

# 2020 Legislative Session Overview



# Overview

The Illinois Association of School Boards (IASB) maintains a legislative staff of five registered lobbyists who work on behalf of Illinois school board members in advocating for sound public education policy. The legislative specialists, along with an administrative assistant, ensure that the IASB Position Statements adopted by school board members at the annual Delegate Assembly are weighed by legislators when considering education-related legislation.

IASB lobbyists began working “normally” in 2020 when the session started as the legislature introduced another plethora of bills. In the Senate, 1,735 new bills were introduced, to go along with the 2,263 bills introduced in 2019 – for a total of 3,998 Senate bills. In the House of Representatives, 2,010 new bills were introduced in addition to the 3,848 bills filed in 2019 – for a total of 5,558 House bills. So in total, 9,856 bills were introduced in the 101st Illinois General Assembly. The IASB team does not read the text of every bill – but they do read the synopsis of every bill. With that, anywhere from 1/4 to 1/3 of the bills have possible public education implications – and the IASB legislative staff do read, research, and analyze every one of these bills.

IASB staff is in the Capitol every legislative day, representing local boards of education before the legislature, legislative staffs, and legislative committees. They are also in regular contact with Illinois State Board of Education (ISBE) staff, and other applicable agencies regarding legislative issues during the session.

But as the pandemic tightened its grip in March, the legislature came to a screeching halt.

## Objectives

The work of the IASB lobbyists includes trying to pass legislation that is favorable to public schools, trying to stop legislation that is detrimental to public schools, and trying to improve onerous bills that are obviously going to move through the process over IASB objections. Often, even legislation that is agreeable needs additional negotiation to craft the verbiage in the correct form for easier implementation in schools. This year, IASB staff helped to defeat dozens of bills, in some instances, being the only education organization to oppose the legislation. Some bills supported by IASB were signed into law this past summer. About a dozen bills were amended because of IASB objections, with IASB lobbyists drafting the new language in many cases.

IASB Position Statements and the Resolutions Process guides IASB staff in all legislative decisions. Many IASB initiatives are introduced each year per direction from the Position Statements, and the decision of whether to support or oppose legislation hinges also on those directives decided upon by the IASB Delegate Assembly.

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

It is not only the education committees that consider school-related legislation; IASB lobbyists annually track bills in nearly 50 different committees. IASB tracks bills in the pension committees because school employees are pension members; transportation committees because school districts have school buses; labor committees because school boards are employers; revenue committees because school boards have tax authority – just to name a few.



## Session Overview

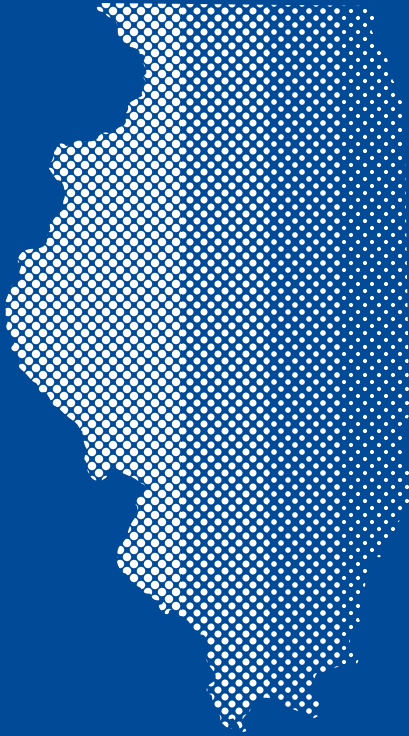
After a prolific year in 2019 of passage and enactment of bills largely pushed by then-new Governor JB Pritzker, 2020 looked like it would be much of the same. However, when the COVID-19 epidemic forced a shutdown of the legislature in March, it was obvious that it was going to be a much different kind of year. The General Assembly did not meet again until the end of May when it returned to handle emergency issues and budget bills only. The bulk of the thousands of bills that were pending remained sitting idly on the legislative calendar.

Legislators put a Fiscal Year 2021 budget into place. For elementary and secondary education, **SB 264 (Harmon, D-Oak Park)** holds all school districts harmless to Fiscal Year 2020 funding distribution levels and adds no new tier money. New funding will be distributed in a manner that even further prioritizes low-wealth school districts. Budget line items were also held flat for Early Childhood Education Grants, Career and Technical Education Grants, and Mandated Categorical Grants.

The Governor stated that much of the budget hinged upon the fate of the constitutional amendment legislators voted to place on the ballot in 2020 that would allow for graduated income tax rates. His point was that adoption of the proposal would allow more revenues to flow into state coffers, thus allowing additional funding for some programs such as education. Inversely, failure of the amendment could mean budget cuts all across state government. On November 3, the constitutional amendment question was defeated. Observers are waiting to see how the Governor will respond.

When the Governor shut down schools in the spring because of the spreading virus, a series of executive orders, Illinois State Board of Education (ISBE) guidance documents, and emergency rules went into effect to guide schools on student testing, teacher licensure, school district staff protections, and Open Meetings Act requirements. Part of the legislative action at the end of May included the codification of many of these provisions. **SB 1569 (Bertino-Tarrant, D-Plainfield)**, among other provisions, contained the following changes:

- Created a waiver regarding standardized assessments for students
- Required remote learning if schools closed down because of COVID-19 and waived the 5 clock-hour requirement for school attendance
- Stipulated that creating remote learning programs does not create any additional employee bargaining rights or removal of any rights.
- Extended the expiration date for allowance of school district interfund transfers by one year.
- Granted flexibility for teachers with licenses up for renewal and for new teacher license applicants
- Granted flexibility and protections for teachers regarding evaluations during remote working periods



## Other Session Results

Due to the shortened legislative session, there was not enough time for legislators to forward all of their legislation, including some of the IASB initiatives. However, IASB was successful in having some of these included in the final emergency omnibus bills.

