



# 2019 Resolutions Committee Report

For the 2019 Delegate Assembly meeting  
on November 23, 2019, Chicago

**September 2019**

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

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TO: Board Members and Administrators

FROM: Tom Neeley, Resolutions Committee Chairman

DATE: September, 2019

SUBJECT: 2019 Resolutions Committee Report to the Membership

Thank you for your interest in the 2019 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 23, 2019, at the Hyatt Regency Chicago, Regency A/B West Tower.

The Resolutions Process is vital to the Association's mission, and the Delegate Assembly is one of the most important functions held at the Joint 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 important. 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 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 district's delegate should check in at the Delegate Registration desk across 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 one week in advance. 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.

**Service of the following school board members on the 2019  
Resolutions Committee is acknowledged with sincere appreciation.**

Chair.....	Thomas Neeley.....	Morton CUSD 709
Abe Lincoln.....	Amy Reynolds.....	Rochester CUSD 3A
Blackhawk.....	Julie Wagner.....	Mercer County SD 404
Central IL Valley.....	Daniel Walther.....	Peoria SD 150
Corn Belt.....	Nick Sartoris.....	Pontiac THSD 90
DuPage.....	James Blair.....	Salt Creek SD 48
Egyptian.....	Lisa Irvin.....	Opdyke-Belle Rive CCSD 5
Illini.....	Sandra Uhloff.....	Rantoul City SD 137
Kaskaskia.....	Kent Kistler.....	Brownstown CUSD 201
Kishwaukee.....	Stephen Nelson.....	Sycamore CUSD 427
Lake.....	Odie Pahl.....	Gurnee SD 56
North Cook.....	Anna Klimkowicz.....	Township HSD 211
Northwest.....	Steve Snider.....	Eastland CUSD 308
Shawnee.....	Vernon Stubblefield.....	Cairo CUSD 1
South Cook.....	Juanita Jordan.....	Prairie Hills ESD 144
Southwestern.....	Gabrielle Schwemmer.....	Smithton CCSD 130
Starved Rock.....	Simon Kampwerth (acting chair).....	Peru ESD 24
Three Rivers.....	Liz Campbell.....	Valley View CUSD 365U
Two Rivers.....	Rodney Reif.....	Carrollton CUSD 1
Wabash Valley.....	Casey Overbeck.....	Casey-Westfield CUSD 4C
West Cook.....	Dianne Williams.....	Maywood-Melrose Park-Broadview SD 89
Western.....	Scott Vogler.....	West Prairie SD 103

## DELEGATE ASSEMBLY AGENDA

1. Call to Order
2. Report of the Credentials Committee
3. Approval of Delegate Assembly Business Rules
4. President's Report, Joanne Osmond
5. Executive Director's Report, Thomas Bertrand, Ph.D.
6. Financial Report, Linda Eades
7. Election of Officers
  - A. Nominating Committee Report, Phil Pritzker, Nominating Committee Chair
8. Resolutions Committee Report, Thomas Neeley
  - A. New Resolutions
  - B. Amended Positions
  - C. Reaffirmation of Existing Positions
9. Belief Statements
10. Adjournment

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# My Board's Recommendation

*Support    Oppose*

## NEW RESOLUTIONS

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Student Safety                                  |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Business Enterprises — Minority Owned           |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. School Safety Grant Program                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. School District Police Force                    |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Background Checks — Substitute Teachers         |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. School Safety — Traffic Zones                   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. School Board Elections — Seating of New Members |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. School Board Elections — Swearing In            |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. School Board Elections — Terms                  |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. School Board Member Compensation               |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Charter School Renewal of Charters             |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Charter Schools — At-Risk Students             |

## AMENDED EXISTING POSITIONS

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Position Statement 5.05 Prevailing Wage Act                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Position Statement 1.01 Educational Programs                    |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Position Statement 2.27 State Authorized Charter School Funding |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Position Statement 2.04 Funding Special Education Programs      |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Position Statement 2.04 Funding Special Education Programs      |

## REAFFIRMATION OF EXISTING POSITIONS

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Position Statement 1.08 Standardized Test Procedures and 1.09 Student Assessment |
|--------------------------|--------------------------|--|

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## DELEGATE ASSEMBLY BUSINESS RULES

1. **Business Procedures** — Robert’s Rules of Order Newly Revised 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. **Calls for the Question** — A delegate may “call for the question” to end debate on a motion. The delegate may not make such a motion if, immediately preceding the motion, he or she has engaged in discussion of the motion or otherwise participated in the debate. A motion, a second, and a 2/3 majority vote is required to end debate.
7. **Consent Agenda** — Use of a Consent Agenda to expedite the proceedings is authorized. Proposed resolutions which have been recommended “Do Adopt” by the Resolutions Committee may appear on a Consent Agenda.
8. **Appeals** — Those delegates wishing to appeal a “Do Not Adopt” recommendation of the Resolutions Committee, and have met the notice provisions required by Article

IX, Section 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. Appeals shall only be accepted from the submitter of the proposed resolution that has received the negative recommendation of its proposal. Those proposed resolutions that have received a “Do Not Adopt” recommendation from the Resolutions Committee, and of which the committee has not received a timely written appeal of the negative recommendation from the submitting entity, will not be considered by the Delegate Assembly.

