

2021 Legislative Session Overview



Overview

The IASB Governmental Relations team worked through a busy and productive legislative session in 2021. There were 2,907 bills introduced in the Senate, while members of the House of Representatives submitted an additional 4,096 new bills for a total of 7,003 bills introduced in the first year of the 102nd General Assembly. Approximately 30% of the bills introduced have public education implications. 2021 presented public health challenges that made it nearly impossible to be in-person before lawmakers. Fortunately, IASB was able to represent local boards of education before the legislature, legislative staff, and legislative committees through online communication tools and other electronic means. The Association also maintained regular contact with Illinois State Board of Education (ISBE) staff, relevant state agency personnel, and education stakeholders regarding legislative issues during the session.

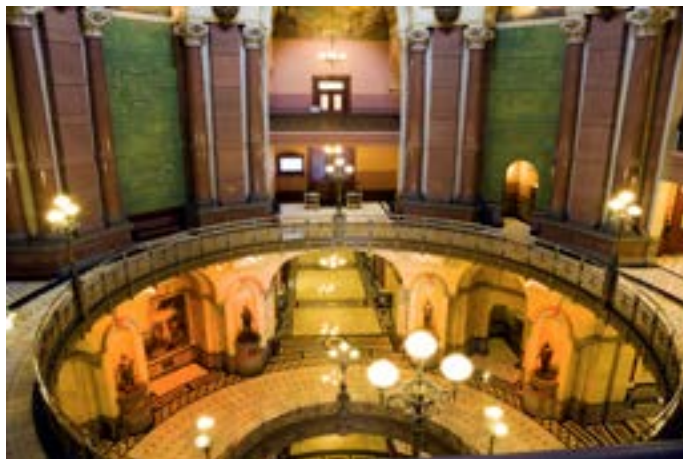
Objectives

The work of the IASB Governmental Relations team includes advocating for legislation that is favorable to public schools, opposing legislation that is unfavorable and improving onerous bills that are likely to move through the process despite IASB objections. Even legislation that is agreeable often needs additional negotiation to craft the verbiage for easier implementation in schools. In 2021:

- 10 bills were introduced based on IASB Position Statements
- Five IASB Position Statements were enacted into law
- 71 bills actively opposed that IASB amended
- Over 30 Legislative reports were published (state and federal)
- 8,500+ actions taken by members through IASB Calls to Action or Action Alerts

It is common practice for members of the House and Senate education committees to ask for the position of IASB before a vote is taken. Many bills eventually approved by a committee were done so only when the bill sponsors pledged to the committee that they would work with IASB representatives to modify the language to make it more practical for school district compliance.

The IASB Governmental Relations team tracked bills in over 40 different legislative committees this spring. IASB monitors bills in pension committees because school employees are pension members; election committees because our members are directly impacted by election law changes; transportation committees because school districts have school buses; labor committees because school boards are employers; revenue committees because school boards have taxing authority and rely heavily on taxation to fund programs – just to name a few.



IASB Position Statements Addressed 2021

Delegate Assembly resolutions provide Association leadership and staff with direction. Some prompt the introduction of legislation; others establish positions for or against measures contained in existing legislation. Some resolutions call for other action – typically dealing with the federal government, the State Board of Education, or member districts.

Position Statements directly address hundreds of pieces of legislation each year in Springfield. The 2021 session saw legislators introducing thousands of bills after a pandemic-shortened 2020 session. IASB staff used the Position Statements of the Association to guide decision-making and shape policy discussions. Enclosed is a summary of action taken in 2021 by IASB regarding key Delegate Assembly positions:

2.01 PRIORITY AND SUPPORT

With the passage of the Evidence-Based Funding model, the State of Illinois has continued to put more resources towards K-12 public education. The only exception was in 2020, in a pandemic-influenced budget. IASB advocated for the General Assembly to continue its commitment towards Illinois students and in 2021, the budget included a new \$350 million investment in public education.

