



ALLIANCE LEGISLATIVE REPORT (95-69)

STATE BUDGET(S) MOVING

There was plenty of movement this week on the crafting of a Fiscal Year 2009 State budget as lawmakers are vowing to approve a budget and adjourn by the end of next week. The House of Representatives Wednesday passed a set of 28 bills that contains appropriations for State government. On Friday, the Senate approved its own version of a State budget. Next week the two chambers will have to agree on one budget plan and pass the same bills in order for the legislature's work to be completed before June 1.

The House, generally, approved two versions of a budget for each State agency: one being a "no growth" budget and one adding additional funding for the agency. For elementary and secondary education, **HB 6347 (Madigan, D-Chicago)** contains appropriations for the Illinois State Board of Education mostly at last year's funding levels while **HB 6348 (Madigan)** adds additional dollars for several important education budget line items. A final bill, **HB 6349 (Madigan)**, adds yet another funding increase for special education. Each of these bills was sent to the Senate for consideration.

All of the budget bills in the House were approved on a partisan roll call with Democrats voting in favor and Republicans voting in opposition. According to House Republicans, they voted against the budget package largely because they were not included in the drafting of the budget and were not allowed to give input into funding priorities.

The House maintenance budget is funded with natural revenue growth to the State. With all of the budget "add-ons" contained in the additional bills, opponents of the House Democrat budget claim that the appropriations are out of balance to the tune of \$3.1 billion.

The Senate also passed its budget bills (**SB 1102 and SB 1103**) on strict partisan roll calls with Democrats voting "yes" and Republicans voting "no".

The House adjourned Thursday afternoon and will return to Springfield on Tuesday afternoon. The Senate worked on Friday and will also return on Tuesday.

HOUSE "NO GROWTH" BUDGET (HB 6347)

The bill, generally, appropriates funds to the ISBE at the FY '08 budget level. The total amount is about \$700,000 over last year as some additional money was added to the General State Aid line item to increase the foundation level by \$128 per pupil. This addition is necessary to *maintain* State aid funding at the FY '08 level since, with changes in Average Daily Attendance (ADA), Equalized Assessed Valuation (EAV), and Corporate Personal Property Replacement Taxes (CPPRT), school districts would otherwise take a loss in foundation level compared to last year given the same amount of money. Mandated categorical grants are prorated at 93%.

The bill holds line items to the FY '08 funding level even when the ISBE requested moderate increases in its budget request. And no *new* budget line items are funded in this bill even though they appear in the ISBE budget request. For example, the following new line items are not funded in HB 6347: Charter Schools Start Up Grants, Homeless Education, Superintendent Mentoring, "Continued" Reading Improvement Block Grant, Online Library Resources, Response to Intervention.

HOUSE BUDGET “ADD-ONS” (HB 6348)

This bill adds funding above and beyond what is contained in HB 6347. Additional funding is provided for several line items for an educational funding increase of \$550 million over the FY '08 budget. About \$250 million is added to General State Aid for an increase in the foundation level of \$408 per pupil. Mandated categorical grants are fully funded and the special education personnel reimbursement is funded at \$10,000 per special education teacher. Other budget line item additions include:

Free & Reduced Breakfast-Lunch	\$5	million	
Summer School	\$1	million	
Bilingual	\$1.1	million	
Reading Improvement Block Grant	\$2.2	million	
School Safety & Improvement Block Grant	\$10.1	million	
ROE – Bus Driver Training	\$20,000		
Charter Schools	\$3.5	million	
Autism Training and Technical Asst.	\$350,000		
Children’s Mental Health Partnership	\$1.4	million	
Advanced Placement	\$146,000		
Grow Your Own Teachers	\$1.5	million	
Healthy Kids Cicero & Berwyn	\$1	million	(new program)
Gifted Education	\$5	million	(doubled FY '08)
Homeless Education	\$3	million	(new program)
Early Childhood Education	\$45	million	
Student Assessment (Bilingual)	\$12.5	million	
Response to Intervention	\$2	million	(new program)
Growth Models	\$1	million	
Adler Planetarium	\$200,000		(new program)
Ag Science Teacher Programs	\$500,000		(new program)
Civic Education	\$150,000		(new program)
Special Education Extraordinary Expenses	\$21	million	(new program)

