

# Report to the Membership

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for the 2007 Delegate Assembly Meeting  
on November 17, 2007, Chicago

**October 2007**



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TO: Board Members and Administrators

FROM: Mark Metzger, Resolutions Committee Chairman

DATE: September, 2007

SUBJECT: 2007 Resolutions Committee Report

Thank you for your interest in the 2007 Resolutions Committee Report to the Membership. Proposals set forth in this Report will be acted upon at the Annual Meeting of the IASB Delegate Assembly which convenes at 10:30 a.m. on Saturday, November 17, 2007 at the Hyatt Regency Chicago (Regency A/B Ballroom, West Tower).

The Delegate Assembly is one of the most important functions held at the IASB Annual Conference. It gives member districts ownership in the association and the opportunity to establish the direction of the association and its major policies. Every member district has a delegate, a vote, and a voice.

Participation in the resolutions process is of vital importance. Submitting new resolutions, discussing the resolutions at your local board meeting, sharing your insight with other boards at division meetings and sending a well-informed delegate to the assembly all are key actions for you to take.

This booklet is provided in the fall and is intended to allow your board more time to discuss the resolutions. We hope that this will increase participation and enthusiasm from member districts.

We will again prepare a packet of information for distribution at the Delegate Assembly meeting. This packet will provide any information needed by delegates that was not available in the Report to the Membership.

Advanced registration for delegates is not necessary. Upon arriving at the conference in November your districts' delegate should check in at the "Delegate Registration" desk across the hallway from the main conference registration desk.

If you have materials that you will need to distribute on the assembly floor, 500 copies must be provided to the staff at least 24 hours in advance (an additional day or two would be appreciated). This should expedite matters at the Delegate Assembly and provide for a more organized meeting.

On behalf of the Resolutions Committee, thank you for your interest in the resolutions process. I look forward to seeing you in November.

**For further information  
please contact Ben Schwarm  
at IASB, Springfield office  
217/528-9688, ext. 1132**

**Service of the following school board members  
on the 2007 Resolutions Committee is acknowledged  
with sincere appreciation.**

Metzger, Mark	Aurora	Chair
Armstrong, John	Wauconda	Lake
Brown, Steven	Lexington	Corn Belt
Brunson, Tony	Matteson	South Cook
Cantlin, Jack	Earlville	Starved Rock
Carney, Karen	Bartlett	Kishwaukee
Clark, Steve	Rock Island	Blackhawk
Davis, Robert	Peoria	Central Illinois Valley
De Neal, Tom	Harrisburg	Shawnee
Eades, Linda	Hettick	Kaskaskia
Hoffman, Karen	Dubois	Egyptian
Kelly, Mike	Joliet	Three Rivers
Klimkowicz, Anna	Schaumburg	North Cook
Lowrance, Debbi	Robinson	Wabash Valley
Mammen, Jim	Lincoln	Abe Lincoln
Phillips, Howard	Greenfield	Two Rivers
Pickett, Linda	Waterloo	Southwestern
Pierce, Cherese	Hillside	West Cook
Reyes, Gonzalo	Sterling	Northwest
Shafer, Tom	Lewiston	Western
Swanson, Rosemary	Wheaton	DuPage
Uhlott, Sandra	Rantoul	Illini

**Delegate Assembly Agenda**

10:30 a.m. November 17, 2007

Regency A/B Ballroom, West Tower • Hyatt Regency Chicago, Illinois

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| <ol style="list-style-type: none"> <li>1. Call to Order</li> <li>2. Report of the Credentials Committee</li> <li>3. Approval of Delegate Assembly Business Rules</li> <li>4. Approval of Conference Program</li> <li>5. President's Report, Marie Slater</li> <li>6. Executive Director's Report, Dr. Michael Johnson</li> <li>7. Financial Report, Joe Alesandrini</li> </ol> | <ol style="list-style-type: none"> <li>8. Election of Officers               <ol style="list-style-type: none"> <li>A. Nominating Committee Report, Ray Zimmerman</li> </ol> </li> <li>9. Resolutions Committee Report, Mark Metzger               <ol style="list-style-type: none"> <li>A. New Resolutions</li> <li>B. Amended Existing Positions</li> <li>C. Reaffirmation of Existing Positions</li> </ol> </li> <li>10. Belief Statements</li> <li>11. Adjournment</li> </ol> |
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*Support*   *Oppose*

 

 

 

 

 

 

 

 

 

 

 

 

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# DELEGATE ASSEMBLY BUSINESS RULES

1. Business Procedures — Robert's Rules of Order shall govern.
2. Credentials — Delegates shall be registered with the Credentials Committee.
3. Delegate Seating — Only those delegates seated in the reserved section will be permitted to participate in the business session.
4. Recognition by Chair — Delegates wishing to speak on a motion shall rise and be recognized by the Chair before speaking. They shall give their full name and the name of the board they represent.
5. Debate on the Floor — No delegate shall speak in debate more than twice on the same question and no longer than five minutes at one time. No delegate shall speak a second time on the same question until all persons have had an opportunity to speak at least once.
6. Appeals — Those delegates wishing to appeal a "do not adopt" recommendation of the Resolutions Committee, to present a late resolution, or to amend a resolution or position statement, and have met the notice provisions required by Article X, Sections 4 and 5 of the IASB Constitution shall have a period of time not to exceed five minutes in which to explain why the proposed action should be considered by the Delegate Assembly.
7. Other Recognition — Members of the Resolutions Committee and IASB staff shall be given the privilege of the floor at the discretion of the presiding officer.
8. Nomination — Consent of nominee must be secured prior to presentation to the Delegate Assembly.

## RESOLUTIONS PROCEDURES

1. Proposals — Resolutions may be proposed by any Active Member, Association Division, Association Council, the Association's Board of Directors, or the Resolutions Committee. Resolutions to be published and distributed to the Active Members must be submitted to the Resolutions Committee at least 150 days prior to the Annual Meeting of the Delegate Assembly.
2. Presentation of Resolutions — The Resolutions Committee shall review all proposed resolutions, distribute a final draft of proposed resolutions to the membership not less than 45 days prior to the Annual Meeting of the Delegate Assembly, and may recommend the approval or disapproval of any resolution to the Delegate Assembly. The Resolutions Committee has the prerogative to determine which resolutions are to be presented to the Delegate Assembly; however, all resolutions received must be distributed to Active Members not less than 45 days prior to the Annual Meeting of the Delegate Assembly.
3. Annual Review — The Resolutions Committee shall annually review all position statements and resolutions in force and shall recommend that the Delegate Assembly amend or rescind resolutions that are not consistent with the current policy of the Association. All position statements and resolutions in force will be published annually and distributed to Active Members prior to the Annual Meeting of the Delegate Assembly.
4. Appeals—(Article X, Section 4), Any Active Member, Association Division, Association's Council, or Association Board of Directors shall have the right to appeal decisions of the Resolutions Committee at the Annual Meeting of the Delegate Assembly. Notice of appeal must be submitted in writing to the Resolutions Committee. The committee must be in receipt of the written appeal no later than the close of business 8 calendar days before the Annual Meeting of the Delegate Assembly. A majority of the delegates present at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.
5. Late Resolutions—(Article X, Section 5), Resolutions which are not presented to the Resolutions Committee at least 150 days prior to the Annual Meeting of the Delegate Assembly may be considered only by the following procedure: Such resolutions may be proposed by an Active Member, Association Division, Association's Council, Association Board of Directors, or the Resolutions Committee and submitted in writing to the Resolutions Committee. Any resolution which is not submitted in the manner described above shall not be considered by the Delegate Assembly. Late resolutions shall be considered for approval by the Resolutions Committee. The Resolutions Committee may recommend approval or disapproval of the late resolution to the Delegate Assembly. Any such resolution disapproved by the Resolutions Committee may be appealed by a seventyfive (75) percent majority vote of the delegates present. Delegates seeking authority to present late resolutions at the Annual Meeting of the Delegate Assembly shall provide copies for all delegates present at the meeting, including rationale and relevant supporting documentation.
6. Order of Resolutions — Each resolution to be adopted will be considered in the following order of categories: Educational Programs, Financing Public Education, Legislative Activity, Board Operations and Duties, Board Employee Relations, Local State/Federal Relations, and District Organization. Reaffirmation or deletion of existing positions will be done with a single motion unless a delegate wishes a particular position or positions to be considered separately.

# NOMINATING COMMITTEE REPORT

**August 2007**

The 2007 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10:30 a.m., Saturday, November 17, 2007, Regency Ballroom, Hyatt Regency Chicago:

President .....Mark Metzger  
Indian Prairie CUSD 204

Vice President .....Joseph Alesandrini  
Pekin CHSD 303

## **2007 NOMINATING COMMITTEE MEMBERSHIP:**

Ray Zimmerman, Chair  
IASB Immediate Past President

Roger Edgecombe  
Warrensburg-Latham CUSD 11

Roger Pfister  
Carbondale ESD 95

Carol Farnum  
Aurora East USD 131

Joanne Zendol  
Berwyn South SD 100

John Metzger, Alternate  
Benton CCSD 47

Joanne Osmond, Alternate  
Lake Villa CCSD 41

# NEW RESOLUTIONS

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## EDUCATIONAL PROGRAMS

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### 1. Funding for Differentiated Instruction

Submitted by: Morton CUSD 709  
Co-Sponsors: Peoria SD 150  
Dunlap SD 323

BE IT RESOLVED that the Illinois Association of School Boards shall seek administrative and legislative actions calling for the provision of separate and sufficient new monies to support programs of differentiated instruction for those students identified as having exceptional talents and abilities, permitting these students to reach their potential. Such student talents and abilities may be in areas that expand beyond the core curricula. To ensure efficiency and productivity in the implementation of these programs, school districts should be provided sufficient flexibility in the acquisition and expenditure of such State funds.

**Rationale:** Much of the national and state focus on education at the present time is developing methods to improve the knowledge of those students that need a minimum threshold of learning. The standard curriculum of most school districts goes well beyond those minimum thresholds. However, there is a significant group of students that have exceptional potential in specific areas of learning that can be better served by providing specific differentiated instruction to those students that develops, nurtures, and enriches those areas of potential. Those opportunities for enrichment and exploration in settings with their equally talented peers can provide the setting for their extraordinary talents to blossom. However, the focus of federal and state funding does not provide the specific resources to engage those students in those activities. Specific targeted funding for interventions for those students to allow them to develop to their potential is necessary to build and sustain those opportunities. Recognizing that the State Superintendent appointed new members to the Advisory Council for the Education of Gifted and Talented Children in February 2006, and recognizing the efforts of these members over the last year and a half, this resolution supports the requirement for funding for these initiatives and increases the ability and flexibility of local schools to serve a broader group of students and assist them in reaching their exceptional potential.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** The Association had a Position Statement for many years which supported monies for gifted education, but this proposal goes beyond that premise. The Committee agreed that this is a worthwhile venture, but clarified the language to ensure that there is an element of "local control" in acquisition and expenditure of these funds.

