

# 2022 Legislative Session Overview



## Overview

The IASB Governmental Relations team worked through a busy and productive legislative session in 2022. While each chamber adopts procedural rules that allow bills to be held, they often are released when lawmakers express their need for them to be heard. This means previous-year bills can be called at any time until a General Assembly has ended. This also means that the over 7,000 bills introduced in 2021, the first year of the 102nd General Assembly, are still in play and “called up” for initiatives legislators feel are needed. Adding the legislation introduced in 2022, over 10,000 bills were introduced during the two-year 102nd General Assembly. IASB lobbyists read the synopsis of all bills introduced and researched at least 1,500 of those measures.

Legislative engagement in 2022 continued to be challenging because of lingering concerns about health and safety while gathering in person. Legislative discussions and committee hearings continued to be held via online communication tools and other electronic means. IASB was able to represent local boards of education before the legislature, legislative staff, and legislative committees through limited in-person meetings, and online communication tools. An advisory committee of IASB members met quarterly with Dr. Carmen Ayala, State Superintendent of Education, and 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 2022:

- Six bills were introduced based on IASB Position Statements
- Four IASB Position Statements were enacted into law
- 26 bills were amended and actively opposed by IASB

In addition to our weekly State Legislative Reports and Federal Reports, your IASB Government Relations team provided webinars and tutorials about engagement with the legislative process including sharing how-to tips and information at the best time to connect with lawmakers on important issues.

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.

# IASB Position Statements Addressed in 2022

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 2022 session once again saw legislators introducing thousands of bills despite an earlier-than-normal adjournment date. IASB staff used the Position Statements of the Association to guide decision-making and shape policy discussions.

Below is a summary of action taken in 2022 by IASB regarding key Delegate Assembly positions:

## 1.20 INDIGENOUS PEOPLE CURRICULUM INCLUSION

The 2021 IASB Delegate Assembly adopted Position Statement 1.20 which calls for the inclusion of Native Americans/ Indigenous People in the U.S. History Curriculum. House Bill 4548, which called for a K-12 Native American curriculum, was introduced, and moved out of the House Elementary and Secondary Education: School Curriculum and Policies Committee but was never called for a vote on the House floor.

## 2.48 PTELL (Property Tax Extension Limitation Law) NO PENALTY FOR UNDER LEVY

For several sessions, IASB lobbyists have advocated for Position Statement 2.48 which would not penalize a school district for not levying the maximum allowable under the law but would instead allow schools to recapture that amount in subsequent years. While there has been some traction in previous years, the bills did not see success. However, during the Spring 2022 legislative session, a property tax omnibus bill (HB 1975), included this important provision that is now law.

## 5.16 PRE-SERVICE TEACHER EDUCATION AND LICENSURE IN LITERACY

During the legislative session, a coalition was established to address several issues around literacy. One area addressed in Senate Bill 3900 was the need for training potential teachers in literacy education during college course work. The bill was moved out of committee, but never moved out of the Senate.

## 5.17 REMOTE-VIRTUAL SCHOOL BOARD OPEN MEETINGS

As rules around open public meetings changed due to the COVID-19 pandemic, many public bodies, including school districts, sought permanent change to the law to allow for more flexible open meetings. Senate Bill 932 was introduced and supported by many local government groups, but unfortunately the bill did not pass the Senate floor.

## 6.20 SCHOOL SAFETY — TRAFFIC ZONES

House Bill 5328 is a fitting example of a bill that makes incremental progress toward an IASB position statement. Position Statement 6.20 calls for more stringent traffic control measures including a greater police presence and traffic mitigation measures such as speed bumps and more clearly describes what types of roadways should be subject to a reduced school zone speed limit. HB 5328 did not address police presence or speed bumps, but it did expand the definition of roadways in which the school zone speed limit should apply. While there is still more work to do to accomplish all that is laid out in Position Statement 6.20, HB 5328 is a good start.

## 7.12 REORGANIZE BOARD-FROM 28 TO 40 DAYS

Some IASB position statements take years to be enacted into law, but with the introduction of House Bill 5127 and eventual enactment of the bill into law, IASB was able to see Position Statement 7.12 through the process in one year. School boards will now have the option to take up to 40 days to reorganize after an election.

## Session Overview

It was abundantly clear as the 2022 legislative session began that the upcoming 2022 General Election cycle would dominate the landscape resulting in many legislative initiatives that make good headlines. To further emphasize the focus on Election Day, the General Assembly adjourned on April 8, the earliest adjournment, in at least 40 years. With the Democratic Party controlling both the House and Senate with supermajorities and the Governor's Office, and a nationwide Republican surge occurring, the party in power in Illinois felt compelled to finish early and focus on campaign priorities.