9. **Reaffirmation of Existing Position Statements** — The Delegate Assembly has the authority to reaffirm existing Position Statements. Proposals to reaffirm an existing position may be initiated by member school boards or the Resolutions Committee. All such proposals shall be submitted through the same procedure as all other resolutions and shall meet all criteria and constitutional timelines applicable to all resolutions.
10. **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.
11. **Voting** — The indications to signify voting shall be specified by the presiding officer.
12. **Nomination** — The consent of any nominee from the floor during the election of officers must be secured in writing prior to presentation to the Delegate Assembly, as required in Article IV, Section 1, of the IASB Constitution.

# RESOLUTIONS PROCEDURES

- 1. Types of Resolutions** — (Article IX, Section 1) Resolutions may be either in the form of a position statement or a belief statement. Position statements address issues affecting or concerning local boards of education; they direct the Association's advocacy efforts. Belief statements express significant values commonly held by local boards of education; they may or may not call for action to be taken by the Association.
- 2. Proposals** — (Article IX, Section 2) Resolutions for proposed position statements or belief statements may be proposed by any Active Member, Association Division, 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.
- 3. Presentation of Resolutions** — (Article IX, Section 3) 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; and whether they are presented as position statements or belief statements. However, all resolutions that are timely submitted to the Resolutions Committee according to Section 2 above, must be distributed to Active Members not less than 45 days prior to the Annual Meeting of the Delegate Assembly.
- 4. Annual Review** — (Article IX, Section 4) The Resolutions Committee shall annually review currently in force position statements and belief statements to determine whether they are consistent with the current positions or beliefs of Association members. The Resolutions Committee shall recommend that the Delegate Assembly amend or rescind any position statement or belief statement that is not consistent with the current positions or beliefs of Association members. All position statements and belief statements currently in force will be published annually and distributed to Active Members prior to the Annual Meeting of the Delegate Assembly.
- 5. Appeals** — (Article IX, Section 5) Any Active Member, Association Division, or Association Board of Directors, that has submitted a proposal that has received a negative recommendation from the Resolutions Committee, shall have the right to appeal the 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 eight calendar days before the Annual Meeting of the Delegate Assembly. A majority of the delegates present and voting at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.
- 6. Amendments to Resolutions** — (Article IX, Section 6) Any proposed amendment to a resolution that does not meet the time requirements as set in Section 3 above shall be immediately remanded to the Resolutions Committee for consideration.
- 7. Late Resolutions** — (Article IX, Section 7), 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 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 seventy-five (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.
- 8. 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 and Elections. 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 2019**

The 2019 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10:30 a.m., Saturday, November 23, 2019, Regency A/B West Tower, Hyatt Regency Chicago:

President-Tom Neeley  
Morton CUSD 709

Vice President Simon Kampwerth  
Peru ESD 124

## 2019 NOMINATING COMMITTEE MEMBERSHIP

Phil Pritzker, Chairman,  
Immediate Past President

Mark Christ  
O'Fallon THSD 203

Sue McCance  
CUSD 3 Fulton Co

Dennis Inboden  
Robinson CUSD 2

Sheila Nelson  
Cairo USD 1

David Rockwell, Alternate  
Rock Island/Milan SD 41

Marc Tepper, Alternate  
Kildeer-Countryside CCSD 96

# NEW RESOLUTIONS

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## BOARD OPERATIONS AND DUTIES

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### 1. Student Safety

**Submitted by:** Mercer County SD 404

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and advocate for legislation which provides local school boards the option of developing Student Safety and Protection Plans which allow voluntary district employees, in any capacity, the ability to carry a concealed firearm on district property, provided the employee has a valid Illinois FOID card, holds a certified Illinois Concealed Carry License, has completed all additional trainings and certifications set forth by the respective school board, one of which MUST include yearly certified Active Shooter Training. Only district employees who fulfill all requirements listed and receive Superintendent and Board approval would be eligible as an active and armed part of the Student Safety and Protection Plan.

**District Rationale:** The safety and protection of our students and school staff is one of the top priorities in each district. School Boards are always asking what more they can do to prevent or stop a tragedy from occurring in their schools. One proposal is to allow local school districts the option to have voluntary armed staff in their buildings.