Further, the General Assembly approved a bill in 2005 (Public Act 94-151) that created an Advisory Council for the Education of Gifted and Talented Children. The law finds that "gifted and talented children exhibit high performance capabilities in intellectual, creative, and artistic areas" and that "gifted and talented children require services and activities that are not ordinarily provided by schools." This resolution falls directly in line with this section of the School Code.

### 2. High School Exams

Submitted by: East Peoria CHSD 309

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation to allow a school district to include any part of a state-mandated exam in its graduation requirements.

**Rationale:** Assessments of various types are used to determine academic achievement and placement as a student progresses through his/her 12 years of public school education. If a district chooses to include a portion of a state-mandated exam in its graduation requirements, it would be only one of many graduation requirements, just as a final examination is included in the determination of an individual course grade. Students having the ability to, but not choosing to, go on to higher education or to perform at optimum levels, sometime need extra motivation to achieve at their highest potential.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** Past concerns about the proposal were voiced again by the Committee. "High stakes tests" should not be the sole gauge of a student's success as it is not fair to all students: those with "test anxiety," those who may have extenuating circumstances at the time the test is given (domestic problems, family death, scheduling conflicts the day of test, etc.); special needs students. There was also concern that, once this door is open permissively for using an exit exam for high school graduation, legislators could eventually mandate the tests for every school district.

### 3. Preschool—Prioritize Public Schools

Submitted by: East Richland CUSD 1

BE IT RESOLVED that the Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority. All programs receiving any public monies shall be required to meet all standards and oversight applicable to programs operated by public schools.

**Rationale:** The Governor of the State of Illinois has been supportive of Early Childhood Education, the Legislature of the State of Illinois has been supportive of Early Childhood Education, public schools have also been supportive and public schools are required to meet all standards and oversight of programs.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** The expansion of the early childhood programs over the past four years has resulted in substantial new State money flowing to non-public education programs. The Committee believes it is prudent to have a statement on making public early childhood programs a priority. The association already has a Position Statement (2.45) stating that the Association "opposes payment of state funds directly or indirectly to non-public elementary and secondary schools."

And though current statute requires that any State funding of early childhood programs must only go to programs where all teachers hold early childhood teaching certificates or elemen-

tary certificates, the Committee supported going on record with this language in the resolution.

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## FINANCING PUBLIC EDUCATION-STATE

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### 4. Non-Resident Student Tuition

Submitted by: Freeburg CCSD 70

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation to allow legally enrolled students who have become non-residents of the district to attend the school as a non-resident student, tuition-free, only until the end of the grading period in which the student was determined to be a non-resident. The legislation should allow students who are seniors in high school, and legally enrolled on the first day of school to continue in the district, tuition free, only until the end of that school year.

**Rationale:** Presently, the code allows students who were legally enrolled on the first attendance day to complete the school term, tuition free. The “school term” has been interpreted as the school year. Therefore, those students who were legally enrolled on the first day of school may legally finish the school year, tuition free even if they were only legally enrolled for one day.

The District No. 70 Board is proposing the Illinois Association of School Boards adopt a position statement that allows non-resident students who were legally enrolled in a school district to finish the current grading period in which the student was determined to be a non-resident. At the end of the current grading period, the student would be required to enroll in their legal district of residence. A senior in high school who became a nonresident during his/her senior year would be allowed by the district to finish that school year to graduate with his/her peers under the proposed revisions.

The District No. 70 Board of Education and administration believes this resolution is supported by the following:

- It is generally recognized that students are best served educationally in their own community where they are able to develop and maintain relationships at school and then follow them into the community where they live.
- It is generally accepted that good attendance (including the absence of tardies) is more likely when students live in the community where they are schooled and do not have to rely on parents or others for transportation to school.
- School districts are experiencing severe financial hardship, and resources to investigate residency are scarce.
- Those same financial hardships also create a burden for districts to provide tuition-free education to students who are not legal residents of the district that is providing local financial support to fund the schools.
- When parents know their children may stay for an entire school year if they are “legal” the first day of school they are more likely to try to establish temporary residency to fulfill that requirement. By the time the school district discovers a residency issue, it is often very difficult to prove the status of legal residency on the first day of school.

- With No Child Left Behind and funding status of schools determined by student success, it seems unreasonable to have student scores who are not even legal residents of the district counted.

This legislation is important if we are to be able to contain our costs in the future. I know the taxpayers of our community support the local schools—I don’t believe they support providing a free education to non-residents.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** This resolution was submitted in 2006 but was recommended “Do Not Adopt” because of concerns about allowing school districts to have extensive latitude in enforcing the provision. This year, the submitting district’s language was much more concise and only allows exceptions for students who are seniors and would be graduating with the senior class peers. Committee members agreed that non-resident students should be paying tuition in most cases.

### 5. State Aid Notification

Submitted by: United THSD 30

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation calling for timely notification (prior to June 30) of general state aid (GSA) and all other mandated categorical state aid.

**Rationale:** Realistic and timely budgeting is difficult when state revenue sources are not disclosed in a timely manner.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** As much as the Committee agreed with the premise of this resolution, there were concerns about adopting it as a position statement. The resolution gives the Association little direction to achieve the intended outcome. Even if legislation was approved to require notification of school budget amounts by June 30, the legislature would have no choice but to ignore the legislation in a year such as this. If there is no budget in place, there is no possible way for notification of the proper school aid due to a school district.

It was the consensus of the Committee to recommend “Do Not Adopt” the resolution, but to take a different approach. The Committee submitted a resolution to reaffirm Position Statement 6.19 in promoting a constitutional convention. To truly address the inadequacies of our legislature as exposed in the spring 2007 session, constitutional revisions are necessary (real constitutional deadline for adoption of the State budget, changes in legislative leadership powers, etc.). The submitting district is invited to join the Committee as a co-sponsor of this initiative.

Also, this resolution will give delegates an opportunity to address the IASB membership at the Assembly to make statements on the Assembly floor regarding the extended legislative session and the unfair burden this has put on school districts. Again, the submitting district is invited to join with the Committee in this exercise.

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## FINANCING PUBLIC EDUCATION-LOCAL

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### 6. Property Tax Cap Expiration

Submitted by: Mattoon CUSD 2

BE IT RESOLVED that the Illinois Association of School Boards shall repeal current Position Statement 2.40, Property Tax Cap Expiration.

**Rationale:** The residents of a majority of the counties in the State of Illinois have, by their votes in favor of PTELL, let their legislators and the members of the Illinois Association of School Boards know that they want the full protection of PTELL without any sunset provision, and we as representatives of those voters should honor their decision.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** It was the consensus of the Committee that the current property tax cap law is detrimental to the financial well-being of school districts and that calling for an expiration date on the cap is fair to both the school district and the taxpayers. The cap would not be arbitrarily removed, but it would have to be removed by a vote of the citizens of the county.

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## LOCAL-STATE-FEDERAL RELATIONS

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### 7. School Bus Strobe Lights

Submitted by: Greenfield CUSD 10

BE IT RESOLVED that the Illinois Association of School Boards shall solicit legislation that would allow school district busses to make maximum use of all external safety and visibility devices.

**Rationale:** Currently, language in P.A. 5/12-815 ILCS puts restrictions on the use of strobe light warning systems on school busses. To adhere to these narrow provisions of this act is in conflict with prudent practice.

To secure the highest level of students' safety and security, many school districts are operating in violation of these restrictions, and are choosing to use their strobe lights at all times. To force a district to have to choose between compliance and security is a legally and ethically indefensible position.

It is the position of this submitting district that any restriction on the use of strobe light safety devices is in direct conflict with the best interests of our students. Any safety device, ranging from effective brakes, conspicuous paint schemes and up to high visibility strobe light systems should not be restricted according to vehicle speed, occupancy, weather conditions or locale.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** The General Assembly passed legislation this year (HB 1238) that allows for this. The Governor is expected to sign the legislation into law. If signed, this resolution is not necessary and the submitting district has stated that it will withdraw the resolution at that time.

### 8. Residency Revisions

Submitted by: Dallas CUSD 336

BE IT RESOLVED that the Illinois Association of School Boards shall seek to amend section 10-20.12b Residency of the Illinois School Code by adding a new section (e) and changing the labels for the current section e,f, and 9 to 5,9, and h.

The new section (e) should allow a district who is losing one or more students to another district to appeal the residency question to the Regional Superintendent. The Regional Superintendent will be required to investigate the situation and make a ruling in thirty days.

If any party involved wishes a hearing, they will notify the Regional Board of Trustees and the Regional Board will provide a notice and conduct a hearing with timelines stipulated in section (e).

**Rationale: School Code, Sec. 10-20.12b. Residency; payment of tuition; hearing; criminal penalty. (a) For purposes of this Section:** (1) The residence of a person who has legal custody of a pupil is deemed to be the residence of the pupil. (2) "Legal custody" means one of the following:

- (i) Custody exercised by a natural or adoptive parent with whom the pupil resides.
  - (ii) Custody granted by order of a court of competent jurisdiction to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.
  - (iii) Custody exercised under a statutory short-term guardianship, provided that within 60 days of the pupil's enrollment a court order is entered that establishes a permanent guardianship and grants custody to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.
  - (iv) Custody exercised by an adult caretaker relative who is receiving aid under the Illinois Public Aid Code [305 ILCS 5/1-1 et seq.] for the pupil who resides with that adult caretaker relative for purposes other than to have access to the educational programs of the district.
  - (v) Custody exercised by an adult who demonstrates that, in fact, he or she has assumed and exercises legal responsibility for the pupil and provides the pupil with a regular fixed night-time abode for purposes other than to have access to the educational programs of the district.
- (a-5) If a pupil's change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for all purposes relating to enrollment (including tuition, fees, and costs), for the duration of the custodian's military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. A school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under this subsection (a-5). School districts shall facilitate reenrollment when necessary to comply with this subsection (a-5).
- (b) Except as otherwise provided under Section 10-22.5a [105 ILCS 5/10-22.5a], only resident pupils of a school district may attend the schools of the district without payment

of the tuition required to be charged under Section 10-20.12a [105 ILCS 5/10-20.12a]. However, children for whom the Guardianship Administrator of the Department of Children and Family Services has been appointed temporary custodian or guardian of the person of a child shall not be charged tuition as a nonresident pupil if the child was placed by the Department of Children and Family Services with a foster parent or placed in another type of child care facility and the foster parent or child care facility is located in a school district other than the child's former school district and it is determined by the Department of Children and Family Services to be in the child's best interest to maintain attendance at his or her former school district.

