

## **End of Session Legislation**

### **HB 23          Rep. J. Mitchell – Sen. Righter**

**Signed into Law July 11, 2005**

**Public Act 94-0158**

Effective immediately, this legislation amends the Criminal Code by limiting the instances when a child sex offender who is a parent or guardian of a child attending the school may be present on the school grounds to: (i) attend a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participate in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attend conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school. This legislation does not infringe upon the right of this individual to be present in the school building or on school grounds for the purpose of voting when that building is used as a polling place.

- Same language as SB 100

### **HB 60          Rep. Lang – Senator Maloney**

**Signed into Law July 14, 2005**

**Public Act 94-0205**

This legislation amends the Higher Education Student Assistance Act. The Illinois Student Assistance Commission is required to implement and administer a teacher scholarship program, to be known as the Teach Illinois Scholarship Program to award scholarships to persons preparing to teach in areas of identified staff shortages. Such scholarships awarded through this program are subject to appropriations to the Commission by the General Assembly. "Areas of identified staff shortage" is defined as a school district in which the number of teachers is insufficient to meet student or school district demand or a subject area for which the number of teachers who are qualified to teach that subject area is insufficient to meet student or school district demand, as determined by the State Board of Education. The Student Assistance commission will make tuition payments directly to the qualified institution of higher learning that the recipient attends for the prescribed courses. Furthermore, the recipient is required to accept employment to teach in an elementary or secondary school in Illinois in an area of identified staff shortage for a period of at least 5 years.

- Effective January 1, 2006

### **HB 112          Rep. Feigenholtz – Sen. Cullerton**

**Signed into Law July 28<sup>th</sup>, 2005 – PA 94-0346**

Beginning July 1, 2006, diesel powered vehicles owned or operated by the State, any county or unit of local government, any school district, any community college or public college or university, or any mass transit agency must use a biodiesel blend of fuel that contains 2% biodiesel when refueling at a bulk central fueling facility. For the purpose of this legislation, a "bulk central fueling facility" means a non-commercial fueling facility whose primary purpose is the fueling of vehicles owned or operated by one of the entities mentioned above.

### **HB 156          Rep. Moffitt – Sen. Clayborne**

**Signed into Law July 25, 2005 – PA 94-0309**

Effective immediately, this bill provides that if a pupil's change of residence is due to the military service obligation of the individual with legal custody, the student, with a written request from the individual with legal custody, can maintain his or her residency as it was before the military obligation. Neither school district is responsible to provide a student under these circumstances with transportation.

**HB 210 Delgado – Hunter**

**Signed into law July 7, 2005 - Public Act 94-0124**

This legislation amends the Illinois Early Learning Council Act by requiring the Council to act in coordination with the Interagency Nutrition Council when dealing with activities related to nutrition, nutrition education, and physical activity.

- Effective January 1, 2006

**HB 312 Rep. Fritchey- Sen. Collins**

**Signed into law August 5, 2005 – Public Act 94-0478**

Effective immediately, this legislation amends the School Code by providing that in addition to a unit of instruction studying the events surrounding the Holocaust, every public elementary school and high school curriculum will include a unit of instruction studying other acts of genocide across the globe, including, but not limited to, the Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan.

**HB 383 Rep. M. Davis – Sen. Lightford**

**Signed into Law July 21, 2005 - PA 94-0285**

Effective immediately, this legislation amends the Historic Preservation Agency Act and creates the Amistad Commission. This legislation contains provisions concerning the membership and duties of the Commission, including developing, with the State Board of Education, curriculum guidelines for the teaching of information on slavery topics and issues. The Commission is authorized to call upon any department, office, division, or agency of the State, or of any county, municipality, or school district of the State, to supply such data, program reports, and other information, personnel, and assistance as it deems necessary to discharge its responsibilities under this Act. The State Board of Education is required to assist the Commission by: (i) marketing and distributing information and materials on slavery topics to schools, and (ii) conducting at least one teacher workshop annually on slavery issues. Commission guidelines for the teaching of information on the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African-Americans to our country shall be made available to every school board. Authorizes the Commission to call upon appropriate school personnel of any department, office, municipality, or school district of the State for the discharge of Commission responsibilities and to cooperate with the Commission in accomplishing the purposes of the Act. The State Superintendent or his or her designee shall act as an ex-officio member of the Commission.

Furthermore, the school code is amended by setting forth a provision that the State curriculum on Black History shall include the history of the African slave trade, slavery in America, and the vestiges of slavery in this country. Provides that prepared materials made available by the State Superintendent of Education on this unit of instruction shall include the materials established by the Amistad Commission.

**HB 384 Rep. M. Davis – Sen. Lightford**

**Signed into Law July 14, 2005****Public Act 94-0208**

Effective immediately, this legislation states that a pre-service education candidate must pass the subject matter test in the discipline in which he or she will teach prior to certification. The teacher preparation program may require passage of the test of subject matter knowledge at any time during the program, including prior to student teaching.

**HB 404 Rep. Eddy – Sen. Cronin****Signed into law August 4, 2005 – Public Act 94-0438**

Effective July 1, 2005, this bill allows that a shortened school day (below the required 5 clock hours) as a result of the Prairie State Achievement Examination, will count towards the 176 days of pupil attendance if the required time has been accrued prior to the examination.

**HB 676 Rep. Chapa La Via – Sen. Petka****Signed into Law July 12, 2005 Public Act 94-0176**

Effective immediately, this legislation extends the sunset provision that is set to expire June 30<sup>th</sup> of this year. It would allow interfund transfers between the Education, Operation & Maintenance and Transportation funds for school districts other than Chicago, until June 30, 2007.