2.29 PROPERTY TAX BASE

IASB consistently opposes any expansion of homestead exemptions. Provisions in bills were opposed that would expand homestead exemptions and negatively impact the property tax base, most notably Public Act 102-0644 (SB 2244).

4.03 SCHOOL BOARD MEMBER TRAINING

IASB opposed a new board member training requirement that would require training on trauma-informed practices. However, after negotiation with IASB and amendments to the language, SB 2109 passed the General Assembly and is now Public Act 102-0638.

6.01 LOCAL CONTROL

In every session, proposals are introduced that would erode local control. One of the most egregious was the requirement of an hour of unstructured playtime for students in grades K-8. Even after negotiation to a lesser requirement, IASB remained opposed to SB 654. Unfortunately, the bill was signed and is now Public Act 102-357.

6.21 E-LEARNING ELECTION DAYS

IASB has many position statements that advocate for flexibility for school districts. One of those positions, allowing e-learning days when a school building is used for an election, was adopted by the Delegate Assembly in November 2020 and passed by the Illinois General Assembly in Spring 2021 (Public Act 102-584).

7.01 DISTRICT REORGANIZATION

Opposition to forced consolidation has been a position statement of IASB for nearly 60 years. General Assembly-initiated consolidation pushes are nothing new, but IASB members responded in a new way to a proposed consolidation effort (HB 7) by sending over 8,500 messages of opposition. Due to the strong advocacy of the Association and by membership, HB 7 was defeated on the House floor.



Session Overview

One could characterize 2021 as the “Tale of Two Sessions.” As the pandemic raged on in 2020, all gatherings were shut down, Illinoisans were quarantined, and Illinois lawmakers, keen to get to the business of navigating an election cycle in a pandemic, were ultimately thwarted in realizing a robust 2020 spring session. To make up for the inability to pass many new laws in 2020, the January 2021 “lame duck” session brought an avalanche of initiatives that quickly became law, closing out the second year of the 101st General Assembly and providing momentum for even more new initiatives to be taken up in the 102nd General Assembly that convened later that month.

Illinois elected a new Speaker of the House for the first time in decades, after former House Speaker Michael Madigan resigned. The Illinois House of Representatives elected Rep. Emanuel “Chris” Welch as the first Black speaker in the state’s history on January 13, 2021. Prior to joining the Illinois General Assembly, Welch served 12 years on the Proviso Township High School Board of Education, ten of which he served as the Board Chair.

The voluminous Public Act 10-0654 omnibus Education Reform Bill was introduced and discussed, with IASB providing timely impactful information which guided the outcome of this important new law addressing learning recovery and numerous other issues. Several components of the legislation were removed in the final draft due to the input from school leaders. Lawmakers realized that some ideas needed more study before they could be effectively implemented.

In January 2020, Illinois was already on fragile fiscal ground before the COVID-19 pandemic shut down the state economy. That economic blow resulted in billions of dollars in state income and sales tax receipts evaporating. Coupled with the loss of the November constitutional amendment proposal to move to graduated income tax rates, Governor JB Pritzker and the legislature were tasked with finding a way to patch the current Fiscal Year 2021 budget, as well as craft a slimmer FY 22 budget.

Fortunately, by June, the fiscal picture had brightened, including an infusion of federal emergency funding. Illinois is in a better financial position with federal emergency funding than forecast earlier in the year. The \$42.3 billion state spending plan included a \$350 million increase in Evidence-Based Funding for K-12 schools. To ensure a balanced budget, the General Assembly closed several corporate tax loopholes, a move that will generate over \$600 million in revenue annually. Initially, Governor Pritzker proposed flat funding for the second year in a row. In early May, the governor revised his \$41.6 billion budget proposal to include the additional \$350 million for education.

Both the January 101st General Assembly and the new 102nd General Assembly focused on equity, diversity, and inclusion. Social equi-

ty and addressing inequities drove every discussion on issues, addressing access to supports and funding. In addition to education, the Illinois Legislative Black Caucus initiated bills on judicial and police reform, health and human services reform, and equity in employment reforms.