- (c) The provisions of this subsection **do not apply** in school districts having a population of 500,000 or more. If a school board in a school district with a population of less than 500,000 determines that a pupil who is attending school in the district on a tuition free basis is a nonresident of the district for whom tuition is required to be charged under Section 10-20.12a [105 ILCS 5/10-20.12a], the board shall notify the person who enrolled the pupil of the amount of the tuition charged under Section 10-20.12a [105 ILCS 5/10-20.12a] that is due to the district for the nonresident pupil's attendance in the district's schools. The notice shall be given by certified mail, return receipt requested. Within 10 days after receipt of the notice, the person who enrolled the pupil may request a hearing to review the determination of the school board. The request shall be sent by certified mail, return receipt requested, to the district superintendent. Within 10 days after receipt of the request, the board shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing, which shall be held not less than 10 nor more than 20 days after the notice of hearing is given. The board or a hearing officer designated by the board shall conduct the hearing. The board and the person who enrolled the pupil may be represented at the hearing by representatives of their choice. At the hearing, the person who enrolled the pupil shall have the burden of going forward with the evidence concerning the pupil's residency. If the hearing is conducted by a hearing officer, the hearing officer, within 5 days after the conclusion of the hearing, shall send a written report of his or her findings by certified mail, return receipt requested, to the school board and to the person who enrolled the pupil. The person who enrolled the pupil may, within 5 days after receiving the findings, file written objections to the findings with the school board by sending the objections by certified mail, return receipt requested, addressed to the district superintendent. Whether the hearing is conducted by the school board or a hearing officer, the school board shall, within 15 days after the conclusion of the hearing, decide whether or not the pupil is a resident of the district and the amount of any tuition required to be charged under Section 10-20.12a [105 ILCS 5/10-20.12a] as a result of the pupil's attendance in the schools of the district. The school board shall send a copy of its decision to the person who enrolled the pupil, and the decision of the school board shall be final.

- (c-5) The provisions of this subsection apply only in school districts having a population of 500,000 or more.
- (d) If a hearing is requested under subsection (c) or (c-5) to review the determination of the school board or board of education that a nonresident pupil is attending the schools of the district without payment of the tuition required to be charged under Section 10-20.12a [105 ILCS 5/10-20.12a], the pupil may, at the request of a person who enrolled the pupil, continue attendance at the schools of the district pending a final decision of the board following the hearing. However, attendance of that pupil in the schools of the district as authorized by this subsection (d) shall not relieve any person who enrolled the pupil of the obligation to pay the tuition charged for that attendance under Section 10-20.12a [105 ILCS 5/10-20.12a] if the final decision of the board is that the pupil is a nonresident of the district. If a pupil is determined to be a nonresident of the district for whom tuition is required to be charged pursuant to this Section, the board shall refuse to permit the pupil to continue attending the schools of the district unless the required tuition is paid for the pupil.
- (e) Except for a pupil referred to in subsection (b) of Section 10-22.5a [105 ILCS 5/10-22.5a], a pupil referred to in Section 10-20.12a [105 ILCS 5/10-20.12a], or a pupil referred to in subsection (b) of this Section, a person who knowingly enrolls or attempts to enroll in the schools of a school district on a tuition free basis a pupil known by that person to be a nonresident of the district shall be guilty of a Class C misdemeanor.
- (f) A person who knowingly or willfully presents to any school district any false information regarding the residency of a pupil for the purpose of enabling that pupil to attend any school in that district without the payment of a nonresident tuition charge shall be guilty of a Class C misdemeanor.
- (g) The provisions of this Section are subject to the provisions of the Education for Homeless Children Act [105 ILCS 45/1-1 et seq.]. Nothing in this Section shall be construed to apply to or require the payment of tuition by a parent or guardian of a "homeless child" (as that term is defined in Section 1-5 of the Education for Homeless Children Act [105 ILCS 45/1-5]) in connection with or as a result of the homeless child's continued education or enrollment in a school that is chosen in accordance with any of the options provided in Section 1-10 of that Act [105 ILCS 45/1-10].

(Source: P.A. 89-480, § 5; 90-566, § 5; 94-309, § 5.)

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** The committee understands and appreciates the intricacies of the State's residency laws and the plight of the submitting district. However, there are strict definitions in the School Code regarding a student's residence, guardianship, custody, etc. that a school district can implement. Also, there is voluminous case law on this issue. With all of these regulations in place, it was the consensus of the Committee that all power in this area should not be given over to the Regional Superintendent to be the final arbiter.

## DISTRICT ORGANIZATION AND ELECTIONS

### 9. Consolidation into Unit Districts

Submitted by: Barrington CUSD 220

BE IT RESOLVED that the Illinois Association of School Boards shall seek and support legislation to promote the consolidation of all Illinois school districts into unit districts.

**Rationale:** In 2002, the IASB adopted position statement number 7.09 which states: "The Illinois Association of School Boards shall support a provision to allow the unit district formation of those districts wishing to consolidate."

This position is not strong enough given the importance of this matter to the health and viability of the public school system in Illinois.

Formation of unit school districts across the state would save administration costs, put more money into classrooms, and/or reduce tax rates. Unit districts help school administrators provide more continuity in curriculum between elementary, middle, and high schools.

Illinois' 875 school districts are a far cry from the 12,000 one-room schoolhouse districts in Illinois in 1940. But since a law designed to ease consolidation restrictions passed in 1985, the number of districts has dropped by only about 125.

Illinois remains one of only a handful of states that allows schools in the same area to be divided into elementary districts and high school districts, with separate sets of administrators. Most states require all schools to be in unit districts-kindergarten through 12<sup>th</sup> grade under one administration.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** As in 2006 when this resolution was submitted, it was the consensus of the committee that this proposal is contrary to the longstanding tradition of the IASB allowing local school districts and taxpayers to make such decisions on consolidation.

### 10. Conflict of Interest Prohibition

Submitted by: East Peoria CHSD 309

BE IT RESOLVED that the Illinois Association of School Boards shall support a change in State law to prohibit a person from serving on a Board of Education which serves a school district in which the person is enrolled as a student.

**Rationale:** Election to a Board of Education of a person employed by the same Board or receiving educational services from the District served by the Board would create a conflict of interest that could be very significant. Such a conflict would not be in the best interests of the elected body or the public itself as many decisions would impact co-workers or teachers, administrators, and support personnel serving the person.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** The committee was split on the issue of allowing a student attending high school to serve on that school board even after being duly elected by the voters. A committee vote to recommend "Do Not Adopt" the resolution fell one vote short. A vote to recommend "Do Adopt" was approved by a one vote margin.

There was strong support for "American Democracy," which allows for a person meeting the current requirements and receiving the majority of the votes for a seat on the local school board to serve on that board. However, there were also many concerns voiced about the conflict of interest a student would have while sitting on his own school district's school board. The student is now, technically, his teacher or principal's "boss". The student is now voting on all salary and contract decisions for all personnel in the district. The student is now privy to all confidential discussions about student and teacher disciplinary matters that occur in closed school board sessions.

### 11. Election Day Change

Submitted by: Community Consolidated SD 93

BE IT RESOLVED that the Illinois Association of School Boards shall promote legislation that would change election days from Tuesdays to Saturdays.

**Rationale:** As provided for in Section 5/11-4.1 of the Election Code, county boards of election commissioners shall use public buildings as polling places. In addition, the Code states that public schools must make their buildings available as polling places on election days when requested by the County Board or Board of Election Commissioners. In light of increased security needs in schools over the past several years, all-day, open public access of school buildings could jeopardize the safety of students and staff. During the regular school day, buildings are typically secured and visitors must be "buzzed" in. On election days, the buildings are open to voters, and the public having the ability to come and go without appropriate security surveillance.

Section 5/11-4.1 also states that on election days, school districts may choose to keep schools open or teacher institutes. If a teacher institute is held and students are not in attendance, the continuity of the instructional program for students is disrupted, especially since election days occur during the week.

If election days were held on Saturdays rather than Tuesdays, only the main building entrance and the voting area would need to be accessible to the public and the rest of the building could remain secured. The safety of students and staff would not be an issue because they would not be present. This could be a "win/win" situation, making school buildings more available and not putting the safety of students and staff at risk.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

**Resolutions Committee Rationale:** The Committee generally agreed with the district's rationale that there are significant security concerns when a school is opened up as a polling place on Election Day. However, Committee members were concerned about the significant upheaval and cost that would be involved to make such a change. Further, this would only apply to State elections and the November elections in even numbered years would still be held on Tuesday without a change in federal law.

Though it was the consensus of the Committee to recommend "Do Not Adopt" this resolution, the committee proposes that legislation be drafted that allows a school district to refuse to use its facilities as polling places. It has submitted a resolution to call for that. The submitting district is invited to join the committee as a sponsor of this resolution.

## 12. Polling Places in Schools

Submitted by: Resolutions Committee

Be it resolved that the Illinois Association of School Boards shall support legislation that amends the Election Code to allow a school district to refuse to be used as a polling place during elections for student safety reasons.

**Resolutions Committee Rationale:** The Resolutions Committee submitted this resolution in response to Resolution #11 which called for elections to be held on Saturdays. The significant upheaval and cost that would be involved to make such a change concerned the committee members. Further, that proposal would only apply to State elections and the November elections in even numbered years would still be held on Tuesday without a change in federal law.

Currently, the Illinois Election Code (10 ILCS 5/11-4.1) states that "Upon request of the county board or board of election commissioners, the proper agency of government (including

school districts and units of local government) shall make a public building under its control available for use as a polling place on an election day and for a reasonably necessary time before and after election day, without charge. If the county board or board of election commissioners chooses a school to be a polling place, then the school district must make the school available for use as a polling place."

With the increased concern of student safety in schools, and with the myriad new laws regarding registered sex offenders being prohibited from school property, there have been various attempts at passing legislation regarding the use of schools as polling places. Most all of these bills have infringed on the right of the local school district to make the decision whether or not to hold classes on Election Day. This proposal would allow the school district to make the decision up front on whether or not the facility will be used as a polling place.

The Resolutions Committee RECOMMENDS DO ADOPT.

## AMENDED EXISTING POSITIONS

### EDUCATIONAL PROGRAMS

#### 1. Position Statement 1.05 Preschool Programs

Submitted by Wheaton Warrenville CUSD 200

The Illinois Association of School Boards shall support legislation to fully fund with new monies for both staffing and infrastructure costs associated with early childhood programs for such children as originally defined in PA 84-126, and further addressed in Public Act 94-0506 and Public Act 94-1054. (Adopted 1986; Amended 2001, 2006)

**Rationale:** All day kindergarten and universal pre-schools are popular concepts for politicians to endorse. School Boards recognize the potential value of those programs but are con-

strained by the associated costs. In particular, moving from half-day pre-school to full day pre-school for all could triple the space needed. IASB currently has separate resolutions that oppose unfunded mandates and that support re-instatement of the school construction grant program. However, it would be to our advantage to link those concepts together in order to help legislators "connect the dots" on this particular issue, which is gaining momentum in political rhetoric and public thoughts.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** It was the consensus of the Committee that this resolution would recognize the need for construction costs associated with starting new early childhood programs, without forfeiting early childhood funding if a school district has no infrastructure needs.