**HB 678 Rep. Chapa La Via - Sen. del Valle****Signed into law August 22, 2005 Public Act 94-0642**

This legislation provides that for elementary school students who are in a State-approved transitional bilingual education program or transitional program of instruction, the time allotted to take State tests may be extended as determined by the State Board of Education by rule. This legislation also deletes the reference to a specific test for certain bilingual education students (Illinois Measure of Annual Growth in English test) and instead refers to the test as an Accommodated Limited English Proficient Student Academic Content Assessment as determined by the State Board of Education.

- Effective January 1, 2006

**HB 728 Rep. J. Mitchell – Sen. Sieben****Signed into Law July 12, 2005 - Public Act 94-0157**

Effective immediately, if a student is unilaterally placed by a court or State agency in a non-public school, special education facility, public out-of-state school, or a county special education facility, the school district is not required to certify to ISBE that their programs were insufficient to meet the needs of the student to receive tuition reimbursement.

**HB 733 Rep. Delgado – Sen. Hunter****VETOED – (This legislation is same as SB 162, which was signed)**

This legislation, effective immediately, requires the State Board of Education to establish a State goal that all school districts have a wellness policy that is consistent with recommendations of the Centers for Disease Control and Prevention. The Department of Public Health, the Department of Human Services and the State Board are required to form an interagency working group to publish model wellness policies and sample programs. The School Wellness Policy Taskforce is created and established to identify barriers to implementing wellness policies, recommend how to reduce those barriers, recommend statewide school nutrition standards, and evaluate the effectiveness of wellness policies.

- Same language as SB 162

**HB 744      Rep. Wait – Sen. Martinez**

**Signed into law August 9, 2005 – Public Act 94-0493**

Effective immediately, this legislation amends the Department of Transportation Law of the Civil Administrative Code by providing that, upon enactment of a federal transportation bill with a dedicated fund available to states for safe routes for schools, the Department of Transportation shall, in cooperation with the State Board of Education and the Department of State Police, establish and administer a Safe Routes to School Construction Program for the construction of bicycle and pedestrian safety and traffic-calming projects, with construction grants being made available to local governmental agencies.

**HB 881      Rep. Kosel – Sen. del Valle**

**Signed into law August 2, 2005 – Public Act 94-0410**

This legislation re-establishes the Gifted and Talented Children Article of the School Code. The Article shall apply beginning with the 2006-2007 school year. School districts shall continue to have the authority and flexibility to design education programs for gifted and talented children in response to community needs. This article sets forth minimum requirements that must be met by local programs for the education of gifted and talented children in order for the programs to be approved by the State Board of Education and to qualify for State funding if available. The local educational agency operating the program must submit a written program description to the State Board demonstrating the fulfillment of the requirements. A child shall be considered gifted and talented in any area of aptitude and, specifically, in language arts and mathematics, by scoring in the top 5% locally. The local program for the education of gifted and talented children must use a minimum of 3 assessment measures used to identify gifted and talented children in each area in which a program for gifted and talented children is established and provide a fair and impartial appeal process within the school, school district, or cooperative of school districts operating a program for parents or guardians of aggrieved children. Requires the State Board to designate a staff person who shall be in charge of educational programs for gifted and talented children. The local program must also provide a description of how gifted and talented children will be grouped and instructed in order to maximize the educational benefits the children derive from participation in the program and a show that the certified teachers who are assigned to teach gifted and talented children understand the characteristics and educational needs of the children and are able to differentiate the curriculum. An Advisory Council on the Education of Gifted and Talented Children is reestablished. It provides that initially, 4 members of the Advisory Council shall serve terms through January 1, 2007 and 3 members will serve terms through January 1, 2009.

This legislation also further amends the School Code with respect to school districts other than the Chicago school district by providing that nothing in the School Code may preclude an elected school board member from participating in a group health insurance program provided to an employee of the school district that the board member serves if the board member is a spouse or unmarried child of that employee.

- Effective immediately

**HB 1324      Rep. Black    Sen. Winkle**

**Signed into Law July 14, 2005    Public Act 94-0213**

Effective immediately, this amends the School Code and allows for the deactivation of an elementary school facility in the same manner as the deactivation of a high school facility.

**HB 1336      Rep. Coulson    Sen. Schoenberg**

**Signed into Law July 12, 2005                      Public Act 94-0187**

Effective immediately, this legislation changes the attributes that teachers are required to teach in the pursuit of character education. This legislation specifically defines character education and requires teachers to teach students respect, responsibility, fairness, caring, trustworthiness, and citizenship, in order to raise pupils' honesty, kindness, justice, discipline, respect for others, and moral courage for the purpose of lessening crime and raising the standard of good character. The current requirement is that teachers teach pupils honesty, kindness, justice, discipline, respect for others, and moral courage for the purpose of lessening crime and raising the standard of good character.

**HB 1540      Rep. Cross    Sen. Hunter**

**Signed into Law July 12, 2005                      Public Act 94-0189**

Effective immediately, this legislation allows a school board to excuse pupils in grades 9 through 12 from engaging in physical education courses if those pupils must utilize the time set aside for physical education to receive special education support and services. Changes are also made to the physical education course study requirements, which will now include the development of movement skills, enhancing health-related fitness, increasing student knowledge, encourages healthy habits and attitudes for a healthy lifestyle and offering direct opportunities on how to learn to work cooperative in a group setting. This physical education course of study must also provide students with an opportunity to receive an appropriate amount of daily physical activity as part of the regular school-curriculum.

**HB 1541      Rep. Cross - Sen. Garrett**

**Signed into Law July 12, 2005                      Public Act 94-0190**

Effective immediately, this legislation requires the State Board of Education to establish a school health recognition program that publicly identifies schools that have implemented programs to increase the physical activity of their students and that have adopted policies or implemented programs to promote healthy nutritional choices for their students. This will allow those schools to be recognized, share best practices, and model programs and services with other schools throughout the State.