HOUSE BUDGET FOR SPECIAL EDUCATION PERSONNEL (HB 6349)

This bill is from the “wish list” for education advocates and attempts to push the special education personnel reimbursement upwards – trying to reach the \$14,000 per teacher level. The bill includes \$192 million more for this line item. It also includes a \$5 million increase in the Special Education Transportation line item.

HOUSE BUDGET IMPLEMENTATION BILL (HB 3738)

HB 3738 (Madigan) is the budget implementation bill (BIMP) for the “no growth” budget. For education, the bill allows for “transitional assistance” for school districts so no district receives less in State funding in FY '09 than it did in FY '08. The provision, however, is “subject to appropriation” so if the amount of money appropriated is not enough to cover the entire cost, districts would be prorated. The budget contains \$5 million for this line item. The bill also increases the per pupil foundation level by \$128 (from \$5,734 to \$5,862) and extends the poverty grant hold harmless provision.

SENATE EDUCATION BUDGET BILL (SB1103)

For elementary and secondary education, the Senate provides approximately \$248 million over the FY '08 budget level. The funding formula’s foundation level is increased by \$166 per pupil and mandated categorical grants are fully funded. While the line item for early childhood education is increased by over \$32 million, most all other budget line items are held to the FY '08 levels.

Also, \$148 million is allocated to pay the 24 school districts that have been waiting for their School Construction Grant Program funding.

The revenue sources for the Senate budget are \$1.2 billion in “natural revenue growth” (this includes \$584 in federal matching funds) and \$530 million in revenue “sweeps”. The “sweeps” are transfers from various dedicated State funds into the General Revenue Fund.

AMENDMENTS ADDED TO SCHOOL FUNDING BILL

The Senate Education Committee Thursday approved six amendments to **SB 2288 (Meeks, D-Chicago)**, the school funding reform bill (see Alliance Legislative Report 95-58 for details: www.iasb.com/govrel/alr9558.cfm) that would raise approximately \$8 billion for schools and tax relief. The bill is pending on the Senate floor and is not expected to be voted on until November.

Senate Amendment #1: caps the municipalities’ share of the income tax increase at \$200 million.

Senate Amendment #2: establishes a renter’s tax credit, capped at \$500 per household.

Senate Amendment #3: establishes a mechanism for a portion of the receipts of the bill to be used to pay down State debt regarding Medicaid, health insurance programs, and the “circuit breaker” program.

Senate Amendment #4: to halt the process of diverting Road Fund monies into other areas, allows for some of the receipts from this bill to flow to the Illinois State Police and the Office of the Secretary of State.

Senate Amendment #5: increases the cap (from \$500 to \$1,000) of the income tax credit taxpayers may receive for the payment of tuition to a public or private school.

Senate Amendment #6: contains “school accountability” measures.

The Alliance opposed amendment six. Alliance lobbyists have been involved in discussions and negotiations on the proposed “accountability” measures for over a year and much progress has been made on reaching agreement with the proponents of the legislation. The Alliance opposed the provisions regarding new requirements for the teacher dismissal hearing/due process procedure and evaluations for teachers (including stringent new requirements for evaluating non-tenured teachers). The amendment can be reviewed at: www.ilga.gov. Type in “sb2288” in the box on the left hand side; click on “full text”; click on “Senate Amendment 006”.

BILL ACTION THIS WEEK

HB 1054 (Verschoore, D-Rock Island) contains technical "clean-up" language to facilitate distribution of county sales tax revenues provided under PA 95-0675. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 2210 (Soto, D-Chicago) amends the Education for Homeless Children Act to require the ISBE to award competitive grants under an Education of Homeless Children and Youth State Grant Program to applicant school districts to support school districts throughout this State in facilitating the enrollment, attendance, and success of homeless children and youth. **The bill was approved** by the Senate and was sent back to the House for concurrence in the Senate amendment.