Ideal school security plans include SROs (school resource officers) present at each building students attend. However, some schools are unable to employ full-time security due to a lack of financial resources. SROs are often only on-site for a few hours per day and one officer at a time. A more recent problem districts are running into is the lack of law enforcement staff in their local city police and county sheriff's departments. In our district, we could allocate funds to hire a full-time SRO in each of our five buildings, but it would do no good, because there aren't enough officers or deputies on staff in our community to fill those positions.

Another problem, mainly found in rural areas, is the distance school buildings are from local law enforcement teams. Mercer County School District has five buildings in three towns. Our 378 square miles makes us the fifth largest school district in Illinois in terms of area. Three buildings sit in a town with its own police force; it is also a county seat and home of the Sheriff's Department. Our fourth building is in another town, 10 minutes away. Our fifth building, an elementary school, is in a town 21 minutes away. That town has one officer who is backed up by the sheriff's department with an approximate 20-minute response time. We are certain that our district is not in the worst response time situation in Illinois.

The most misunderstood part of this topic is that this resolution is about local control, one of IASB's top priorities. The resolution, if adopted, would not compel or require any school district or school board to develop or implement an

armed staff plan. Our state is not homogenous north to south, east to west. Our communities and districts differ greatly. Some communities are perfectly comfortable with having their teachers and school staff trained and armed so they can protect people in their buildings. Other communities are adamantly opposed to the idea. That is okay. The districts in our state should be allowed to determine what is best for them, rather than leaving the determination to those in Springfield who do not know or understand communities outside their own.

Illinois state law currently does not allow for local control of school boards in determining if they want to include an option for trained and armed staff to protect their students and fellow staff members in an emergency situation until law enforcement arrives. Several states, including Missouri, Indiana, Ohio, and Kentucky, have developed programs to train and approve concealed carry school staff and allow districts to decide what is best for their communities.

**Resolutions Committee Rationale:** Similar to a previous proposal by the submitting district, this resolution calls for the Association to support and advocate for local options for schools, including for armed district personnel subject to training, background checks, licensure; and collaborative superintendent and board approval.

The Firearm Concealed Carry Act (PA 98-63), effective July 9, 2013, prohibited any concealed carry in "any building, real property, and parking area under the control of a public or private elementary or secondary school."

School districts are also governed by the federal Gun-Free School Zones Act of 1990, which makes it unlawful for any unauthorized individual to possess a firearm in a school zone. Exceptions include if an individual possessing a firearm is licensed to do so by the state in which the school zone is located. Individuals in Illinois would not have violated the federal Gun-Free School Zones Act if they carried a concealed weapon in a school zone, if State law had not prohibited it.

Similar to the debate in 2018, Resolutions Committee discussions largely centered on the acknowledgement that many rural school districts do not have the fast response times of emergency responders in urban and suburban areas. Because of geography, resources, and other limitations, response times to emergencies in some rural districts can be substantial.

The committee discussed concerns about having firearms in schools and finding assurances that the proper training was in place. The lag in response times in some rural areas and the concept that this is solely the decision of the local school district were important facts for many committee members.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 2. Business Enterprises — Minority Owned

Submitted by: Champaign Unit 4

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation amending sections of statute that regulate contracting out for services to allow school districts to consider any goals set to address social responsibility, including preferences for businesses owned by minorities, women, persons with disabilities, and veterans, in selecting companies to service contracts.

**District Rationale:** School districts in Illinois have an interest in ensuring businesses owned by minorities, women, persons with disabilities, and veterans work with school districts on various projects. This interest is not only important for individual districts' goals, including gaining support for referendums across various groups, but is also vital to furthering the compelling interest(s) of the State of Illinois in remedying past, specific discrimination in contracting, and/or complying with federal statutes and regulations for funding programs.

**Resolutions Committee Rationale:** The resolution calls for the adoption of a new position statement to support legislation amending the School Code to specifically allow school districts to consider social responsibility factors in awarding contracts; and to make the requirements of the Business Enterprises for Minorities, Females, and Persons with Disabilities Act (MBE Act), which are currently applicable to public universities, applicable to all public school districts in the state.

For both statute changes, the submitting district expressed that school districts in Illinois should have an interest in ensuring businesses owned by minorities, women, persons with disabilities, and veterans work with school districts on various projects.

A bill was introduced in the spring legislative session, SB 223 (Castro, D-Elgin), which according to the sponsor would have aided the ability of minority and women-owned businesses to get hired by public bodies for professional services. The language of the bill, however, deleted a provision that provides flexibility to local governments, so IASB opposed the bill.