**HB 2004      Rep. Acevedo – Sen. Munoz**

**Signed into law July 7, 2005 -    Public Act    94--0133**

This legislation amends the school code by requiring the Chicago Board of Education to establish a program to identify students who are in need of basic vision care, yet are not covered by insurance or public assistance or do not have the financial ability to pay for services. This program shall be known as the Healthy Kids – Healthy Minds Expanded Vision Program. Through this program, the district, in cooperation with health care providers, shall serve students at a minimum or no cost to the students. The legislation allows for vision examinations and glasses under this program. Eligibility for these services will be determined by prioritization of students based on both physical and financial need. This legislation is subject to appropriation.

- Effective January 1, 2006
- A \$3 million appropriation was made for this program purpose in the FY 06 budget

**HB 2407      Rep. Reitz    Sen. Sullivan**  
**Signed into Law July 19, 2005 - PA 94-0261**

This legislation finishes the transfer of duties to the Department of Agriculture, which ISBE used to hold in respect to Agricultural Education fairs.

- Effective January 1, 2006

**HB 2589      Rep. Davis - Sen. Ronen**  
**Signed August 12, 2005                      Public Act 94-0566**

This legislation allows that if a school board determines that a school is using funds awarded under the K-3 class size reduction grant program for purposes not authorized by the program, then the school board, rather than the school, shall determine how the funds are used.

- Effective January 1, 2006

**HB 2693      Rep. Smith    Sen. Wilhelmi**  
**Signed August 16, 2005                      Public Act 94-0600**

Effective June 1, 2005, this legislation creates the School Safety Drill Act to establish minimum requirements and standards for public and private schools to follow when conducting school safety drills and reviewing school emergency and crisis response plans. It also sets forth the types and number of school safety drills that schools are required to conduct each academic year and provides for emergency responder participation. Further, this legislation allows schools to conduct additional safety drills and sets forth the incidents addressed by each type of safety drill. This legislation also contains provisions concerning an annual review, reporting, duties of the State Fire Marshal, regional superintendents, and the State Board of Education, a reporting and recording mechanism for fires and the establishment of common rules. The Fire Drill Act and certain provisions concerning school safety drills, plans, audits and courses are also repealed in this legislation.

**HB 3092      Rep. Cultra – Sen. Halvorson**  
**Signed into law June 17, 2005 - Public Act 93-0052**

Effective immediately, this legislation amends the School Code for school districts having a population of less than 500,000 inhabitants, by providing that the maximum tax rate for certain recently formed community unit school districts that have a combined rate of more than 4% is as follows: for 2 years, the same as the actual combined rate of the previous elementary and secondary district; and in each subsequent year the rate shall be reduced by 0.10% or reduced to 4.00%, whichever is less. The school board may seek to increase the reduced rate by referendum.

**HB 3095      Rep. Osmond – Sen. Peterson**  
**VETOED – August 12, 2005**

Effective immediately, this legislation makes changes to provisions concerning special taxing and bonding for temporary relocation expense and emergency placement purposes. Applicable districts under this legislation must have a building that has been condemned within 10 years after the building's initial occupancy. It allows the levy of a

tax for the purpose of providing for the repayment of moneys paid to the district (instead of distributed) for temporary relocation expenses. The legislation also allows bonds to be issued for the costs of providing for the payment of any obligations entered into to finance the repair, reconstruction, or replacement of the condemned building and provides that bonds issued under these provisions are not subject to any debt limitation imposed by any law.

**HB 3451      Rep. Bellock - Sen. Dillard**

**Signed into Law July 14, 2005 - Public Act 94-0219**

Effective immediately, this legislation requires that in addition to fingerprint-based criminal history records checks performed by the Department of State Police, the school district or regional superintendent of schools shall also perform a check of the Statewide Sex Offender Database for each applicant for employment with the school district.

**HB 3480      Rep. Kosel – Sen. Radogno**

**Governor Amendatorily Vetoed August 22, 2005**

**Governor Amendatory Veto Message**

Recommends that the changes to the Section of the School Code concerning the annual budget take effect on July 1, 2006 (instead of immediately).

This legislation provides that the annual school district budget (except Chicago) will separately identify revenue from taxes and all other income sources and disclose all school board-sanctioned contractual agreements and the estimated revenue to be received as a result of these contracts. Contracts and agreements that pertain to goods and services and that are intended to generate additional revenue for a school district in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services must be approved by the school board. Additionally, the annual budget shall contain a statement of the cash on hand, an estimate of the cash expected to be received, an estimate of the expenditures from revenues, and a statement of the estimated cash from all other itemized sources (rather than all other sources).

**HB 3531      Rep. Eddy    Sen. Righter**

**Signed into law – August 12, 2005      Public Act 94-0554**

This legislation amends the Children and Family Services Act, the Department of State Police Law of the Civil Administrative Code of Illinois, and the School Code by requiring DCFS, the Department of State Police, and the State Board of Education to jointly develop a sample protocol for handling situations involving (i) the arrest of a person or persons for the manufacture of methamphetamine at a place where a child resides or (ii) a child's exposure to an environment in which methamphetamine is manufactured or used. Protocol to handle these situations must be developed by January 1, 2006 and be posted on the Web sites maintained by DCFS, the Department of State Police, and the State Board of Education.

- Effective January 1, 2006

**HB 3646 -    Rep. Pritchard - Sen. J. Sullivan**

**Signed into Law July 14, 2005      Public Act 94-0220**

Effective immediately, this legislation creates the Vocational Academies Act. It allows a school district, in partnership with community colleges, local employers, and community-based organizations, to establish a vocational academy that is eligible for a grant from the State Board of Education if the vocational academy meets specified requirements.