Several new directives for schools were added, addressing ethnic and religious accommodations, as well as learning and policy adoptions for school students. These included HB 120 (Guzzardi, D-Chicago) allowing team uniform modifications for cultural values, religion, or modesty preferences; HB 160 requiring schools to allow students to be excused from P.E. when participating in religious fasting; HB 376 requiring a unit of instruction on Asian American history; and SB 817 prohibiting school districts from having policies that apply to hairstyles associated with race, ethnicity, or hair texture.

Three school holiday bills passed, including two identical bills, HB 3922 and SB 1965, which establish June 19 of each year as a state and school holiday, celebrating Juneteenth National Freedom Day. SB 564 adds January 17, Muhammad Ali's birthday, to the School Code commemorative holidays and adds a curricular mandate to the history curriculum to include contributions made to society by Americans of different faith practices.

Additional new curricular mandates were approved to require instruction in comprehensive personal health and safety for grades K-5. Two additional years of foreign language, two years of laboratory science, and one year of computer literacy for high school students were added. Also approved were computer literacy skills for elementary students, computer science standards, social science learning standards, and Black history course requirements.

Session Results

The IASB legislative staff, in conjunction with our members, was able to prevent passage of HB 7 (Mayfield, D-Waukegan) an effort that would have required a statewide panel to choose 25% of school districts to be consolidated by majority vote approval. Over 8,500 contacts were made with legislators in calls-to-action while the bill was being considered. Together, we reminded legislators just how important our local school districts are to their communities.

In addition, we were successful in addressing several IASB Position Statements in legislative action. HB 4 allows school districts to utilize e-learning days on election days when schools are used as polling places. Additionally, the omnibus Elections bill (SB 825) established November 8, 2022, as a state holiday so that schools could be available as polling sites without endangering students and staff. HB 343 provides for increased traffic safety around school buildings and SB 2434 allows sharing of student records and information between schools in dual districts. SB 508 will return much-needed property tax revenues to school districts having experienced adjustments from errors and property tax authorities' decisions.

Some bills were approved and enacted despite IASB opposition. SB 654 requires 30 minutes of daily playtime for all students in grades K-5. HB 816 requires districts to allow 30 days paid sick leave for birth or adoption, to be taken intermittently, and disallows counting days school is not in session. HB 2521 eliminates the employer's ability to lockout employees during a labor dispute but allows employees the ability to strike; creates vague standards that can be weaponized against employers giving the union the ability to file unfair labor practice when collective bargaining agreement requests aren't realized; and allows electronic voting, which removes authentication of persons voting as is provided currently with in-person voting. SB 805 requires school districts to develop a food-sharing program jointly with local health department to distribute unused food to needy students.

But there were bright spots as well.

IASB was successful in stopping hundreds of bills that contained new mandates or otherwise would have added burdensome requirements to the work of the local school board and school district. With the

help of grassroots efforts by school board members, IASB was able to stop bills to eliminate energy savings contracting for school districts after 2026 (HB 3149); that disallowed school districts from allowing law enforcement officers to maintain a presence on school grounds (HB 29); that required ISBE provide a voucher for parents who wish to relocate their children to schools offering full-time, in-person instruction (HB 273 & SB 2152); that required school districts to employ counselors meeting a ratio of one counselor per 150 students (HB 553); required school districts to screen all K-2 students for dyslexia and additional screening for any student identified as at-risk (HB 3324); required school districts to administer universal mental health screening to all students no later than one year after enrollment in a secondary school (HB 3369); lessened the distance a registered sex offender could live in proximity to a school (HB 3913); required ISBE to consolidate elementary districts with other elementary districts and high school districts with other high school districts, without voter approval (SB 635); allowed school-based unions to cease working without calling a strike, effectively controlling how the delivery of education is decided, removing an inherent managerial right of the school board (SB 1204).

IASB was also successful in stopping hundreds of bills that contained costly new health insurance mandates, property tax limits, additional property tax exemptions, and income tax credits.

Many other bills which eventually were approved were amended by IASB, to lessen or remove many of the burdensome requirements that were included in the original bill.