**SB 1857 (Martinez, D-Chicago)** contained a provision to extend the expiration date for the ability of retired teachers who receive Teachers' Retirement System (TRS) benefits to substitute teach in a school for up to 120 days per school year without jeopardizing their pension benefits. Without the enactment of such legislation, the number of days such a retiree could work would be 100 days beginning July 1, 2020. The additional 20 days assists school districts in finding qualified substitute teachers during this teacher shortage. The new law extends the expiration date until June 30, 2021.

**SB 2135 (Link, D-Vernon Hills)** codifies the governor's Executive Order regarding holding meetings of public bodies remotely. In times of emergency declared by the governor, school boards may conduct meetings without having school board members physically present at the meeting site. Members of the public who are present at the meeting site must be able to hear all discussion, testimony, and votes. The new law also directs the Broadband Advisory Council to study the provision of free access to broadband service by all residents of the state. Finally, it suspends the deadline for filing statements of economic interest until August 1, 2020.

**SB 1863 (Link)** makes numerous changes in the Election Code. Among the provisions, it makes Election Day November 2020 an official state holiday; schools must be closed so facilities are available for use as polling places.

**HB 2455 (Martwick, D-Chicago)** contains language for the omnibus labor/management bill. In response to a push to allow school district support staff to be automatically eligible for unemployment insurance benefits over the summer and on school breaks, IASB worked with business groups and others to add protections for school districts. Provisions would allow Education Support Personnel to qualify for unemployment insurance benefits during the summer break. The provision expires on December 31, 2020. School districts, as long as they are reimbursable employers, will not incur any additional costs from this eligibility expansion because the third federal stimulus package, the CARES Act, covers 50% of the cost and the remaining 50% will be spread out over non-reimbursable employers.

## Some Bills IASB Opposed That Did Not Pass

- HB 0019:** would have required educational institutions to deposit all funds in the newly created Community Bank of Illinois
- HB 0040:** would have required districts to provide free transportation to all students
- HB 0320:** would have imposed a permanent property tax extension limitation freeze of 0% after 2021
- HB 2973:** along with dozens of other similar bills, would have created new income tax credits that would erode the revenue base that could be used for public education
- HB 3401:** along with dozens of other similar bills, would have created or expanded property tax exemptions that erode the local revenue base for public schools
- HB 3656:** would have required 0% property tax rate increase for school districts with 50% or more reserves
- HB 3897:** would have required school districts to provide special education services through the entire school year a student turns 22
- HB 3900:** would have required school districts to provide a half day preschool education program for at-risk children
- HB 3971:** would have eliminated prosecution for students engaged in mob action on school grounds during school hours
- HB 3975:** would have prohibited school district employees, volunteers, or contractors from putting students in seclusion
- HB 4007:** would have required school districts to teach in grades 6-12 about the dangers of sexting
- HB 4029:** would have required certain school districts to interview a minimum percentage of minority candidates for teaching positions and implement a program for school staff to obtain licensure
- HB 4284:** would have required school districts to install electric charging stations in 30% of parking spaces
- HB 4493:** would have required dual school districts to consolidate into unit districts within three years
- HB 5131:** would have required schools to provide 60 minutes of “active break” unstructured play for all K-8 students in addition to physical education
- HB 5186:** would have required school districts to teach family and consumer science in grades 6-8
- HB 5346:** would have required school districts to teach Spanish annually for students in K-12

## Some IASB Amendments to Bills

- SB 1970:** added flexibilities to local school districts in the bill that would allow students leave time to vote on Election Day
- HB 2455:** limited the scope and duration for school districts regarding support staff who receive unemployment insurance benefits and ensured that there were no costs to school districts
- HB 3685:** regarding student data privacy changes, removed numerous mandates and made it easier for school districts to be in compliance with the intent of the legislation
- HB 3432:** added flexibility for school districts in this bill to require distribution of trauma kits to schools
- HB 4011:** added flexibility and safeguards in this bill allowing for student time off for religious holidays
- HB 4417:** added flexibility and reduced mandates in this bill requiring hearings before school closures

## Some Bills Supported by IASB that Passed

- HB 2096:** allows bids for contracts over \$25,000 for construction to be “communicated, accepted or opened electronically” during COVID-19 pandemic
- SB 0516:** modifies the tax structure to allow the Chicago casino to be established. Proceeds from this casino are a major revenue source for new school construction
- SB 1569:** clarifies that remote working conditions do not create additional bargaining rights for teachers
- SB 1857:** allows retired teachers to substitute teach for 120 days (instead of 100)
- SB 2135:** allows for remote school board meetings during health crises

# IASB Governmental Relations Staff



**Ben Schwarm**  
Deputy Executive Director  
(217) 528-9688, ext. 1137



**Zach Messersmith**  
Director  
(217) 528-9688, ext. 1149



**Deanna Sullivan**  
Director  
(217) 528-9688, ext. 1123



**Ronald Madlock**  
Assistant Director  
(217) 528-9688, ext. 1111



**Susan Hilton**  
Director  
(217) 528-9688, ext. 1135



**Mary Ellen Buch**  
Administrative Assistant  
(217) 528-9688, ext. 1132



2921 Baker Drive • Springfield, Illinois • 62703-5929 • 217/528-9688  
One Imperial Place • 1 East 22nd Street, Suite 20 • Lombard, Illinois 60148-6120 • 630/629-3776