**HB 3678 Rep. Schock - Sen. Lightford**

**Signed into law August 23, 2005 Public Act 94-0666**

Effective immediately, this legislation provides that (1) the indicators to determine adequate yearly progress for children with disabilities shall be based on their individualized education plans, (2) placing a school or school district on academic early warning status for not meeting adequate yearly progress criteria for 2 consecutive annual calculations shall not begin until the 2005-2006 school year, while removing the requirement that the adequate yearly progress criteria be specified by the State Board of Education; (3) criteria must not be met in the same subgroup and in the same subject or in the school's or school district's participation rate, attendance rate, or graduation rate in order for the school or school district to be placed on academic early warning or watch status; and (4) a school or school district on academic early warning or watch status that meets adequate yearly progress criteria for one annual calculation (instead of 2 consecutive annual calculations) shall be considered as having met expectations and shall be removed from any status designation. These provisions are contingent upon the federal government not formally disapproving these acts through the submission and review process for the Illinois Accountability Workbook.

**HB 3680 Rep. Patterson - Sen. Collins**

**Signed into law August 4, 2005 – Public Act 94-0439**

Effective July 1, 2005, under the provision allowing a school board to provide free transportation when conditions are such that walking constitutes a serious safety hazard, this legislation continues to require that a school board annual review the conditions and make a determination as to whether or not the condition still exists, but removes the requirement that a school board certify those findings to the State Superintendent of Education.

**HB 3822 Rep. Colvin – Sen. Raoul**

**Signed into law August 8, 2005 – Public Act 94-0506**

This legislation aligns the various statutes governing Early Childhood Block Grant programs, strikes obsolete language and adds new language to reflect current practices. Specifically, this legislation removes all the language regarding the phase in of certified teachers which ended in 1998 and clarifies that teachers of preschool children must be certified. This legislation also reflects current practices by identifying other entities, in addition to school districts, as eligible applicants for the grants, as well as eliminating the model research training program option that has not been implemented for the past fourteen years. Effective July 1, 2005

**SB 3 Sen. E. Jones – Rep. Bellock**

**Signed into Law July 12, 2005 - Public Act 94-0196**

Effective immediately, this legislation amends the school code by providing that ISBE implement and administer a Giant Steps Autism Center for Excellence pilot program. This program will last for a period of three years beginning in 2005-2006. The purpose of this pilot program will be for the study and evaluation of autism and to provide related training for teachers, paraprofessionals, and respite workers, therapist training, and

consultative services. ISBE is also granted authority to make grants to school districts and other programs that apply to participate in the Giant Steps Autism Center for Excellence program.

**SB 10**      **Sen. del Valle – Rep. Delgado**  
**Signed into law August 8, 2005 – Public Act 94-0507**

Effective immediately, this legislation states that beginning the 2006-2007 school year, the State Board of Education shall establish by rule, a parental participation pilot project to provide grants to the lowest performing school districts to help these districts improve parental participation through certain activities. This pilot project shall be for a period of at least 4 school years. The State Board shall select 4 school districts to participate in the pilot project, and sets forth criteria for the Board to consider when selecting participating school districts and the requirements for the participants. The Parental Participation Pilot Project Fund is created as a special fund in the State treasury for this purpose and the pilot project will be implemented only if there are specific funds appropriated under this section for this purpose. These provisions are repealed on December 31, 2010.

**SB 46**      **Sen. Silverstein – Rep. Mathias**  
**Signed into law August 19, 2005      Public Act 94-0630**

This legislation amends the Public Building Egress Act by providing that stairwell enclosures in buildings greater than 4 stories shall comply with one of the following requirements: (1) no stairwell enclosure door shall be locked at any time; or (2) stairwell enclosure doors that are locked shall be equipped with an electronic lock release system that is activated upon loss of power. Further, stairwell enclosure doors at the main egress level of the building shall remain unlocked from the stairwell enclosure side at all times and building owners who lock stairwell enclosure doors shall comply with specific requirements during the time necessary to install a lock release system and two-way communication system. This does not apply to any stairwell enclosure door that opens directly into a dwelling unit, provided the dwelling unit door has a self-closer, latch, and no self-locking hardware. In instances where all doors in the stairwell meet specific criteria, the stairwell shall be provided with either a two-way communication system or readily operable windows on each landing or intermediate landing. This provision does not apply in a home rule municipality that, on or before January 1, 2005, has passed an ordinance regulating building access from stairwell enclosures in buildings that are more than 4 stories in height.

- Effective January 1, 2006

**SB 58**      **Sen. Burzynski – Rep. Osmond**  
**Signed into Law July 12, 2005      Public Act 94-0197**

Effective immediately, this legislation states that teachers institute days may include First Aid.

**SB 64**      **Sen. D. Sullivan – Rep. Mathias**  
**Signed by into law June 9, 2005 - Public Act 94-0014**

Effective January 1, 2005, this legislation requires steroid abuse prevention to be taught to students who participate in interscholastic athletic programs.

**SB 69            Sen. B. Brady – Rep. D. Brady**

**Signed into law August 2, 2005 – Public Act 94-0426**

This legislation states that the total amount from driver education fees and reimbursement from the State for driver education cannot 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. The money in the district's driver education fund can only be used 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. This legislation is effective upon becoming law.

- Effective January 1, 2006

**SB 87            Sen. Garrett – Rep. May**

**Signed into law July 29, 2005 – Public Act 94-0376**

Effective immediately, this legislation includes a provision that when a district provides notification of a child's possible eligibility to receive services from the Illinois School for the Deaf or the Illinois School for the Visually Impaired, the district shall also make a reasonable effort to further inform parents and guardians of eligible children of the existence of other, local schools that provide services similar to these schools and the services that these other schools provide.

**SB88            Sen. Hunter – Rep. Delgado**

**Signed into Law July 12, 2005            Public Act 94-0198**

This legislation moves up the date by which the spring mandate waiver report must be submitted to the General Assembly to March 1 (instead of May 1). This gives the General Assembly 60 days, instead of 30) to disapprove or approve the report in whole or in part.. It also makes an exception to the daily physical education requirement on block scheduled days if a school is engaged in block scheduling.