HB 2310 (Jefferson, D-Rockford) amends the Illinois Municipal Code regarding truants and the penalties that apply. It specifies the local officials or authorities that are designated as (i) part of the juvenile justice system and (ii) “juvenile authorities”. The bill provides that a school district may disclose education records relating to attendance to juvenile authorities if the school board determines the disclosure will enhance the juvenile justice system’s ability to serve, prior to adjudication, the student whose records are released and specifies the procedure for the disclosure of student attendance records. Finally, the bill provides that the juvenile authority must certify in writing that the records will

not be disclosed to any other entity without the prior written consent of the student's parent or custodian, except as provided under State law. **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

HB 4159 (Bassi, R-Palatine) requires school districts to periodically review their procurement procedures and specifications related to the purchase of products or supplies and their comprehensive waste reduction plan. **The bill was approved** by the Senate and will be sent to the Governor.

HB 4229 (Sacia, R-Freeport) provides that whenever the term "registered mail" is used in the School Code, it shall be deemed to authorize the use of either registered mail or certified mail, return receipt requested. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 4309 (Reis, R-Willow Hill) provides that if a school district closes a school building that poses a hazardous threat to the health and safety of pupils prior to providing the minimum hours of instruction required for a full day of attendance, then that day may be counted as a full day of attendance. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 4374 (Flowers, D-Chicago) requires the Chicago Public Schools to provide recess for all students in kindergarten through grade 8. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

HB 4442 (Flowers), for Chicago Public Schools only, provides that if a student must be transferred from one attendance center to another because the attendance center the student is currently attending exceeds its attendance capacity, then the attendance center the student is to be transferred to must not be on the academic watch list unless the student's parents prefer the student be transferred there. **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

HB 4522 (Pritchard, R-Hinckley) statutorily requires the last two school district state aid payments to be made in June (instead of July) so the funds are received in the proper fiscal year. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 4527 (Lang, D-Chicago) increases the amount of certain grants from the State to public and school libraries. **The bill was approved** by the Senate and will be sent to the Governor.

HB 4646 (Pritchard) allows school districts to enter into cooperative ownership agreements with other local governmental entities to operate wind generation turbine farms. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 4705 (Currie, D-Chicago) allows for the continuation of the distribution of funds by the ISBE to achieve a goal of "Preschool for All Children" by removing certain provisions that limit this distribution to a time period from July 1, 2006 to June 30, 2008. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

HB 5338 (Lindner, R-Sugar Grove) requires the ISBE to develop and make available to each school board guidelines for the management of students with life-threatening food allergies. It requires each school board to implement a plan based on the guidelines for the management of students with life-threatening food allergies. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

HB 5717 (Coulson, R-Glenview) clarifies that any child who received a health examination before entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination before entering 6th grade in the 2008-2009 school year. **The bill was approved** by the Senate and will be sent to the Governor for consideration.

SB 2042 (Bond, D-Grayslake) makes changes relating to the residency of pupils in residential facilities and the payment of costs concerning tuition for non-resident pupils, residency and the payment of tuition, determining the resident district with respect to children with disabilities, and special education classes for children from orphanages, foster family homes, children's homes, or in-state housing units. **The bill was approved** by the House of Representatives and will be sent to the Governor for consideration.

SB 2091 (Haine, D-Alton) contains the ISBE's "teacher misconduct" language (please refer to Alliance Legislative Report 95-67 for longer synopsis). **The bill was approved** by the House of Representatives and was sent back to the Senate for concurrence in the House amendment.

SB 2170 (Murphy, R-Palatine) provides that teachers (not just school authorities) may inspect and search places and areas owned or controlled by the school. **The bill was approved** by the House of Representatives and was sent back to the Senate for concurrence in the House amendment.