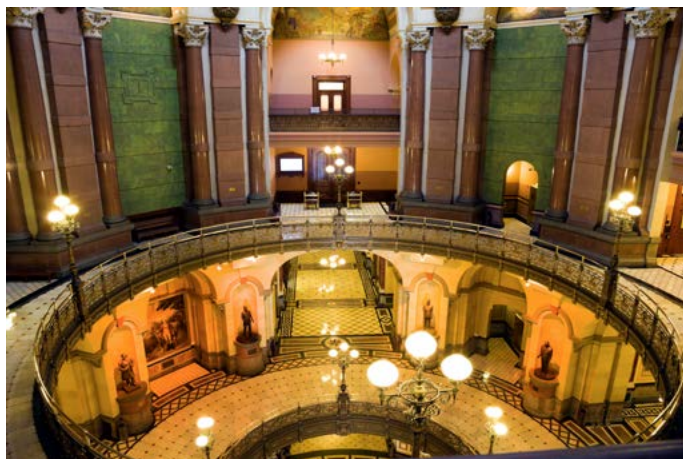
Public education legislative priorities in 2022 focused on post-pandemic employee hardships, responses to implementation of 2021 new laws (e.g., national sex education standards and "Faith's Law" addressing grooming) gun violence tragedies, and nationwide attention on race curriculum and other issues bringing the public into the school board rooms in droves. Numerous bills were introduced to respond to these issues.

While the COVID-19 pandemic seemed to be waning, the Illinois legislature continued to embrace a testing and pre-scheduled meetings regimen for anyone wanting to be in the capitol to lobby. Lawmakers also continued to hold virtual committee hearings and other stakeholder meetings via electronic means, making it difficult to be effective in communication while members were in session in Springfield. Your IASB Governmental Relations team, however, navigated these factors to successfully articulate the priorities for public education and advocate for our members.

There was no shortage of initiatives responding to the needs of school districts, employees, and students impacted by the pandemic. In an election year, members from both parties drafted competing proposals to respond to their constituents' concerns such as mask mandates, the trials of remote and in-person learning, staffing burdens, and even initiatives to reimburse parents who incurred financial outlay for their student's technological needs.

In response to school and community tragedies several initiatives were discussed addressing gun safety and allowing school resource officers to carry firearms. While the General Assembly did not find the votes to enact this kind of response, it did, however, act, encouraging gun storage safety with the passage of HB 5193 (Hirschauer, D-West Chicago). There was also a robust effort to recognize and address mental health issues HB 4343 (Harris, D-Chicago) creating a Wellness Checks in Schools Collaborative to identify tools for schools to screen for mental health conditions.

We continue to fight for fully funding public elementary and secondary schools. The Governor and General Assembly continued to fund Evidence-Based Funding (EBF) providing \$10.3 billion in funding for Elementary and Secondary Education, including \$87 million for an EBF "adjustment" for a previous year's miscalculation. Mandated categoricals are funded at FY 22 levels and a handful of categoricals like early childhood, special education private tuition, and transportation receiving increases for Regular/Vocational and Special Education. These provisions were enacted in HB 900, the budget appropriations bill for Fiscal Year 2023 and HB 4700, the Budget Implementation bill that is needed to codify actions required to carry out budget and appropriations directives.



## Session Results

The first piece of business for the 2022 session hinged on the actions of the Governor regarding HB 2778, legislation to provide paid administrative leave for school staff and double pay for full-time support personnel. Governor Pritzker vetoed the bill in March 2022. House Bill 1167 was a follow-up to House Bill 2778 to address similar concerns. IASB teamed up with other concerned education stakeholders to push for a veto on the much more controversial and egregious HB 2778. Unlike House Bill 2778, House Bill 1167 put limits on what employees would qualify for administrative leave and did not include a costly double pay provision that was in the original bill. House Bill 1167 was signed into law as Public Act 102-0697 in April.

Teachers and staffing issues were forefront in this legislative session. Lawmakers responding to the outcry of school boards and administrators to provide some flexibility in staffing. You will notice in the “**Bills Supported by IASB That Passed**” section that the legislature successfully enacted numerous initiatives providing relief in the process of getting those over some of the licensure hurdles to find employment more expediently in our schools. There were also initiatives to extend or increase the number of days retirees can substitute without annuity penalty. Labor, management, and the State Board of Education came together, making concessions, to provide some flexibility for teachers, paraprofessionals, retirees, and other school personnel.

Student struggles with mental and physical health became a focus of the IASB 2022 legislative effort. IASB led the charge with HB 4365 (Didech, D-Buffalo Grove); a bill that makes permanent ISBE rules that allow for reimbursement for residential placements for students with significant special education needs. This effort became law in April allowing school districts to get students placed more expediently and to be properly reimbursed for placements.

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.

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

IASB was successful in proposing modifications to many other bills which eventually were approved, to lessen or remove many of the burdensome requirements that were included in the original bill.

## Bills IASB Opposed That Did Not Pass

**HB 2536** would have limited the value of new property for Property Tax Extension Limitation (PTELL) valuation to 50% instead of 100%

**HB 3530** would have required employers to utilize a “just cause” standard instead of an “at will” standard for employee dismissal and additional statutory remedies for wrongfully discharging employees.

