 (continued)
Adding 820 ILCS 275/110, effective July 16, 2014

Requires an employer seeking or obtaining a workplace protection restraining order "to comply with any federal or State law to which it is subject, including any provision under the Victims' Economic Security and Safety Act and the Illinois Human Rights Act, regarding employee protections and the rights of the employee who has suffered the violence".

Adding 820 ILCS 275/125, effective July 16, 2014

Requires an employer to keep all information relating to a workplace protection restraining order confidential and limit information only to those employees who have a "current demonstrable interest related to the safety of the employee who has suffered the violence".

P.A. 98-783
Amending 105 ILCS 5/27A-4, effective January 1, 2015

Requires school districts to include a disclaimer on any advertisement purchased with public funds; lists what constitutes an "advertisement".

Adding 105 ILCS 5/27A-10.5, effective January 1, 2015

Requires school districts to review the governance model for a proposed charter school to ensure that the charter school has a governing body that is separate and distinct from the governing body of any charter management organization or educational management organization and that there are no conflicts of interest.

P.A. 98-795
Amending 105 ILCS 5/22-30, effective August 1, 2014

Requires school districts to permit the "self-carry" of asthma medication or an epinephrine auto-injector by a pupil if certain requirements are met (previously, limited to "self-administration"). Adds public school to the entities required to provide parental notification of liability waiver.

**NOTE:** Please see "Introduction" for further explanation of these categories.

A. The mandate does impose an additional cost, which is ________.
B. The mandate does not impose an additional cost.
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P.A. 98-795 (continued)

Further requires that the school district or school maintain any supply of epinephrine auto-injectors in accordance with the manufacturer’s instructions. Requires, in the event that an epinephrine auto-injector is administered, the school district or school to immediately activate the Emergency Management System and notify the student’s parent, guardian or emergency contact. Provides that within 24 hours of an epinephrine auto-injector being administered, the school district or school notify the medical provider, who gave the standing protocol or prescription for the undesignated epinephrine auto-injector, of its use.

Requires the school district or school to maintain records related to the training curriculum and the personnel trained. Requires the school district or school to report to the State Board certain information within three days of the administration of an undesignated epinephrine auto-injector.

P.A. 98-801
Amending 105 ILCS 5/27-23.7, effective January 1, 2015

Adds language to the already-existing requirement that schools must create and maintain a policy on bullying. Requires that the policy or implementing procedure include a process to investigate whether a reported act of bullying is within the permissible scope of the district’s or school’s jurisdiction and requires that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services and other programs.

P.A. 98-859
Adding 105 ILCS 5/27-6.5, effective August 4, 2014

Beginning in the 2016-17 school year, requires school districts to administer to students in grades 3 through 12 a scientifically based, health-related physical fitness assessment, as identified by the State Board of Education by administrative rules, and to report certain information to the State Board about the results of the assessment. Prohibits the use of the scores from the fitness assessment to be used for grading students or evaluating teachers.

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**P.A. 98-883**

**Amending 105 ILCS 5/2-3.12, effective January 1, 2015**

Requires all new school construction governed by 23 Ill. Adm. Code 180 to include the construction of a storm shelter that meets certain minimum standards of the International Code Council and the National Storm Shelter Association.

**P.A. 98-885**

**Amending 105 ILCS 5/27-22, effective August 15, 2014**

Requires school districts to designate Advanced Placement computer science courses offered at the high school level as meeting the State graduation requirement for mathematics and to denote on the student's transcript that the course qualifies as a "mathematics-based, quantitative course" for this purpose.

**P.A. 98-930**

**Adding 50 ILCS 205/20, effective January 1, 2015**

Places requirements on school districts located outside of the city of Chicago and that maintain an Internet site (other than a social media or networking site) to post on its website for the current calendar year a mechanism for the public to electronically communicate with school board members. The posting must be accomplished within 90 days of the Act's effective date, and a school district need not comply with the Act's provisions if its board members have individual email addresses for the public to use.

**P.A. 98-972**

**Adding 105 ILCS 5/2-3.64a-5, effective August 15, 2014**

Requires school districts serving the secondary grades to administer annually no more than three assessments in English language arts and mathematics, one of which shall include a college and career readiness determination (previously, one assessment at grade 11).

**NOTE:** Please see "Introduction" for further explanation of these categories.

A. The mandate does impose an additional cost, which is $44,600,000.

B. The mandate does not impose an additional cost.

C. The mandate imposes an additional cost, but that amount is indeterminate.

**FY 2015 State Appropriation:**

$44,600,000

**Estimated cost for high school test administration:**

$4,415,600
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<td>P.A. 98-1050</td>
<td>Amending 775 ILCS 5/1-102, effective January 1, 2015</td>
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<td>Adds pregnancy as a basis upon which an employer cannot discriminate.</td>
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<td>Amending 775 ILCS 5/2-102, effective January 1, 2015</td>
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<td>Requires employers, including school districts, to provide reasonable accommodations for conditions related to pregnancy or childbirth for a qualified job applicant or employee who requests accommodations, unless the employer can demonstrate that the provision of the accommodations imposes a hardship on the ordinary operation of the business.</td>
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<td>Establishes other actions as civil rights violations (e.g., denial of employment opportunities, adverse action, requirement for accommodations or leave when not requested, failure to post notice and provide information in the employees' handbook about the law) regarding discrimination against a qualified job applicant or employee due to pregnancy, childbirth or pregnancy-related condition.</td>
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<td>Extends for another two years -- until December 31, 2016 -- a prohibition against school districts' authorization of charter schools with &quot;virtual-schooling components&quot;.</td>
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<td>P.A. 98-1091</td>
<td>Amending 105 ILCS 5/10-22.3f, effective January 1, 2015</td>
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<td>Requires that if a school district's insurance plan provides &quot;telehealth&quot; services, as defined in 215 ILCS 5/356z.22, then the district's plan shall not require in-person contact between the patient and health provider or that the provider document a barrier to the use of &quot;telehealth&quot; services in order for those to be used, as well as not require the use of &quot;telehealth&quot; services when a provider does not determine they are appropriate or the patient chooses an in-person option. Also limits deductibles, copayments or co-insurance required for &quot;telehealth&quot; services to no more than that charged for the same services provided in person.</td>
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**NOTE:** Please see "Introduction" for further explanation of these categories.

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P.A. 98-1102
Adding 105 ILCS 5/2-3.160, effective August 26, 2014

Beginning in the 2017-18 school year, requires any school district which the State Board determines to be in the top 20 percent of school districts statewide (subject to certain exceptions articulated in the law) for the number of out-of-school suspensions and expulsions, as reported by race, to prepare a plan for reducing those rates. Provides that the plan must be approved at a public school board meeting, and requires the district within a year of approving the plan to submit to the State Board of Education and post on its website a progress report regarding the district's implementation of the plan.

P.A. 98-1129
Adding 5 ILCS 14012, 3, 3.6, 6, 8.5 and 9.5, effective December 3, 2014

Defines and sets forth requirements for "voluminous" requests under the Illinois Freedom of Information Act, including timelines and fees.

P.A. 98-1155
Amending 105 ILCS 5/2-3.25f(b-5), effective January 9, 2015

Requires any school district identified as a "priority district" due to its low academic performance to conduct a needs assessment and implement a continuous improvement plan based on that needs assessment.

Adding 105 ILCS 5/2-3.25f-5(k), effective January 9, 2015

Requires a school district for which an Independent Authority has been appointed to provide services to, and permit the use of the district's facilities and resources by, the Independent Authority at no charge.

NOTE: Please see "Introduction" for further explanation of these categories.
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