- Effective January 1, 2006

**SB100          Sen. W. Jones – Rep. Bassi**

**Signed into Law July 11, 2005            Public Act 94-0170**

Effective immediately, this legislation amends the Criminal Code by limiting the instances when a child sex offender who is a parent or guardian of a child attending the school may be present on the school grounds to: (i) attend a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participate in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attend conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school. This legislation does not infringe upon the right of this individual to be present in the school building or on school grounds for the purpose of voting when that building is used as a polling place.

- Same language as HB 23

**SB 162          Sen. Hunter – Rep. Delgado**

**Signed into Law July 12, 2005            Public Act 94-0199**

Effective immediately, this legislation requires the State Board of Education to establish a State goal that all school districts have a wellness policy that is consistent with

recommendations of the Centers for Disease Control and Prevention. The Department of Public Health, Department of Human Services and the State Board are required to form an interagency working group to publish model wellness policies and sample programs. A School Wellness Policy Taskforce will be created to identify barriers to implementing wellness policies, recommend how to reduce those barriers, recommend statewide school nutrition standards, and evaluate the effectiveness of wellness policies.

- Same language as HB 733

**SB 211      Sen. Hunter – Rep. Lang**

**Signed into Law July 12, 2005**

**Public Act 94-0200**

Effective immediately, this legislation allows a school board to excuse pupils in grades 9 through 12 from engaging in physical education courses if those pupils must utilize the time set aside for physical education to receive special education support and services. Changes are also made to the physical education course study requirements, which will now include the development of movement skills, enhancing health-related fitness, increasing student knowledge, encourages healthy habits and attitudes for a healthy lifestyle and offering direct opportunities on how to learn to work cooperative in a group setting. This physical education course of study must also provide students with an opportunity to receive an appropriate amount of daily physical activity as part of the regular school-curriculum.

- Same language as HB 1540

**SB223      Sen. del Valle – Rep. Kosel**

**Signed into Law July 8, 2005**

**Public Act 94-0151**

Effective immediately, this legislation re-establishes the Gifted and Talented Children Article of the School Code. The Article shall apply beginning with the 2006-2007 school year. School districts shall continue to have the authority and flexibility to design education programs for gifted and talented children in response to community needs. This article sets forth minimum requirements that must be met by local programs for the education of gifted and talented children in order for the programs to be approved by the State Board of Education and to qualify for State funding if available. The local educational agency operating the program must submit a written program description to the State Board demonstrating the fulfillment of the requirements. A child shall be considered gifted and talented in any area of aptitude and, specifically, in language arts and mathematics, by scoring in the top 5% locally. The local program for the education of gifted and talented children must use a minimum of 3 assessment measures used to identify gifted and talented children in each area in which a program for gifted and talented children is established and provide a fair and impartial appeal process within the school, school district, or cooperative of school districts operating a program for parents or guardians of aggrieved children. Requires the State Board to designate a staff person who shall be in charge of educational programs for gifted and talented children. The local program must also provide a description of how gifted and talented children will be grouped and instructed in order to maximize the educational benefits the children derive from participation in the program and a show that the certified teachers who are assigned to teach gifted and talented children understand the characteristics and educational needs of the children and are able to differentiate the curriculum. An Advisory Council on the Education of Gifted and Talented Children is reestablished. It provides that initially, 4 members of the Advisory Council shall serve terms through January 1, 2007 and 3 members will serve terms through January 1, 2009.

**SB 226      Sen. Cullerton – Rep. Froehlich**  
**Signed into law June 14, 2005 - Public Act 94-0028**

This legislation amends the Open Meetings Act. If a public body has a website maintained by the public body's full-time staff, this legislation requires that the public body post on the website (i) notice of any agenda of a regular meeting of the public body's governing body, (ii) notice of all meetings of the governing body, and (iii) beginning July 1, 2006, minutes of regular meetings of the governing body open to the public. It also specifies how long the postings must remain on the website and states that a failure to post on the website does not invalidate meetings or actions of the governing body. Other additional changes are also made to the Open Meetings Act in this legislation. Certain provisions effective immediately, others effective July 1, 2006.

**SB 297      Sen. Cullerton – Rep. Giles**  
**Signed into law August 10, 2005**

Provides that if a school district has a policy to permit proficiency examinations for the practice driving part of the driver education course, then the school district is entitled to only one-half of the reimbursement amount for the practice driving part if the student proficiencies out.

- Effective January 1, 2006

**SB 383      Sen. Link – Rep. Mathias**  
**Signed into Law July 14, 2005      Public Act 94-0225**

Effective immediately, this legislation requires the State Board of Education to adopt rules for the documentation of school plan reviews and inspections of school facilities and to convene a task force for the purpose of reviewing these documents and making recommendations regarding training and accreditation of individuals performing reviews or inspections. The taskforce will issue its report no later than January 1, 2006. In the Section concerning the school building code, makes changes regarding (i) an extension of time for compliance with respect to fire protection issues and (ii) fire safety checks and taking corrective action. Provides that the Office of the State Fire Marshal or a qualified fire official to whom the State Fire Marshal has delegated his or her authority shall conduct an annual fire safety inspection of each school building in this State and that such inspections must be at no cost to the school district.

**SB 427      Sen. Maloney – Rep. Eddy**  
**Signed into Law July 12, 2005      Public Act 94-0201**

This legislation states that in school districts other than the Chicago school district, upon non-renewal of a principal's administrative contract, the principal shall be reclassified pursuant to Section 5/10-23.8b of the school code. This legislation is effective upon becoming law.