**HB 3824** would have established a 0% increase property tax freeze for districts not subject to PTELL and having a population of 25,000 for the 2022-23 levy year

**HB 3898** would have required employers to provide specified sick days to employees, if violated, may result in a payment up to \$2,500 to the employee.

**HB 4208** would have required employing counselors at a ratio of one counselor per 150 students

**HB 4268** would have imposed numerous immediate limitations for energy savings contracting for school districts

**HB 4560** would have required adoption of a policy for student journalists to exercise freedom of speech and press,

prohibiting discipline of an advisor for refusing to infringe on conduct

**HB 4632** would have required screening all K-2nd grade students for dyslexia

**HB 4870** would have created a binding referendum requiring taxing districts to lower their aggregate extension by 10% of the previous taxable year

**HB 5111** would have required teaching water safety to PK-6th grade students

**HB 5200** would have required school districts to develop a plan for electronic learning by January 2023

**HB 5577** would have required a \$20 minimum wage for all school employees by 2025

**SB 3983** would have required granting tenure to teachers after three years of service instead of four years

**SB 2154** would have resulted in a loss of local property tax base when assessed value excludes buildings, structures, and improvements from the definition of property.

## IASB AMENDMENTS TO BILLS

**HB 3296** provided an opt-in rather than requiring all school districts to participate in offering a program for 6-12th grade students about career and technical education opportunities

**HB 4243** provided a three-year sunset date for the provisions prohibiting public high schools to withhold a student's grades, transcripts or diploma because of fees owed

**HB 5265** narrowed the scope of student fee and fine waivers and added parent notification of availability of waivers for parents and students

**HB 5488** provided limitations such as notice and number of absences for middle or high school students permitted to attend a civic event.

**SB 3120** maintained the employer's right to request reasonable documentation verifying the need for employee

two weeks leave of absence for bereavement in loss of child or family member, miscarriage, unsuccessful reproductive procedures, failed/prolonged adoption, failed surrogacy agreement, pregnancy/fertility diagnosis or stillbirth.

**SB 3789** limited provisions of the bill for school districts, allowing that the Shared Service Reporting and Fiscal Efficiency Report that accompanies the school district's annual financial report, suffices in complying with the intent of the new law.

**SB 3914** fought to provide that mental or behavioral health complications were added to the list of issues an employee can use sick leave for, including allowing districts to require a note from a mental health provider.

## Bills Supported by IASB That Passed

**HB 4246** provides flexibility for renewal of lapsed teacher licensure for retired teachers and removes the registration fees

**HB 4813** exempts contracts for goods, services, or management in the operation of a school's food service from the lowest bidder, \$25,000 contract bidding requirement.

**HB 4690** restarts the suspension of teacher disciplinary hearings put in place when the Governor declares a public health emergency and re-sets the hearing timelines to restart

**HB 4728** provides more expedient Evidence-Based Funding (EBF) increases in the Local Capacity Target (LCT) for school districts that have suffered a 10% or greater loss in Equalized Assessed Valuation (EAV).

**HB 4798** allows substitute teachers to teach without a bachelor's degree if they have earned at least 90 credit hours and are enrolled in an approved educator preparation program.

**HB 4994** requires school districts to file their threat assessment procedure and team members with law enforcement and provides an exception under the Freedom of Information Act (FOIA) for disclosure of that information.

**HB 5214** provides that deaf or non-English speaking parents or guardians attending special education meetings or hearings shall have access to an interpreter.

**HB 5506** for dual-credit programs, provides that the program shall allow a high school student who does not otherwise meet the community college district's academic eligibility requirements to enroll, but only for high school credit.

**SB 3651** when calculating an employer's additional contribution to Illinois Municipal Retirement Fund (IMRF)

for certain earnings increases, allows employer to exclude wages paid through workers' compensation.

**SB 3663** decreased the number of required teacher professional development hours by 20% for any renewal cycle that includes the 2021-22 school year.

**SB 3833** expanded the list of mandated reporters under the Abused and Neglected Child Reporting Act (ANCRA) to include athletic trainers.

**SB 3893** allows substitute teachers to teach up to 120 school days (instead of 90) through the 2022-23 school year

**SB 3907** allows substitute teachers holding a Short-Term Substitute Teaching License to teach for 15 days instead of five days.

**SB 3915** waives application fees for those seeking a short-term substitute teaching license when the Governor has declared a public health emergency.

**SB 3936** establishes the 24 hour/365 day, Safe2HelpIL school safety tip line for the public to report potential self-harm or criminal acts directed at school students, employees, or schools.

**SB 3954** under Teacher Retirement System (TRS) allows retired teachers to provide limited service (less than 10 days, less than \$2000 in pay) to a school district without an annuity penalty.

**SB 3988** allows a paraprofessional educator endorsement on an Educator License with Stipulations for an applicant who is 18 (currently 19) who meets the criteria for the endorsement, until they turn 19.