## REAFFIRMATION OF EXISTING POSITIONS

### FINANCING PUBLIC EDUCATION-STATE

#### 1. Capital Funding for School Construction (2.14)

Submitted by: Community Consolidated SD 89

The Illinois Association of School Boards shall actively work with the Illinois General Assembly and the Illinois State Board of Education to increase capital funding for public school infrastructure improvement and development. The IASB shall advocate that the General Assembly study and consider additional forms of financial revenue for school construction needs, including but not limited to, sales tax revenue. Any new revenue shall supplement current school construction funds, not supplant them. (Adopted 1994; Amended 1998, 2006)

**Rationale:** The school construction program approved by lawmakers in 1997 has not been funded by the state legislature

since 2003. As Illinois school districts continue to struggle with declining revenues, construction projects have been delayed. Construction dollars are vital to schools throughout the state.

All children deserve safe and secure learning environments and good school buildings are a factor in student achievement. Research shows that poor building conditions affect the health, performance and morale of staff and students.

Modernized school facilities, structured around student learning needs, will attract and retain quality teachers and families. Technology-ready school facilities prepare students for an ever-increasing technological world.

The survival of Illinois communities, including rural, suburban and urban, depends on the quality of our schools, and school construction will grow the Illinois economy. Jobs, income taxes paid, demand for materials, increased property values for homes and business surround modernized schools. Illinois depends on quality schools to attract quality employees and prepare graduates for the workforce.

Other states have experienced the same difficulties in addressing school infrastructure needs and have enacted alternate sources of revenue.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** This year the legislature approved a bill (SB 835) that addresses this issue. The bill would allow a county board to place a question on the ballot to implement a sales tax for distribution to school districts within the county whose voters approve the measure for school district facility needs. The bill is pending the Governor's action.

## 2. Constitutional Amendment on School Funding (2.24)

Submitted by: Resolutions Committee

The Illinois Association of School Boards shall support passage of an amendment to the Illinois Constitution that would make education a fundamental right, would make it a paramount duty for the State to provide a thorough and efficient system of public education, and that would provide that the State has the preponderant financial responsibility for financing the system of public education. (Adopted 2006)

**Resolutions Committee Rationale:** In the midst of another failed attempt by the legislature to pass a school funding reform bill, the Committee believes that a change in the Illinois Constitution will be needed to spur such action. As the Association supports the convening of a constitutional convention, it is appropriate that this Position Statement be reaffirmed to target the area of the Constitution that needs amended.

The Resolutions Committee RECOMMENDS DO ADOPT.

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## FINANCING PUBLIC EDUCATION-LOCAL

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### 3. Property Tax Cap Expiration (2.40)

Submitted by: East Peoria CHSD 309

The Illinois Association of School Boards shall support a change in State law to create a four-year sunset on the implementation of the Property Tax Extension Limitation Law (PTELL) in each county in which PTELL has been enacted. The four-year sunset would also apply to the enactment of PTELL in any county approving PTELL after the effective date

of the legislation. Any desire to extend PTELL beyond the four years would require the County Board to again place the question on the ballot and receive a positive majority of votes in the next general election. (Adopted 2004; Reaffirmed 2006)

**Rationale:** The Association should continue to take every opportunity to promote its position with legislators and to encourage passage of legislation to provide for a sunset of the PTELL wherever it has been enacted. PTELL greatly affects a school district's ability to access local taxes and should only be a short-range solution for taxpayer relief without regular reaffirmation by the citizens.

The Resolutions Committee RECOMMENDS DO ADOPT.

**Resolutions Committee Rationale:** It was the consensus of the Committee that this proposal should be supported.

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## LOCAL-STATE-FEDERAL RELATIONS

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### 4. Constitutional Convention Support (6.19)

Submitted by: Resolutions Committee

The Illinois Association of School Boards shall actively participate in promoting a Constitutional Convention for the State of Illinois when the question is submitted to the voters in 2008 (or earlier, if submitted before) and shall begin planning strategy and marshalling resources for the promotion of a vote in favor of conducting the Constitutional Convention. (Adopted 2005; Reaffirmed 2006)

**Resolutions Committee Rationale:** In the midst of another failed attempt by the legislature to pass a school funding reform bill, the Committee believes that a change in the Illinois Constitution will be need to spur such action. The Constitution requires that, next year, the voters of the State be asked whether or not they wish to hold a constitutional convention. The Committee believes that the Association's position of supporting such a convention is appropriate and should be reaffirmed at this time.

This resolution is also timely given the legislative session of 2007 in which a budget could not be agreed upon. To truly address the inadequacies of our legislature as exposed this summer, constitutional revisions are necessary (real constitutional deadline for adoption of the State budget, changes in legislative leadership powers, etc.).

The Resolutions Committee RECOMMENDS DO ADOPT.

## CURRENT POSITIONS

### 1.01 EDUCATIONAL PROGRAMS

The Illinois Association of School Boards urges its member districts to develop educational programs so as to maximize educational opportunities for students by fully utilizing teacher and staff potential, community resources and physical facilities. The goal of each district shall be to serve the interest, talents and needs of each child through an outstanding well balanced program. (Adopted 1959; Amended 1988)

### 1.02 CURRICULAR MATERIAL DETERMINATION

The Illinois Association of School Boards shall support the right and responsibility of each local school board to determine its curricular content. (Adopted 1981; Amended 1983, 1988, 2001)

### 1.03 PHYSICAL EDUCATION

The Illinois Association of School Boards shall support modifications to existing state mandates which shall allow boards of

education to establish time requirements for physical education at the K12 level. (Portions Adopted 1982, 1986; Reaffirmed 1984, 1987; Amended 1988, 1995)

#### **1.04 STUDENT RETENTION AND HIGH SCHOOL COMPLETION**

The Illinois Association of School Boards shall urge Congress and the Illinois General Assembly to commit the appropriate resources and develop programs that would reduce the dropout rate throughout the state of Illinois with specific emphasis on early intervention in the elementary level and continuous intervention at the secondary school level to facilitate graduation. (Adopted 1986; Amended 2003)

#### **1.05 PRESCHOOL PROGRAMS**

The Illinois Association of School Boards shall support legislation to fully fund with new monies early childhood programs for such children as originally defined in PA 84126, and further addressed in Public Act 94-0506 and Public Act 94-1054. (Adopted 1986; Amended 2001, 2006)

#### **1.06 DISCIPLINE FOR SPECIAL EDUCATION STUDENTS**

The Illinois Association of School Boards shall develop and implement a legislative agenda at the Federal and State levels which urges the adoption of legislation easing the legal restrictions imposed on local school boards for disciplining students enrolled in special education programs, including the suspension and expulsion of such students, and providing for a less restrictive access to records of transferees due to expulsion. (Adopted 1994; Amended 1995)

#### **1.07 STANDARDIZED TEST PROCEDURES**

The Illinois Association of School Boards shall urge the Illinois State Board of Education to contract with a national testing company to develop a state assessment test that will test the Illinois Learning Standards on a yearly basis in compliance with, and only testing those areas required by, the federal "No Child Left Behind" Act. Further the IASB shall support legislation to:

- require that the test be given no later than October of each year with results received by local school districts no later than December of that same year;
- provide that assessments include both an annual overall performance measure as well as a system of formative classroom-level assessments that are linked to desired standards;
- require that the test will remain the same for 10 years with only changes in the test items to maintain security; and
- require that the cut scores be set before the test results are tabulated, leaving the score ranges the same from year to year and from grade to grade. (Adopted 2002; Amended 2003)

#### **1.08 STUDENT ASSESSMENT**

The Illinois Association of School Boards shall support legislation that will modify required State student assessments so testing does not go beyond what is required by federal law, and that prohibits the Illinois State Board of Education from pursuing activities designed to expand student assessment without legislative approval. Further, the Association shall support

efforts to modify the Illinois and federal student assessment processes so that they will:

- reduce costs to schools, the state and therefore taxpayers
- enhance student achievement
- increase student instructional time
- facilitate test score comparability within and across state lines
- return test results in a manner that will allow school districts to maximize student learning
- comply with the federal accountability mandate tied to testing
- maintain a needed emphasis on the Illinois Learning Standards
- develop a reporting process that reflects a school's progress beyond simply student assessment scores. (Adopted 2002)

#### **1.09 NO CHILD LEFT BEHIND**

The Illinois Association of School Boards:

- strongly disagrees with the premise that the quality and complexity of teaching and learning can be adequately and solely assessed by one achievement test given once during the school year;
- disagrees with the practice of assessing all schools with inconsistent standards allowed to be used by individual states to determine school accountability and adequate yearly progress;
- believes that the federal government has no authority to sanction local school districts; and
- believes that the current Adequate Yearly Progress (AYP) accountability model for students with disabilities is not consistent with the goals of the new IDEA (Individuals with Disabilities Education Act), as amended.

Therefore, the IASB shall work with the National School Boards Association and other coalitions to urge Congress and the Illinois General Assembly to:

- amend the provision allowing for one high-stakes test to determine student achievement;
- remove the provisions for local school district sanctions;
- focus on professional development for teachers and administrators;
- fully fund any requirements placed on local school districts;
- amend the Act to permit alternate assessments and other appropriate measures of achievement for students with disabilities as specifically addressed by the student's Individual Education Program (IEP);
- allow academic progress to be charted by comparing performance measures made at periodic intervals within cohorts of students rather than by comparing the grade level group test scores from year to year; and
- reject the adoption of an NCLB requirement that high school students be tested annually as the sole measure of academic achievement. (Adopted 2003; Amended 2005)

#### **1.10 NO CHILD LEFT BEHIND – MILITARY RECRUITMENT**

The Illinois Association of School Boards shall work with the National School Boards Association and other coalitions to

urge Congress and the General Assembly of Illinois to, regarding the No Child Left Behind Act, replace the opt-out burden on parents with an opt-in provision with regard to the requirement of secondary schools to disclose student information to military recruiters. (Adopted 2005)

### **1.11 ADVANCED PLACEMENT FOR STUDENTS**

The Illinois Association of School Boards shall offer and support legislation guaranteeing that the graduates of Illinois public high schools who achieve the following scores on Advanced Placement examinations shall be accorded, at minimum, the following benefits by all Illinois public colleges and universities:

For scores of 3, 4 or 5, full credit for completion of the college or university course corresponding to the Advanced Placement exam, including the award of the semester or credit hours (or their equivalent) which would have been earned if the student had successfully completed the coursework and any predecessor coursework at the postsecondary institution.