**SB 463      Sen. Maloney – Rep. Black**  
**Signed into law July 1, 2005 - Public Act 94-0108**

Effective immediately, this legislation amends the School Code and the Public Community College Act by transferring all powers and duties of the State Board of

Education and State Superintendent of Education with regard to high school equivalency certificates and testing to the Illinois Community College Board.

**SB 479      Sen. Shadid – Rep. Schock**

**Signed into Law July 14, 2005      Public Act 94-0227**

This bill amends the School Employee Benefit Act by including a vocational education district, a special education district, a program operated by an education service region and a joint agreement to the definition of “school district”.

- Effective January 1, 2006

**SB 574      Sen. del Valle – Rep. Giles**

**Signed into Law August 10, 2005      Public Act 94-0534**

This legislation creates the College and Career Success for All Students Act. It requires a teacher of an Advanced Placement course to obtain appropriate training, subject to appropriation. The State Board of Education must establish training guidelines that require teachers of Advanced Placement courses to obtain recognized Advanced Placement training endorsed by the College Board, also subject to appropriation. The Advanced Placement and pre-Advanced Placement training to teachers in Illinois high schools must meet certain requirements and the State Board must encourage school districts to offer rigorous courses in grades 6 through 11 that prepare students for the demands of Advanced Placement course work. The State Board of Education must also encourage school districts to make it a goal that all 10th graders take the Preliminary SAT/National Merit Scholars Qualifying Test so that test results will provide each high school with a database of student assessment data to identify students who are prepared or who need additional work to be prepared to enroll and be successful in Advanced Placement courses. This legislation is effective upon becoming law.

- Effective January 1, 2006

**SB 575      Sen. del Valle – Rep. Giles**

**Signed into law August 24, 2005      Public Act 94-0676**

Effective immediately, this legislation increases the graduation requirements to receive a high school diploma.

- Pupil's entering 9<sup>th</sup> grade in the 2005-2006 school year must complete three years of math instead of two.
- Pupils entering 9<sup>th</sup> grade in the 2006-2007 school year are additionally required to have two years writing intensive courses, one of which is English and the other of which may be English or any other subject. A delineation is also made that the three years of math must include Algebra I and a math class that includes geometry content.
- Pupils entering 9<sup>th</sup> grade in the 2007-2008 school year must additionally complete two years of science instead of one.
- Pupils entering 9<sup>th</sup> grade in the 2008-2009 school year must successfully complete four years of language arts instead of three.

This legislation requires the State Board of Education to develop and inform school districts of standards for writing-intensive coursework.

**SB 661      Sen. Harmon – Rep. Hannig**

**Signed into law June 30, 2005 – Public Act 94-0091**

Finance Budget Implementation Bill for FY 06

- Effective July 1, 2005

**SB 767      Sen. Demuzio – Rep. Froehlich**

**Signed into law July 8, 2005 - Public Act 94-0153**

Effective immediately, this legislation allows that in multi-county educational service regions, if the county boards grant approval through an intergovernmental agreement, or if, in educational service regions serving only one county, the county board grants approval, then the regional superintendent of schools is authorized to hire private legal counsel to represent him or her in legal matters, instead of the State's Attorney of the county where the regional superintendent's office is located. This legislation also provides that each county located within the region shall pay a per capita share of the legal fees incurred, based on the number of people in the county according to the most recent U.S. census.

**SB 768      Sen. Demuzio – Rep. Howard**

**Signed into Law July 14, 2005      Public Act 94-0230**

This legislation amends the Interagency Coordinating Council Act. It states that in submitting the 2007 annual report the Council is required to make to the Governor and General Assembly, the Council shall include recommendations for expanding the recruitment of students and school personnel into programs that provide the coursework for Learning Behavioral Specialist II-Transition Specialist certification.

- Effective January 1, 2006

**SB 1493      Sen. Harmon – Rep. Yarbrough**

**Signed into law August 2, 2005      Public Act 94-0432**

Effective immediately, this legislation amends Article 5 Trustees of Schools for Class II county school units (Cook County). An elementary district that, when combined with "another" elementary district, has a fall 2004 enrollment of 5,000-7,000 and coterminous boundaries with a high school district that crosses township boundaries, may withdraw from the jurisdiction of its current township treasurer and trustees of schools in order to use the township treasurer and trustees that serve the high school district. Subject to written notice to all involved by certified mail within the same 30-day period, affirmative vote of 5 members of the school board and adoption of a resolution, and approval by a majority of the voters in the elementary district voting on the question. All rights, title, securities, etc. attributable to the elementary district vest in the receiving trustees of schools. This provision is repealed on January 1, 2010.

This legislation also amends Section 5-2.1 to allow electors in a high school district that crosses township boundaries to vote for both the trustees of the township in which the voter resides and the trustees of the township in which jurisdiction becomes assigned. Additionally, a waiver of a mandate established under a provision concerning eligible voters may not be requested.

**SB 1548      Sen. Trotter – Speaker Madigan**

**Signed into law June 10, 2005 - Public Act 94-0015**

Omnibus Appropriations bill for FY 06. Effective July 1, 2005, except for certain provisions that take effect immediately.

**SB 1626      Sen. Ronen – Rep. Mendoza**

**Signed into Law July 28, 2005 -- PA 94-0350**

Effective immediately, this legislation amends the school code in provisions concerning an employee's physical fitness, sick leave and compulsory school age exemptions. It provides that when required, certain examinations may be conducted by, and certain certificates may be issued by, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician (now, only certain physicians and, in some cases, spiritual healers may conduct the examinations and issue certificates).

**SB 1637      Sen. Radogno – Rep. Lyons**

**Signed into law June 14, 2005 - Public Act 93-0034**

Effective immediately, this legislation amends the Election Code by providing that when the secretary or clerk of the political subdivision provides the form for a back door referendum petition, the legal sufficiency of the form cannot be the basis for a challenge to placing the referendum on the ballot.