Bills IASB Opposed That Did Not Pass

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| HB 8: would have required high schools to provide a home economics elective | HB 436: would have limited the value of new property for Property Tax Extension Limitation (PTELL) valuation to 50% instead of 100% |
| HB 38: would have required certain districts to interview a percentage of minority candidates for teaching positions and provide a program for employees interested in teaching licensure | HB 1722: would have diverted public school funding to a nonpublic school for a student transferring to a nonpublic school |
| HB 78: would have required any school district to receive transferring Chicago Public Schools (CPS) students if CPS schools had unsafe lead levels in water | HB 2496: would have required school district boards of education to, every two years, entertain a resolution establishing term limits for chairpersons and presidents of the board |
| HB 85: would have imposed a .4% payroll tax on employees to create a Wage Insurance Program | HB 2787, SB 2189: would have included the state-paid employer normal cost of pensions in the Evidence-Based Funding Formula (EBF) calculation for each school district |
| HB 225: would have limited the number of consecutive days a substitute teacher, provided by a recruiting firm, can teach | HB 3374: would have required school buses to be equipped with 3-point seat belts |
| HB 340: would have established a Local Government Elected Recall Act affecting school board members | HB 3535: would have expanded causes of action to be brought against school districts by students and families |
| HB 433: would have created a citizen petition and referendum initiative to dissolve any unit of local government | HB 3730: would have required school districts to use teacher mentors trained outside the district |
| | SB 1637: would have required school boards to share a superintendent by voter petition |

IASB Amendments to Bills

- HB 102:** removed requirement that school districts develop an anaphylactic policy
- HB 156:** removed requirement that menstrual hygiene products be available in all school bathrooms
- HB 212:** removed mandate that all students receive mandated mental health care
- HB 219:** allowed school districts who do not use certain restraint techniques and isolated time out to be exempt from State Board of Education reporting requirements if the school can demonstrate compliance in the previous three years.
- HB 290:** removed 30-day requirement for parental written notification
- HB 1785:** removed the requirement to hold hearings over three consecutive months for discussion of school closings
- HB 2400:** removed the requirement that schools must give five days advance notice prior to a lockdown drill.
- HB 3281:** removed the mandate that the process to become a naturalized citizen become a unit of instruction for all students
- SB 654:** lowered the age group to K-5 and lessened the time to 30 minutes for mandated daily playtime
- SB 818:** maintained a school district's choice to deliver sex education and that schools may adapt the curriculum to the needs of their community
- SB 817:** removed the withholding of state funding for districts that have policies about hairstyles
- SB 2109:** extended the timeline for completion of school board member training on trauma-informed practices
- SB 2563:** removed the mandate for school bus emissions texting

Bills Supported by the IASB That Passed

- HB 18:** changes the timeline for teacher evaluations from every two years to three years, and evaluation of excellent/proficient ratings
- HB 41:** requires school districts to refer the option of in-state services for students needing special education services and review options annually.
- HB 571:** requires municipalities to provide additional information in the Tax Increment Financing (TIF) annual report submitted to the Comptroller and taxing districts
- HB 2569:** extends the provision allowing retired teachers to return to teaching without penalty until June 30, 2024, and allows for a substitute teacher under this section to extend the 90-day period if they were ill after they were hired as a long-term substitute teacher
- HB 3114:** creates a State Education Equity Committee to address systemic inequities and ensure each child is equipped to reach their fullest potential
- SB 517:** creates the High-Cost Special Education Funding Commission to make recommendations for an alternative funding structure for high-cost special education students, to the principles of the EBF formula
- SB 808:** removes the requirement that student-teacher candidates be required to submit videotape to pass the teacher performance assessment (EdTPA)
- SB 813:** allows school districts to adjust Average Student Enrollment for FY 2022 through 2024 for EBF calculations because of the impact of COVID-19
- SB 1989:** extends the provision allowing retired teachers to return to teaching without penalty until June 30, 2023, not to exceed 120 days or 600 hours
- SB 2354:** adds forensic speech to the list of options to fulfill the language arts graduation requirement

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