SB 2387 (Collins, D-Chicago) adds the processes of homeownership as part of the financial literacy component of consumer education. **The bill was approved** by the House of Representatives and will be sent to the Governor for consideration.

SB 2487 (Forby, D-Benton) clarifies and corrects the newly created Article 11E for school district reorganizations. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

SB 2500 (Demuzio, D-Carlinville) creates a new superintendent mentoring program (please refer to ALR 95-67 for longer synopsis). **The bill was approved** by the House of Representatives and was sent back to the Senate for concurrence in the House amendment.

SB 2512 (Link, D-Vernon Hills) requires school districts to provide in the school curriculum a 2 hour unit of instruction in grades 3-12 on Internet safety to be taught at least once each school year. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

SB 2552 (Murphy) create a task force to examine the process used by State and local governmental agencies (including school districts) to conduct criminal history record checks as a condition of employment. School officials will be members of the task force. **The bill is pending** in the House.

SB 2682 (Frerichs, D-Champaign) allows school boards to award high school diplomas to honorably discharged veterans who served in the armed forces of the United States during the Vietnam Conflict. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

SB 2858 (Trotter, D-Chicago) requires the ISBE to adopt rules for the elimination of foods containing trans fats in public school cafeterias. **The bill was defeated** in the House Elementary and Secondary Education Committee.

SB 2864 (Cullerton, D-Chicago) eliminates the use of 11-15 passenger vans for interscholastic or other school sponsored non-curriculum related activities. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

COMMITTEES SCHEDULED FOR NEXT WEEK

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE
Wednesday, May 28, 9:00 a.m., Room 114, State Capitol

SB 1939 (Maloney, D-Chicago) allows for a chief school business official endorsement if, among other conditions, the certificate holder has 2 years of university-approved practical experience (as an alternative to requiring 2 years of administrative experience in school business management).

SB 2379 (Demuzio), in a Section allowing school boards to enter into joint agreements with other school boards with respect to special education matters, provides that an amendment to an agreement may include the removal of a school district from or the addition of a school district to the joint agreement without a petition as otherwise required in the Section if all member districts adopt concurring resolutions to that effect.

SB 2685 (Delgado, D-Chicago), beginning with the 2009-2010 school year, requires teachers' institutes to include instruction on prevalent student chronic health conditions.

SB 2687 (Demuzio) makes changes to the Illinois Teaching Excellence Program and monetary incentives for Master Certificates.

SENATE EDUCATION COMMITTEE

Wednesday, May 28, 10:00 a.m., Room 212, State Capitol

HB 4727 (Reitz, D-Sparta) provides that a pupil who becomes a non-resident during a grading period (instead of school term) shall not be charged tuition for the remainder of the grading period in which he or she became a non-resident pupil.

HOUSE EXECUTIVE COMMITTEE

Wednesday, May 28, 10:00 a.m., Room 118, State Capitol

SB 2400 (Link) provides that a public agency or private entity in possession of biometric identifiers or biometric information must develop a written policy establishing a retention schedule and guidelines for permanently destroying such information when the initial purpose for collecting the information has been satisfied.

SB 2482 (Lightford, D-Maywood) removes obsolete and duplicative language from the Illinois School Code.

SB 2636 (Harmon, D- Oak Park) provides that any erroneous assessment payment or overpayment of property taxes not refunded within 7 years shall be delivered to the Office of the Illinois State Treasurer pursuant to the Illinois Uniform Disposition of Unclaimed Property Act.

SB 2689 (Noland, D-Elgin) would require school districts to allow educational support personnel (ESP) to accumulate up to 240 days of sick leave at full pay, including the leave of the current year. The bill also would require that the school keep a record of ESP sick leave accrual so that upon reduction in force and recall either the district must pay the employee the cash value for all accumulated sick leave at the daily rate of pay at the time of the lay off or for those recalled the district must re-credit the employee for any accumulated sick leave at the time of recall.

**The legislative report is written and edited by the lobbyists of the Illinois Association of School Boards to provide information to the members of the organizations that comprise the Statewide School Management Alliance.*