**SB 1638      Sen. Burzynski – Rep. Flider**

**Signed into Law July 14, 2005                      Public Act 94-0231**

Effective July 1, 2005, this legislation amends the School Code by allowing a school board, including the Chicago Board of Education, and governing boards of special charter districts to appoint a student to the board to serve in an advisory capacity for a term as determined by the board. The student will be a member in an advisory capacity and shall not be granted any voting privileges or attend any executive session of the board.

**SB 1676      Sen. Watson – Rep. Phios**

**Signed into law July 1, 2005 – Public Act 94-0105**

Effective immediately, this legislation provides that individuals who have successfully achieved National Board certification through the National Board for Professional Teaching Standards will be issued a Master School Service Personnel Certificate, valid for 10 years. In provisions concerning the Illinois Teaching Excellence Program, this legislation provides for an annual payment of \$3,000 to be paid to each school counselor who receives a Master Certificate and is employed as a school counselor by a school district.

**SB 1734      Sen. Garrett – Rep. May**

**Signed into law August 4, 2005 – Public Act 94-0440**

Effective immediately, with regard to funds appropriated from the Driver Education Fund to the State Board of Education for reimbursement to school districts for providing driver education, this legislation provides that (i) as soon as may be after each quarter of the year, the State Comptroller shall draw his or her warrants upon the State Treasurer as directed by the State Board of Education, (ii) the warrant for each quarter shall be in an amount equal to one-fourth of the total amount to be distributed to school districts for the

year, and (iii) payments shall be made to school districts as soon as may be after receipt of the warrants. This legislation also removes a provision that prohibits the amount of driver education reimbursement made on account of any student from exceeding the per pupil cost to the district of the classroom instruction part and the practice driving instruction part combined and a provision that requires claims for reimbursement to be submitted in duplicate by each school district to the State Board of Education prior to October 1 of each year on such forms and in such manner as prescribed by the State Board.

**SB 1815      Sen. del Valle – Rep. Hannig**  
**Signed into law June 22, 2005 – Public Act 94-0069**

This legislation creates the FY2006 Budget Implementation (Education) Act by amending the State Finance Act and the School Code. With regard to the SBE Federal Department of Education Fund, the SBE Federal Agency Services Fund, and the SBE Federal Department of Agriculture Fund, this legislation provides that moneys (instead of all moneys) in these funds shall be used for grants and contracts, and provides that non-appropriated spending is allowed for the refund of unexpended grant moneys to the federal government. Further, it provides that the SBE Federal Department of Education Fund shall serve as the successor fund to the National Center for Education Statistics Fund and any balance remaining in that fund must be transferred to the SBE Federal Department of Education Fund. The SBE Federal Agency Services Fund shall serve as the successor fund to the SBE Department of Health and Human Services Fund, the SBE Federal Department of Labor Federal Trust Fund, and the SBE Federal National Community Service Fund and any balance in these funds must be transferred to the SBE Federal Agency Services Fund. The State Board of Education Special Purpose Trust Fund is created as a special fund in the State treasury, and provides that moneys received by the State Board of Education from gifts, grants, and donations shall be deposited into this Fund.

This legislation also provides that if the amount that the State Board of Education will pay to a school district from fiscal year 2006 appropriations, as estimated on April 1, 2006, is less than the amount that the State Board paid to the district from fiscal year 2005 appropriations, then the State Board shall make a fiscal year 2006 transitional assistance payment to the district in an amount equal to the difference between the estimated amount to be paid from fiscal year 2006 appropriations and the amount paid from fiscal year 2005 appropriations.

With respect to the supervision of special education buildings and facilities, it removes a provision that provides that in no case shall the aggregate IDEA Part B discretionary funds received by the State Board of Education exceed the amount of IDEA Part B discretionary funds available to the State Board for fiscal year 1997, increased by 3% for fiscal year 1998 and increased by an additional 3% for each fiscal year thereafter.

In the State aid formula provisions, it increases the foundation level of support from \$4,964 to \$5,164 beginning with the 2005-2006 school year. With regard to supplemental general State aid, provides that (i) for the 2005-2006 school year, the grant shall be no less than the grant for the 2002-2003 school year, (ii) for the 2006-2007 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.66, and (iii) for the 2007-2008 school year, the grant shall be no less than the grant for the 2002-2003 school year multiplied by 0.33 (except that if for any

school year supplemental general State aid grants are prorated, then the grants under this provision shall be prorated). Effective July 1, 2005.

This legislation also requires the State Board of Education to test (1) all pupils enrolled in the 5th and 8th grades in writing during the 2006-2007 school year; (2) all pupils enrolled in the 5th, 6th, and 8th grades in writing during the 2007-2008 school year; and (3) all pupils enrolled in the 3rd, 5th, 6th, and 8th grades in writing during the 2008-2009 school year and each school year thereafter. The Prairie State Achievement Examination shall measure student performance in writing beginning with the 2006-2007 school year.

**SB 1851      Sen. Lightford – Rep. Delgado**

**Signed into law August 4, 2005 – Public Act 0441**

Effective July 1, 2005, this legislation removes the requirement that school districts file estimated reimbursement claims for costs of transitional bilingual education by certain dates and that the State Superintendent of Education transmit vouchers of the estimated claims to the Comptroller by certain dates. With regard to reimbursement claims for transitional bilingual education programs, this legislation provides that failure on the part of the school district to prepare and certify the final adjusted claims may constitute a forfeiture by the school district of its right to State reimbursement (now, failure on the part of the school district to prepare and certify the final adjusted claims on or before July 20 of any year and its failure thereafter to prepare and certify such report to the regional superintendent of schools within 10 days after receipt of a notice of delinquency shall constitute a forfeiture by the school district of its right to State reimbursement).