In all cases, Illinois public colleges and universities shall be free to award credit or benefits for scores below 3 as they see fit. Similarly, Illinois public colleges and universities shall continue to be free to grant such additional credit and placement in still higher coursework for scores of 4 and 5 as they see fit. (Adopted 2004)

### **1.12 SCHOOL ATTENDANCE DAYS**

The Illinois Association of School Boards shall support a policy variance by the Illinois State Board of Education to allow Unit School Districts the option to stagger the start and end date of schools within their district based on developmental and educational appropriateness, without penalty to state aid appropriations, provided that all students in the district meet required student attendance requirements. (Adopted 2004)

### **1.13 IEP Out-of-Grade Level Assessment**

The Illinois Association of School Boards shall advocate for, offer, encourage and support legislative action designed to:

1. Issue findings that No Child Left Behind (NCLB) is in conflict with the Individuals with Disabilities Education Act (IDEA), in particular in reference to the failure of NCLB to permit the use of out-of-grade level assessments to evaluate the achievement of students whose Individualized Educational Plan (IEP) calls for such testing;
2. Call on, petition and recommend that the United States Department of Education clarify the assessment rules of NCLB to permit the use of out-of-grade level assessments to evaluate students whose IEP calls for such testing;
3. Compel the Illinois State Board of Education (ISBE) to take all steps available to it (including, but not limited to, granting such exceptions and flexibility as it is maximally allowed under NCLB and altering its plans for NCLB implementation in Illinois) to permit as much IEP-consistent assessment testing as students' IEPs may dictate in evaluating the progress of students with IEPs;
4. Take such steps as ISBE and the General Assembly may determine are necessary to cause the implementation of NCLB in Illinois to be harmonized with the requirements of IDEA; and
5. Make it clear to all persons that out-of-grade level assessments are not "alternate assessments" for purposes of NCLB. (Adopted 2006)

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## **FINANCING PUBLIC EDUCATION-STATE**

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### **2.01 PRIORITY AND SUPPORT**

The Illinois Association of School Boards shall urge the Governor and General Assembly of Illinois to establish education as the number one priority of state government, to increase funding of education to such levels as would be necessary to implement the constitutional requirement that the state have primary responsibility for financing the system of public education, including the funding of educational reform, and to adjust the state aid formula to offset increased inflationary costs. (Portions Adopted 1973, 1977, and 1986; Amended 1988; Reaffirmed 2000, 2004, 2006)

### **2.02 FUNDING SOURCES**

The Illinois Association of School Boards shall support the enactment of additional sources of state revenue if, after thorough examination of state funding priorities, it is determined that such additional taxes are necessary. (Adopted 1975; Reaffirmed 1987; Amended 1988)

### **2.03 FUNDING MANDATED PROGRAMS**

The Illinois Association of School Boards believes that legislation encroaching upon local and lay control of the public schools should be curtailed, and, therefore:

shall oppose programs or services mandated by the Illinois General Assembly, the State Board of Education, or any other State agency, unless there is clear evidence of need for the mandate and the Illinois General Assembly provides non-local revenues to fully fund the additional costs of those programs;

shall urge the members of the General Assembly to strictly comply with the State Mandates Act, including specifying and labeling in the descriptions of legislation containing unfunded mandates that such mandates occur, and to refrain from passing any legislation which contains an exemption from the Act, and urge the Governor to veto any such legislation that may reach the Governor's desk;

shall urge State agencies and commissions that adopt regulations accompanying legislative mandates to specify required outcomes and criteria for determining compliance, and allow local districts to determine the specific methods and procedures by which required outcomes will be accomplished. Required time lines for accomplishment should reflect consideration of the human and material resources and amount of deliberation and development necessary to accomplish the mandate;

shall urge the General Assembly to adopt legislation which would allow school districts greater flexibility in regard to state mandates and the use of grants.

(Adopted 1976; Amended 1988, 1989, 2001, 2005; Reaffirmed 1980, 1991, 1994, 1999, 2002)

### **2.04 FUNDING SPECIAL EDUCATION PROGRAMS**

The Illinois Association of School Boards shall urge the Congress of the United States to adequately fund Public Law 94-142 (Individuals with Disabilities Education Act) commensurate with the mandates required by the Act:

- shall strongly encourage the State of Illinois to totally fund

with new monies, in a timely manner, the extra costs of educating children with special needs including transportation and accessibility costs;

- shall seek changes in current practice to fund local districts for special education professional personnel at 51% of the prior year's average salary for such professionals; and
- shall continue to oppose any requirement that local public school districts pay room and board costs for any handicapped child placed in private facilities. (Portions adopted 1977, 1980, 1986; Portions Reaffirmed 1985, 1986, 2002; Amended 1988, 2000, 2001)

## **2.05 CORPORATE PERSONAL PROPERTY REPLACEMENT TAX**

The Illinois Association of School Boards shall oppose any attempt to reduce the Corporate Personal Property Replacement Tax revenues provided by the current Act. (Adopted 1981)

## **2.06 IMPACT AID (STUDENT HOUSING)**

The Illinois Association of School Boards shall support legislation reinstating Impact Aid to school districts where there are students residing in housing provided on state property from which no property taxes are received. The Impact Aid shall be based on the number of students generated from the state property. (Adopted 1986)

## **2.07 CONTRACTING DRIVER'S EDUCATION**

The Illinois Association of School Boards shall support legislation authorizing school districts to provide a comprehensive driver education program through contract. Such contracts shall be made with properly authorized persons or agencies and may include provisions calling for the use of school property. (Adopted 1982)

## **2.08 TAX ASSESSMENT SCHEDULES**

The Illinois Association of School Boards shall seek and support legislation to promote the beneficial realignment of tax assessment dates and school levy deadlines. (Adopted 1988; Reaffirmed 1998)

## **2.09 PERMISSIVE RATE EQUALIZATION**

The Illinois Association of School Boards shall urge the Illinois General Assembly to equalize taxing authority without referendum of dual and unit districts in all funds so that the unit districts' authority would be equal to the sum of the dual districts' tax rate. (Adopted 1981; Amended 1986; Reaffirmed 1988)

## **2.10 MOBILE HOME TAXATION**

The Illinois Association of School Boards shall support legislative changes in the calculation and collection of Local Services Tax on Mobile Homes which will more adequately reflect the value of the dwelling and value of services afforded the owners of the dwelling. (Adopted 1978; Amended 1986; Reaffirmed 1988, 1996)

## **2.11 TRANSPORTATION LEVY (EXCESS COST)**

The Illinois Association of School Boards shall support legislation which will permit school districts, which have reached a levy of 12 cents in the transportation fund and which transport children in accordance with the statutes of the state of Illinois,

to increase the levy in the transportation fund subject to back-door referendum, to a figure necessary to compensate for the transportation expenditures which are not covered by the amount of funds obtained from local taxes and the amount of reimbursement received from the state of Illinois. (Adopted 1981)

## **2.12 RESIDENTIAL PLACEMENT COSTS**

The Illinois Association of School Boards shall inform the General Assembly and Governor's Office that children who are wards of the State create a significant impact on local school district budgets when they are placed in temporary shelters and foster homes. Further, the State shall provide 100% of the cost of these placements. The Association:

- shall work to increase the financial incentives to those local school districts which provide alternatives to residential placement for those students;
- shall initiate and support legislation that will require the Department of Children and Family Services to involve local school districts in any plans for group placements of children in those districts and that funds for educating the placed youngsters must be earmarked (appropriated, planned for) in the agency's budget prior to finalizing any plan; and
- shall seek and support legislation for the State of Illinois to provide funds to local school districts for purchasing or constructing additional classrooms that are required to provide instruction for students who reside in state facilities located within the district. (Adopted 1991; Amended 2001)

## **2.13 STATE AID PAYMENTS**

The Illinois Association of School Boards shall support legislation that requires the State of Illinois to make general state aid payments to school districts, on a monthly basis, during the entitlement year in which they are appropriated. (Adopted 1991; Reaffirmed 2000)

## **2.14 CAPITAL FUNDING FOR SCHOOL CONSTRUCTION**

The Illinois Association of School Boards shall actively work with the Illinois General Assembly and the Illinois State Board of Education to increase capital funding for public school infrastructure improvement and development. The IASB shall advocate that the General Assembly study and consider additional forms of financial revenue for school construction needs, including but not limited to, sales tax revenue. Any new revenue shall supplement current school construction funds, not supplant them. (Adopted 1994; Amended 1998, 2006)

## **2.15 HEAT DAYS FUNDING**

The Illinois Association of School Boards shall strongly support legislation to totally fund "heat" days for our schools. (Adopted 1996)

## **2.16 SUMMER SCHOOL FUNDING**

The Illinois Association of School Boards shall support legislation to provide adequate funding to school districts to provide summer school "at risk" academic programs. (Adopted 1996)

## **2.17 LOCAL TAX COLLECTION AND DISTRIBUTION**

The Illinois Association of School Boards shall seek legislation to amend the tax code, or other prescriptive procedures, to minimize the punitive effects of delinquent collection and dis-

bursement to districts of tax moneys raised by local levy. In the event tax monies are not collected or disbursed as required by State law, it shall be the county's obligation to reimburse the taxing district for any loss incurred. (Adopted 1996; Amended 1999)

### **2.18 TAX LEVY AMENDMENTS**

The Illinois Association of School Boards shall seek legislation to provide that a duly constituted Board of Education may submit an amended tax levy to avail itself of potential additional revenue through a change and increase in district EAV (Equalized Assessed Valuation), provided the original levy was properly filed on time, based upon the best information available at the time of filing, and the change in EAV has occurred since the filing of the original levy. (Adopted 1996)

### **2.19 ALTERNATIVE SCHOOLS**

The Illinois Association of School Boards shall support adequate State funding for regional alternative schooling programs. (Adopted 1997)

### **2.20 TORT IMMUNITY FUND**

The Illinois Association of School Boards shall oppose legislation that seeks to limit a school district's legitimate use of the tort immunity fund. This includes amendments to the Local Government and Governmental Employees Tort Immunity Act that would prohibit the issuance of bonds or the levying of taxes by a school board to fund the costs of complying with equitable remedies or relief, or with an injunction agreed to by the school board or ordered by any court. (Adopted 1998)

### **2.21 SCHOOL FUNDING AND TAXATION REFORM**

The Illinois Association of School Boards shall actively support the general concepts regarding school funding reform, property tax relief and tax reform identified in the legislative outline prepared by the Center for Tax and Budget Accountability in June of 2004. Legislation resulting from that legislative outline shall be supported by the Illinois Association of School Boards provided that: the State guarantees the payment of property tax relief grants will be made in a timely fashion with no loss of funds to the school district: school districts have continued access to local property tax revenues through levies and referenda: and the legislation meets the criteria outlined in the IASB Position Statement 2.33 – School Finance Reform. (Adopted 2004; Amended 2005)

### **2.22 SCHOOL CONSTRUCTION GRANT PROGRAM**

The Illinois Association of School Boards shall continue to support the current School Construction Grant Program and its provisions for grant applications, grant entitlements, grant awards, and local school district authority to select architects, engineers, contractors, and laborers. All school districts with an approved school construction grant entitlement shall be paid the amount of the entitlement in its entirety before a new school construction program can be implemented. (Adopted 2006)

### **2.23 SCHOOL CONSTRUCTION GRANT INDEX**

The Illinois Association of School Boards shall support legislation that would amend Section 5-5 of 105 ILCS 230 to calculate the grant index in the school construction program for

each of those school districts that consolidate or join for a cooperative high school after July 1, 2006 and utilize whichever grant index is highest for the newly consolidated district or cooperative high school rather than a composite index of all districts involved. (Adopted 2006)

### **2.24 CONSTITUTIONAL AMENDMENT ON SCHOOL FUNDING**

The Illinois Association of School Boards shall support passage of an amendment to the Illinois Constitution that would make education a fundamental right, would make it a paramount duty for the State to provide a thorough and efficient system of public education, and that would provide that the State has the preponderant financial responsibility for financing the system of public education. (Adopted 2006)

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## **LOCAL**

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### **2.25 PROPERTY TAX ASSESSMENT AND COLLECTION**

The Illinois Association of School Boards shall oppose the assessment and collection of property taxes at the statewide level. (Adopted 1987)

### **2.26 PROPERTY TAX BASE**

The Illinois Association of School Boards shall oppose any reduction in a district's access to local property tax revenue and shall oppose legislation that would erode the property tax base to educate children in the state of Illinois. (Adopted 1987; Amended 1988, 2001; Reaffirmed 2005, 2006)

### **2.27 STANDING ON TAX APPEALS**

The Illinois Association of School Boards shall support legislative action to enable public school districts, in Cook County specifically, to (1) receive notices of assessment appeals in excess of \$100,000; (2) become participants in assessment reduction proceedings at the administrative and judicial levels; and (3) allow the refund to be credited toward future property tax payments. Further, the IASB urges that the necessary resources be made available in order to facilitate the timely processing of property tax appeal proceedings. (Adopted 1975; Amended 1988, 2000, 2005, 2006 Reaffirmed 1985)

### **2.28 TAX INCREMENT FINANCING**

The Illinois Association of School Boards shall support changes in the current (Tax Increment Financing) statute that will model adoption procedures after those established for Enterprise Zones, continue to provide definitions for terms such as "blighted" used in the statute, develop procedures for disbanding TIF areas that do not produce anticipated growth, remove the requirement that all taxing bodies participate equally, to be monitored by the TIF Joint Review Board at each of its scheduled meetings, reduce the financial impact of the TIF area so that the percentage loss of Equalized Assessed Valuation (EAV) involved in the TIF will not exceed twice the average loss of EAV to each taxing body, limit its use in new residential development, and make the recommendation of the Joint Review Board binding. (Adopted 1986; Amended 1990, 1997; Reaffirmed 2006)

## 2.29 SEPARATE UTILITY ASSESSMENTS

The Illinois Association of School Boards shall support legislation which provides that regulated companies and other taxpayers (including single family dwelling homeowners, farmers, and non-regulated companies) be assessed separately. (Adopted 1982)

## 2.30 SITE DEVELOPMENT

The Illinois Association of School Boards supports requiring builders and subdividers to dedicate land for school purposes or to make cash payments in lieu of such dedications and to allow cash payments to be used for operational expenses. (Adopted 1971; Amended 2004)

## 2.31 PROPERTY TAX CAP

The Illinois Association of School Boards shall oppose any limitation which would require school boards to have to go to referendum to gain authorization to extend taxes to limits previously authorized by the voters. The Association shall support legislation designed to:

- exempt the districts in counties under the Property Tax Extension Limitation Law (PTELL) from the restrictions of the tax cap in their Fire and Life Safety, IMRF, Social Security and Tort Immunity funds.
- base the property tax cap on the Employment Cost Index (ECI) rather than the Consumer Price Index; and
- to establish a "floor" to PTELL to ensure that the allowable percentage increase in the extension cannot be less than the allowable percentage increase in the 1998 levy year. (Adopted 1990; Amended 2001, 2002, 2006; Reaffirmed 1991)

## 2.32 PROPERTY TAX CLASSIFICATION

The Illinois Association of School Boards shall oppose any reduction in real estate assessment for residential property which is not offset on a onetoone ratio. (Adopted 1991)

## 2.33 SCHOOL FINANCE REFORM

The Illinois Association of School Boards shall adopt as a position statement the recommendations contained in the Report of the Finance Initiative Committee of the Illinois Association of School Boards which reads:

"The State of Illinois, having the responsibility of defining requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development. Such areas include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities to fulfilling the primary purpose of schooling." (The School Code, 105 ILCS 5/27-1)

The Illinois Association of School Boards believes that adequate funding must be provided for each student in order to guarantee the opportunity for an appropriate public education.

An appropriate education is defined as an education that provides for all students educational opportunities that meet the goals for learning established by the state in the Education Reform Act of 1985 and local community expectations as

expressed through local board policy.

The following is criteria by which proposals for school finance reform shall be evaluated:

- 1) The state's funding of public education should provide for a stable, reliable and predictable commitment of revenue.
- 2) State funding levels for public education should be a function of the actual cost of providing an appropriate education.
- 3) Adequate funding should be sought through the addition of new state revenues for public education.
- 4) Any funding formula developed by the General Assembly shall place high priority upon achieving the goal of equity in providing financial resources to local school districts.
- 5) Increased state funding for public education should not reduce the access of school districts to the local property tax base.
- 6) In the distribution of state funds to local school districts-
  - a) funding differentials for various levels of schooling are appropriate only if based on verified costs;
  - b) consideration should be given to regional differences in the cost of providing an appropriate education;
  - c) the method of calculating the number of students coming from disadvantaged backgrounds should be based on current, verifiable data;
  - d) size of school district is important only to the extent that a district provides an appropriate education.
- 7) A specified local tax effort should be required to qualify for state aid.
- 8) Authority for changing a district's aggregate tax levy should be retained by the local board of education.
- 9) Taxing authority without referendum for unit districts in all funds should be equal to the sum of the taxing authority in dual districts.

In order to obtain substantial new state revenues for funding an appropriate education, the following considerations should have an impact on any proposal for school finance reform:

- a. A legitimate level and type of accountability will be needed.
- b. The physical plant needs of Illinois' school districts should be addressed.
- c. Taxpayer equity and relief, including uniform tax assessment and procedures as well as tax relief for limited fixed income and disabled citizens, should be provided. (Adopted 1990; Amended 1996; Reaffirmed 2001)

## 2.34 CHANGES IN SCHOOL ACCOUNTING PRACTICES

The Illinois Association of School Boards shall oppose legislation or rulemaking proposing cosmetic and costly changes in the school accounting practices or fiscal year, including but not limited to, mandatory accrual basis accounting, major program determination, depreciation allocation, and management's discussion and analysis. (Adopted 1992; Amended 2003)

## 2.35 TAX LAW AND ASSESSMENT PRACTICES

The Illinois Association of School Boards shall support legislation to create uniformity and equality in Illinois property tax laws regarding assessment practices. (Adopted 1993; Reaffirmed 2002)

### **2.36 IMPACT FEES FOR RESIDENTIAL DEVELOPMENT**

The Illinois Association of School Boards shall participate in the development and passage of statewide enabling legislation allowing local boards of education to impose residential development impact fees with the option of local municipal control through intergovernmental cooperation. (Adopted 1994; Reaffirmed 1996, 1998)

### **2.37 BOND AND INTEREST LEVY**

The Illinois Association of School Boards shall attempt to have legislation passed that would permit a school district to increase the bond and interest levy to recover taxes lost from an adverse Property Tax Appeal Board Decision, that caused the district to expend operating funds to amortize debt. (Adopted 1994)

### **2.38 LOCAL TAXES ON SCHOOL DISTRICTS**

The Illinois Association of School Boards shall support legislation that would exempt public schools from all taxes imposed by state, federal, and units of local government. They shall neither seek to deprive or delete public schools of their funds. Each public school district shall be issued its own district's State and Federal Tax Exemption Identification Number for such exemption. It shall be the responsibility of the taxing body to notify the agency collecting the tax of its exemption and assure its implementation. (Adopted 1996; Reaffirmed 2001; Amended 2004)

### **2.39 PROPERTY TAX RATE INCREASES**

The Illinois Association of School Boards shall support legislation that would require that new property tax rates levied immediately following successful passage of tax rate increases be used as the calculating rate and extended as required under the School Code (105 ILCS 5/17-3.2). (Adopted 2002)

### **2.40 PROPERTY TAX CAP EXPIRATION**

The Illinois Association of School Boards shall support a change in State law to create a four-year sunset on the implementation of the Property Tax Extension Limitation Law (PTELL) in each county in which PTELL has been enacted. The four-year sunset would also apply to the enactment of PTELL in any county approving PTELL after the effective date of the legislation. Any desire to extend PTELL beyond the four years would require the County Board to again place the question on the ballot and receive a positive majority of votes in the next general election. (Adopted 2004; Reaffirmed 2006)

### **2.41 TRUTH IN TAXATION**

The Illinois Association of School Boards shall seek a modification in the Truth in Taxation Notice that reflects the natural economic appreciation effect of changes in property values when reporting the percentage increase or decrease over the previous year's tax levy. (Adopted 2006)

### **2.42 SALES TAX FOR SCHOOL DISTRICTS**

The Illinois Association of School Boards shall advocate that the General Assembly study and consider legislation allowing school districts access to additional forms of financial revenue, both state and local sources, including but not limited to, sales tax revenue. Further, any form of additional revenue for schools must provide that school districts determine the

fund(s) in which to place the additional revenue. (Adopted 2006)

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## **FEDERAL**

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### **2.43 STATE AND LOCAL FEDERAL TAX DEDUCTION**

The Illinois Association of School Boards shall work with the National School Boards Association and other coalitions to defeat any legislation or regulation that would eliminate the federal income tax deduction for state and local taxes. (Adopted 1985)

### **2.44 E-RATE DISCOUNT PROGRAM**

The Illinois Association of School Boards shall urge Congress and the Federal Communications Commission to continue to support discount programs, including but not limited to the "E-Rate" program created in the Telecommunications Act of 1996, to provide affordable Internet access, distance-learning, and other educational programs for school districts and libraries. (Adopted 1998)