**SB 1853      Sen. Lightford – Rep. Giles**

**Signed into Law July 14, 2005 - Public Act 94-0234**

Effective July 1, 2005, this legislation would increase financial accountability within a school district. Several mechanisms are put in place to oversee school finances, including requiring districts to submit a balanced budget to ISBE, which could be made available on ISBE's website and would satisfy the mandate for these documents to be made public. To the extent the budget is not balanced, the district shall also adopt and file with the State Board of Education, a deficit reduction plan to balance the district's budget within 3 years. The amount of the Emergency Financial Grant would also be increased per student, as well as the Emergency Financial Loan, which would still be approved by ISBE but paid through the IL Finance Authority bonding pool which has greater resources than ISBE. A provision exempting financially distressed districts from the debt limit has been removed and a school district must notify the State Board prior to issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit or any other provision of law.

This legislation also amends the Downstate School Finance Authority Law of the School Code and this provision is effective immediately. This amendment provides that the purpose of an Authority's power to appoint a chief executive officer, chief fiscal officer, and chief educational officer is to administer and manage, under the director of the Authority, the operations and educational programs of the school district, in accordance with the School Code. It also provides that an Authority shall have the power to take action on behalf of the school district as the Authority deems necessary and in accordance with the School Code, based on the recommendation of the chief executive officer, chief educational officer, or chief fiscal officer and that the district shall be bound by such action in all respects as if the action had been approved by the district itself. A

chief educational officer shall have authority to determine the agenda and order of business at school board meetings, as needed in order to carry forward and implement the objectives and priorities of the Authority in the administration and management of the district.

**SB 1857      Sen. Cullerton – Rep. Saviano**

**Signed into law August 10, 2005      Public Act 94-0542**

Effective immediately, this legislation amends the Open Meetings Act. It provides that a public body's failure to strictly comply with the requirements of the semi-annual review of closed meetings minutes does not make the minutes or verbatim recordings open to the public or available in judicial proceedings (other than those for violations of the Act) if the public body, within 60 days of the discovery of its failure, conducts the review and reports in an open meeting that the need for confidentiality remains or no longer exists.

**SB 1931      Sen. Halvorson – Rep. Miller**

**Signed into law July 14, 2005 - Public Act 94-0235**

Effective immediately, this legislation mends the Education for Homeless Children Act. It requires each regional superintendent of schools to appoint an ombudsperson who is fair and impartial and familiar with the educational rights and needs of homeless children to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under the Act (now, each regional superintendent of schools shall act as an ombudsperson to provide resource information and resolve disputes relating to the rights of homeless children under the Act, except in Cook County, where each school district shall designate a person to serve as ombudsperson when a dispute arises). If a school denies a homeless child enrollment or transportation, it shall immediately refer the child or his or her parent or guardian to the ombudsperson and provide the child or his or her parent or guardian with a written statement of the basis for the denial. This legislation also provides that whenever a child and his or her parent or guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, a school district may, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist. The Office of the Coordinator for the Education of Homeless Children and Youth (at ISBE), established pursuant to the federal McKinney-Vento Homeless Assistance Act, must convene meetings throughout the State for the purpose of providing technical assistance, education, training, and problem-solving regarding the implementation of the Education for Homeless Children Act and the federal McKinney-Vento Homeless Assistance Act. Finally, this legislation abolishes the Homeless Children Committee.

**SB 2032      Sen. J. Sullivan – Rep. Reis**

**Signed into law July 1, 2005 – Public Act 94-0106**

Effective immediately, this legislation amends the Children of Deceased Veterans Act by providing that the Department of Veterans' Affairs shall provide certain education-related benefits to the children of certain veterans who are attending or may attend a State or private (now, just State) educational institution of elementary or high school grade.

## **Resolutions**

**SJR 41      Senator Garrett – Representative Washington**

This resolution urges Congress to take all steps necessary, by means of substantive legislation and by means of appropriation, to provide adequate Impact Aid and Impact Aid supplement funding to the Department of Education and the Department of Defense to ensure that the children of military families attending local public schools receive the same level of educational opportunity available to children in neighboring, non-federally impacted school districts.

**SJR 45 Senator Lightford – Representative Giles**

Disapproval resolution for the 2005 Spring Waiver requests.

**HJR 3 Representative Bellock – Senator Dillard**

Recognizes April of 2005 as Autism Awareness Month in the State of Illinois.

**HR 12 Representative Watson**

This resolution establishes a Task Force on One-to-One Mentoring Programs. It requires the Task Force to hold hearings concerning the best course of action to maximize the potential of at-risk youth and to report its recommendations to the House of Representatives no later than January 1, 2006.

**HR 23 Representative Tryon**

This resolution establishes the School Impact Fee Task Force for the purpose of studying impact fees in Illinois.

**HR 83 Representative Miller**

This resolution urges the State Board of Education, the soft drink industry, and the Illinois Statewide School Management Alliance to eliminate soft drink beverage sales and junk food products from school settings.

**HR 186 Representative Churchill**

This resolution requests that the Illinois State Board of Education conduct a study concerning the weight of textbooks carried by elementary and secondary school pupils and, if deemed beneficial, the Board shall adopt maximum textbook weight standards by July 1, 2006.

**HR 201 Representative Mitchell**

This resolution requires the House Appropriations - Elementary & Secondary Education Committee to hold subject matter hearings with regard to the regional delivery of educational services.

**HR 278 Representative Lang**

This resolution creates a Task Force to study the use of steroids among young athletes.

**HR 364 Representative Pritchard**

This resolution urges the Congress of the United States and the United States Department of Education not to move forward with creating the Student Record Data System.

**HR 425 Representative Verschoore**

This resolution creates a Task Force on a Uniform Building Code for the purpose of examining and making recommendations pertaining to the adoption of a uniform building code for the State.