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## **OTHER**

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### **2.45 NON-PUBLIC SCHOOL FUNDING**

The Illinois Association of School Boards opposes payment of state funds directly or indirectly to non-public elementary and secondary schools. Specifically, the Association is opposed to the use of any form of "Educational Voucher", "Tax Deduction" and "Tax Credit" plan at the state or national level. (Portions Adopted 1970, 1975, 1982; Amended 1988; Reaffirmed 2006)

### **2.46 NON-PUBLIC STUDENT REPORTING**

The Illinois Association of School Boards shall support legislation to require that non-public schools receiving the benefit of public funds or services, submit to the Illinois State Board of Education an annual report including the names, ages and addresses of all students enrolled in their schools. (Adopted 1980)

### **2.47 TRANSPORTATION FOR PRIVATE SCHOOL STUDENTS**

The Illinois Association of School Boards shall pursue and support legislation amending 105 ILCS 5/294 of the Illinois Compiled Statutes (School Code) to require schools other than public to conform to public school attendance dates and times as needed to minimize busing costs, or pay the additional costs as a result of scheduling differences in busing students attending those schools. (Adopted 1995)

### **2.48 TAX EXEMPT BOND USE**

The Illinois Association of School Boards shall oppose any reduction by the Federal Government in the amount of tax exempt bonds which can be issued. In addition to this continuing opposition, the IASB shall explore alternatives available should such limitation be forthcoming at the Federal level. This

would include but not be limited to income tax credits for individuals, commercial bonds property casualty companies, etc., to provide incentives within the State of Illinois for the purchase of said bonds. (Adopted 1989)

### **2.49 LIFE SAFETY FUND USE**

The Illinois Association of School Boards shall support legislation that allows the State Board of Education to approve the use of monies generated from the health/life safety tax levy or the sale of health/life safety bonds for building projects that, while not specifically listed as a State Board approved project, will directly result in the improved safety of the students and/or community. Specifically, such funds shall be eligible to cover the costs for the following purposes: 1) repair or replacement of property such as school sidewalks, driveways, parking lots and playground equipment, in instances when a specific safety hazard is demonstrated by a licensed architect or engineer; 2) mandated alterations to facilities and school property pursuant to requirements of the Federal Americans with Disabilities Act; and 3) to provide air conditioning and climate control in the classrooms, and to provide for the lease and/or purchase of air-conditioning equipment under the tax for leasing (including lease purchase and installment purchase) of educational facilities.

(Adopted 1989; Reaffirmed 1991; Amended 1993, 2006)

### **2.50 STATE AND FEDERAL GRANT CARRYOVER**

The Illinois Association of School Boards shall encourage the state and federal governments to remove restrictions on grant programs which currently require local school districts to return grant fund balances back to the state. (Adopted 1991)

### **2.51 UTILITY RATE REDUCTION**

The Illinois Association of School Boards shall endorse legislation for regulated utility companies (electric, gas, water) to provide service to school districts at cost. (Adopted 1991; Amended 1995)

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## **LEGISLATIVE ACTIVITY**

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### **3.01 BOARD MEMBER INVOLVEMENT**

The Illinois Association of School Boards shall continue its legislative involvement and encourage increased legislative activity by local school board members at the district, division and state levels while providing leadership in guiding those board members in their efforts to seek public support of legislation essential to good school government. (Portions Adopted 1974 and 1981; Amended 1988; Reaffirmed 2006)

### **3.02 CANDIDATE SUPPORT**

The Illinois Association of School Boards shall actively encourage and assist school board members to effectively evaluate positions of legislative candidates relative to public education and to support those candidates who have demonstrated understanding and support for the principles of school man-

agement to ensure the best education for public school students in Illinois. (Adopted 1975; Reaffirmed 1986; Amended 2006)

### **3.03 LIMITED BILL INTRODUCTIONS**

The Illinois Association of School Boards shall encourage the Illinois General Assembly to limit the quantity of legislation introduced in each two year period to allow time for each bill to be researched, debated and thoroughly investigated before action by the General Assembly. (Adopted 1987)

### **3.04 GENERAL ASSEMBLY RULES**

The Illinois Association of School Boards shall support changes in the operating procedures of the Illinois General Assembly which would promote maximum exchange of information between legislators and interested citizens and ensure enlightened debate on the merits of all proposed bills and take the action necessary to prevent legislation from being changed by amendments which are not germane to the original purpose of the bill, or establish a time limit for such amendments sufficient to avoid last minute changes in the final weeks of a legislative session. (Portions Adopted 1980, 1984; Amended 1988)

### **3.05 EFFECTIVE DATE AND STATE BOARD RULES AND REGULATIONS**

The Illinois Association of School Boards shall encourage the Illinois General Assembly to allow a minimum of one year lead time for implementation of any regulation or legislation increasing costs in public schools. Any such changes to existing educational programs should not be implemented until the final regulations have been adopted by the State Board of Education. (Adopted 1981; Amended 1993)

### **3.06 DATA UTILIZATION**

The Illinois Association of School Boards shall support legislation requiring the State Board of Education and the State Superintendent to base rules, regulations, and recommendations regarding legislation affecting public schools on empirical research, which shall be made available to the Illinois General Assembly and the interested public. (Adopted 1987)

### **3.07 LOCAL LEGISLATIVE VISITS**

The Illinois Association of School Boards shall support and encourage each local Board of Education throughout the State of Illinois to make a "good faith" effort to initiate, undertake and make an in-person visit with their local legislators in order to discuss specific issues and proposed legislation affecting local school districts. Further resolve that conducting any such visits will be part of any Awards Program adopted by the IASB that recognizes outstanding leadership and development activities by local Boards of Education. (Adopted 1995; Reaffirmed 2006)

### **3.08 ELECTED STATE BOARD OF EDUCATION**

The Illinois Association of School Boards shall support legislation or other appropriate action requiring that the members of the Illinois State Board of Education be elected on a regional basis. (Adopted 2002)

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## BOARD OPERATIONS AND DUTIES

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### 4.01 ATTENTION DEFICIT DISORDER

The Illinois Association of School Boards shall encourage the Illinois State Board of Education (ISBE) to continue to study Attention Deficit Hyperactivity Disorder and methods to accurately identify and meet the educational needs of children with this disorder. Further, the IASB shall seek clarification of state policies and categories of special education to provide for consistency in special education placement and disseminate relevant information from the ISBE to local school districts. (Adopted 1992)

### 4.02 READING LOCAL RESOLUTIONS

The Illinois Association of School Boards shall endorse an amendment to the state statute to make it absolutely clear that Board resolutions do not have to be read aloud. (Adopted 1992)

### 4.03 SELF-INSURE RISK

The Illinois Association of School Boards shall propose legislation which would allow school districts, by board resolution, to self-insure the risk previously covered by surety bonds. (Adopted 1993)

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## BOARD – EMPLOYEE RELATIONS

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### 5.01 BOARD RIGHTS

The Illinois Association of School Boards supports local boards of education's rights to determine and control, as duly elected representatives of the community, the employment, dismissal and staff reduction of certificated and non-certificated employees. To this end, the Association shall support statutory, rules and regulations changes that will:

- (a) enable the initial placement of employees on the salary schedule without regard to years of experience or graduate credit;
- (b) allow for greater flexibility in staffing patterns to improve efficiency and effectiveness of programs;
- (c) require periodic re-evaluation of tenured faculty in order to maintain tenure status (i.e., every five years);
- (d) maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts;
- (e) repeal that portion of Public Act 81-515 which requires that school boards dismiss teachers by order of seniority within the district; and
- (f) allow school districts to take action on reductions in force up to sixty calendar days following the date elementary and secondary appropriations bills become law. (Portions adopted 1976, 1979, 1980, 1983, 1984, 1988; Amended 1988, 1996, 2006; Reaffirmed 1992)

### 5.02 TEACHER SALARIES (LENGTH OF CONTRACT)

The Illinois Association of School Boards believes that teacher salaries should be determined at the local level; if teacher salary increases are legislatively mandated, they should be

linked to an increase in the length of the teacher contract year for purposes to be determined locally. (Adopted 1985)

### 5.03 COLLECTIVE BARGAINING

The Illinois Association of School Boards shall strongly oppose legislation that diminishes the local school board's ability to collectively bargain with employees and shall encourage the General Assembly, the Illinois State Board of Education, and the State Superintendent to refrain from passing legislation that tips the balance of the bargaining process in favor of employee bargaining units. The Association shall continue to oppose any change in the collective bargaining law which fails to protect the rights of students, employees, taxpayers and boards of education and their administrative staffs. (Adopted 1981; Amended 1985, 2001)

### 5.04 UNEMPLOYMENT COMPENSATION - (SUBSTITUTE TEACHERS)

The Illinois Association of School Boards shall support legislation which would exempt substitute teachers from being eligible for unemployment compensation. (Adopted 1986)

### 5.05 PREVAILING WAGE ACT

The Illinois Association of School Boards shall work to repeal legislation that regulates wages of laborers, mechanics and other workers employed by school districts and those under contract for work being done in school districts. (Amended 1982, 1990; Reaffirmed 1985, 1988, 1996)

### 5.06 ESP PROGRESSIVE DISCIPLINARY PROCEDURES

The Illinois Association of School Boards shall support legislation that allows local school boards to determine locally all contractual arrangements for education support personnel. (Adopted 1990)

### 5.07 ILLINOIS EDUCATIONAL LABOR RELATIONS ACT

The Illinois Association of School Boards shall support the proposed amendment to the Illinois Educational Labor Relations Act, Section 10, which provides that an employer's duty to bargain over specified matters does not include a duty to bargain over a decision to reduce the number of employees and the impact of a reduction of employees. (Adopted 1993)

### 5.08 WORKERS' COMPENSATION LAW

The Illinois Association of School Boards shall actively support legislation to reduce the costs of Workers' Compensation. (Adopted 1993)

### 5.09 IMRF QUALIFICATION

The Illinois Association of School Boards shall support legislation that would amend the Illinois Municipal Retirement Fund (IMRF) laws for non-certified school staff to change, at each local district's option, the number of minimum hours an employee would work to qualify for IMRF from the current 600 hour standard to a 1,000 hour standard. This change would only be for new employees after the effective date of the legislation. (Adopted 1994)

### 5.10 PROBATIONARY TEACHER DISMISSAL

The Illinois Association of School Boards shall encourage state legislators to refrain from enacting legislation further

restricting a Board of Education from declining to rehire probationary teachers with or without cause. (Adopted 1994)

#### **5.11 TENURE REPEAL**

The Illinois Association of School Boards shall seek reform of the School Code to eliminate contractual continued service for teachers as currently provided by 105 ILCS 5/24-11. (Adopted 1995)

#### **5.12 SCHOOL EMPLOYEE STRIKES**

The Illinois Association of School Boards shall support efforts to discourage the ability of public school employees to strike. (Adopted 1996)

#### **5.13 STAFF DEVELOPMENT ACTIVITIES**

The Illinois Association of School Boards shall urge the Illinois State Board of Education to offer alternative times for staff development workshops other than during regular school hours when classes are in session. (Adopted 2000)

#### **5.14 EARLY RETIREMENT-DISTRICT OPTION**

The Illinois Association of School Boards shall support legislation which will allow Boards of Education to determine if a teacher may retire exercising the Early Retirement Option (ERO) with the Teachers Retirement System (TRS). (Adopted 2006)

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### **LOCAL - STATE - FEDERAL RELATIONS**

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#### **6.01 LOCAL CONTROL**

The Illinois Association of School Boards shall take all appropriate action to encourage members of the U.S. Congress, the Illinois General Assembly, related administrative agencies, and state and federal courts to refrain from introducing, supporting or promulgating rules, regulations and legislation which deprive local school districts of decision-making powers on matters in which there is not a clear and compelling state or national interest. (Adopted 1976; Reaffirmed 2006)

#### **6.02 PERIODIC REVIEW OF STATE AND FEDERAL MANDATES**

The Illinois Association of School Boards shall support at the state and national level periodic review of all mandates, rules and regulations affecting local districts. Such mandates, rules and regulations should be broad in scope providing great flexibility in implementation, eased or reduced during periods when state supporting funds are unavailable or reduced, and eliminated if not of benefit to educational opportunities and outcomes. (Adopted 1981; Reaffirmed 1985; Amended 1988)

#### **6.03 EDUCATIONAL LABOR RELATIONS BOARD PROCEDURES**

The Illinois Association of School Boards shall work with the Illinois Educational Labor Relations Board to increase their sensitivity to the need for timely decisions and establish criteria to identify matters in need of expedited attention. Further, the Association shall utilize the legislative process to remove

statutory barriers to timely and expedited decisions and support legislation to enhance the decision making process. (Adopted 1989)

#### **6.04 STATE BOARD COMMUNICATION**

The Illinois Association of School Boards shall continue to work with the Illinois State Board of Education to provide opportunities throughout the state each fiscal year to render local boards of education the time to express their concerns as well as to discuss their position on various pertinent educational issues. (Adopted 1982; Amended 1988)

#### **6.05 STATE BOARD OF EDUCATION MEMBERSHIP**

The Illinois Association of School Boards shall participate in the development of legislation amending Section 105 ILCS 5/1A with a goal of insuring fair representation on the State Board of Education from all geographic areas of Illinois. (Adopted 1999)

#### **6.06 ZONING HEARING PARTICIPATION**

The Illinois Association of School Boards supports requiring planning commissions, zoning boards, and the governing bodies of the jurisdiction in which real estate developments or zoning changes are proposed to notify the school district affected about such proposals and hearings about them and, if any, about the effect of the proposed changes and developments before completing any action to approve or adopt such a change or development. (Adopted 1973; Reaffirmed 2006)

#### **6.07 RAILROAD CROSSINGS**

The Illinois Association of School Boards urges the Illinois General Assembly, the Congress of the United States, state and federal commerce commissions, and railroad industries to continue working toward the installation of adequate warning devices at all railroad crossings maintained for public use in Illinois. (Adopted 1976; Reaffirmed 2006)

#### **6.08 ISBE RULES AND REGULATIONS REVIEW**

The Illinois Association of School Boards shall encourage the Illinois State Board of Education to include school board members, administrators and other practitioners on committees to review proposed rules and regulations. (Adopted 1990)

#### **6.09 STUDENTS ON PUBLIC AID**

The Illinois Association of School Boards shall seek and support legislation to mandate that students of families receiving State/Federal financial assistance (e.g. welfare, AFDC) maintain "regular" attendance as a stipulation for receipt of same. (Adopted 1995)

#### **6.10 SCHOOL HOLIDAYS-LOCAL OPTION**

The Illinois Association of School Boards shall support legislation that would allow local school districts the authority to decide whether to observe legal holidays as a day of non-attendance for students. (Adopted 1996)

#### **6.11 HOME SCHOOLING POLICY**

The Illinois Association of School Boards shall support legislation to enact appropriate laws and policies to demonstrate that the education received by home-taught students is of sufficient

quality to ensure appropriate transfer to schools that have current certification and recognition status from the Illinois State Board of Education. (Adopted 1996; Amended 1998; Reaffirmed 2000)

#### **6.12 DESIGN PROFESSION SELECTION**

The Illinois Association of School Boards shall support legislation in the Illinois General Assembly amending or repealing the Local Government Professional Services Selection Act, or any other applicable laws, rules or regulations, to the extent necessary to permit Illinois school boards to solicit, and to permit licensed architects, engineers and land surveyors to submit cost proposals for these professional services as part of a school board's design professional selection process. (Adopted 1997)

#### **6.13 SUPPORT SERVICES TO PRIVATE SCHOOLS**

The Illinois Association of School Boards shall support modifications in the Illinois Intergovernmental Agreement Act to allow public school districts to work together in a time and cost efficient manner to provide support services to private schools as required by the U.S. Supreme Court rendered in the case of *Agostini v. Felton*, 65 U.S.L.W. 4526. (U.S. June 23, 1997). (Adopted 1997)

#### **6.14 STATUTORY JOB DESCRIPTIONS**

The Illinois Association of School Boards shall oppose legislation which allows job descriptions for employees of school district to be placed into state law. (Adopted 1997)

#### **6.15 ADMINISTRATIVE CAPS**

The Illinois Association of School Boards shall not support recent Illinois State legislation concerning Administrative Caps and Superintendent's Contracts as this legislation takes away local control from duly elected Boards of Education. Be it further resolved that the IASB calls for the repeal of these provisions of PA 90-548 so that these provisions are again placed in the hands of local school boards. (Adopted 1998)

#### **6.16 STUDENT EXPULSION HEARINGS**

The Illinois Association of School Boards shall support legislation and/or encourage the National School Board Association to support legislation that gives local school districts more latitude than the law currently mandated by *Honeig v. Doe*. Particularly, school districts should have more latitude than the 10 day suspension limitation to accommodate the needs of the accused to acquire legal counsel, bring forth evidence, or testimony pertinent to the hearing. (Adopted 2002)

#### **6.17 BILINGUAL EDUCATION**

The Illinois Association of School Boards shall promote legislative action calling for the Illinois State Board of Education, the U.S. Department of Education and school districts to study the alignment of, and full financial support of, the implementation of second language, native language and bilingual education programs. (Adopted 2004)

#### **6.18 FAIR LABOR STANDARDS ACT**

The Illinois Association of School Boards shall support legislation at both the Federal and State levels to exempt school dis-

trict employees from overtime and salary regulations as described in the Fair Labor Standards Act. (Adopted 2005)

#### **6.19 CONSTITUTIONAL CONVENTION SUPPORT**

The Illinois Association of School Boards shall actively participate in promoting a Constitutional Convention for the State of Illinois when the question is submitted to the voters in 2008 (or earlier, if submitted before) and shall begin planning strategy and marshalling resources for the promotion of a vote in favor of conducting the Constitutional Convention. (Adopted 2005; Reaffirmed 2006)

#### **6.20 BIDDING CONTRACTS-LOCAL BIDDERS**

The Illinois Association of School Boards shall support legislation that allows the local Board of Education to award a contract, under certain circumstances, to a qualified bidder that may not be the lowest responsible bidder. The bid must not be more than 2% over the lowest responsible bid and the bidder must be considered a local contractor by the local Board of Education. (Adopted 2006)

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### **DISTRICT ORGANIZATION AND ELECTIONS**

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#### **7.01 DISTRICT REORGANIZATION**

The Illinois Association of School Boards favors school district reorganization and consolidation intended to facilitate educational improvement rather than changes in district organization based only on enrollment or geographical location. Further, IASB shall oppose any future attempts by the Legislature, Governor, and/or State Board of Education to mandate, by statute or rules and regulations, the reorganization and consolidation of school districts. Reorganization and consolidation studies should be initiated by local citizens. In addition, IASB shall oppose legislation containing financial incentives based solely on district size or organizational pattern intended to force school district consolidation or reorganization. (Adopted 1962; Amended 1985; Reaffirmed 2006)

#### **7.02 SCHOOL DISTRICT REORGANIZATION VOTING REQUIREMENTS**

The Illinois Association of School Boards shall seek, encourage, and support efforts for school district reorganization – in all forms – to include a requirement that before such reorganization is deemed passed, a majority vote of voters in each of the affected districts is necessary. (Adopted 1987; Amended 1988, 2006)

#### **7.03 ANNEXING DISTRICT REQUIREMENTS**

The Illinois Association of School Boards shall seek an amendment to Article 7 of The School Code providing that neither a petition initiated by the citizens of one school district nor a petition initiated by a local school board of education seeking to annex their entire school district or a portion of the school district above and beyond one (1) home to another should be permitted without the affirmative vote of the citizens of each of the school districts affected. Specifically, 105 ILCS 5/7-1 and 7-2 shall be amended to include the following language: "When a petition is initiated by two-thirds (2/3rds) of the

registered voters in one school district seeking to annex said district in its entirety to another school district or school districts and the board of education of such receiving school district or school districts has not adopted a resolution agreeing to such annexation, such annexation, if approved by the regional board of school trustees, shall not become effective until it is approved in an election called for the purpose of voting on the question of the voters in each school district affected.” (Adopted 1988; Amended 1996, 2006; Reaffirmed 2000)

#### **7.04 DETACHMENT FROM UNIT DISTRICT**

The Illinois Association of School Boards shall oppose any efforts to amend the Illinois School Code to allow for less restrictive procedures for school districts to detach and form a new district. (Adopted 2005; Amended 2006)

#### **7.05 PUBLIC QUESTION VOTING DATES**

The Illinois Association of School Boards shall support legislation to repeal the statute in the Election Code, amended by

Public Act 84-739, which became effective January 1, 1986, which restricts school districts from placing a public question on the ballot other than when voters are scheduled to cast votes for any candidates for nomination for, election to, or retention in public office. (Adopted 1986)

#### **7.06 SCHOOL BALLOT FORMAT**

The Illinois Association of School Boards shall urge the State Legislature to review and revise the school ballot formats as established in section 9-12 of the School Code to more clearly identify for whom the voter is casting a ballot. (Adopted 2001)

#### **7.07 ELECTION SCHEDULES**

The Illinois Association of School Boards shall continue to support the non-partisan election of school board members at a non-partisan election. (Adopted 2003; Amended 2006)