The committee generally supported the objective of the proposal, but did have some concern about requiring school districts to be under all of the auspices of the MBE Act which could cause local school boards to lose flexibility in some human resource practices. The committee agreed with the provision of the resolution that clarified section of the School Code.

The committee suggested that the proposal be revised to retain as much flexibility as possible while still capturing the objective of the resolution. The submitting district agreed.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 3. School Safety Grant Program

Submitted by: Wheeling CCSD 21

BE IT RESOLVED THAT the Illinois Association of School Boards shall advocate for the creation and funding of a school safety grant program at the state level that would assist school districts in the hiring of School Resource Officers (SROs) or school security personnel for the protection of students and staff. SROs in this instance shall meet the definition in section 10-20.67 of the School Code. School security personnel may include off-duty law enforcement officers or a law enforcement officer who has retired within the previous five years. School security personnel may carry a firearm in a school if they continue receiving the same ongoing firearm training as active police officers. Priority in the distribution of grants shall be based on both geography (school districts with lengthy response times from first responders) and financial need (Tier I and Tier II districts based on the Evidence-Based Funding Model in that order) would receive priority in the awarding of the grants.

**District Rationale:** School safety and the safety of our students and staff have been hot topic issues within the ranks of IASB. Some proposed solutions, specifically calls to allow districts to arm teachers, have created strong divisions within the organization and even if adopted have little chance to being passed by the legislature and signed into law by the governor. Rather than to continually debate a proposal with little future and therefore little likelihood of advancing the cause of school safety, this proposal hopes to achieve full support of the membership and has the possibility of addressing the concerns of those districts that have apprehensions about the response times of first responders as well as the cost concerns of employing trained School Resource Officers. Additionally, by requiring that the safety of our schools be left in the hands of current or recently retired law enforcement officers we can sidestep the issue of having minimally trained teachers carrying weapons and adding to their responsibilities. This proposal hopes to bridge the gap we saw at the 2018 Delegate Assembly.

**Resolutions Committee Rationale:** The resolution calls for the State to establish school safety grants so school districts can hire School Resource Officers (SROs) With a national emphasis on school safety, this proposal is very timely. During the school safety/firearm debate at the 2018 IASB Delegate Assembly, the common ground seemed to be the hiring of SROs. The problem is that in more rural areas, SROs are not readily available and can be costly to a school district.

There was movement on this issue in the 2019 spring legislative session of the Illinois General Assembly with the passage of two bills. SB 1658 establishes a school safety and security grant program through the Illinois State Board of Education (ISBE) The grant program is subject to appropriation, so the legislature will have to appropriate funds for the program before it is effective. The bill also allows for the use of private donations to fund the program. Grant recipients would have to be designated Tier I or Tier II school districts in the Evidence-Based Funding Formula. Grant funds could

be used for safety improvements to buildings, professional development for staff, security equipment (including metal detectors and x-ray machines), or school-based health centers.

Another bill, HB 1561, allows funds from the county-wide sales tax for school facilities or from the health/life safety fund, to be used for personnel costs associated with School Resource Officers or mental health professionals. Currently these funds can only be used for physical items related to buildings or facilities.

The committee supported the premise of the proposal but suggested revisions to the original resolution, especially in the area of SROs. SROs are specifically defined in state statute and must be referred to differently than other school security personnel. Also, only SROs are allowed to carry firearms in schools. The submitting district agreed with the suggested revisions.

The Resolutions Committee RECOMMENDS DO ADOPT.

#### 4. School District Police Force

**Submitted by:** Peoria SD 150

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation that would allow any school district who previously established a professional police force to re-establish a police force with all the duties and responsibilities of local law enforcement agencies.

**District Rationale:** With school safety being of increased concern for schools across Illinois, this legislation would allow those districts who have had a previous history of having a police force be allowed to re-establish a police force.

**Resolutions Committee Rationale:** The resolution would address student and school safety similar to other resolutions, but in a manner unique to the submitting district. The submitting district asks IASB to pursue legislation to allow for the district to re-establish its school district police force.

It is believed that Peoria Public Schools is the only downstate school district in the State of Illinois that hired a police force with the duty of serving a public school district without other jurisdictional authority. Many other local governments, including park districts, hire their own law enforcement, but it was not a common practice for school districts due to an unclear interpretation of the law. Many school districts choose to enter into an agreement with a local police department to provide School Resource Officers (SROs).

School safety issues continue to be a major concern for many school districts. The submitting district is asking for IASB's assistance in attempting to address a local school safety issue that could not, and would not, be widely applied across the State of Illinois.

The fact that the submitting district has already garnered local support from elected officials was impactful to the committee.

The Resolutions Committee RECOMMENDS DO ADOPT.

#### 5. Background Checks — Substitute Teachers

**Submitted by:** Carrollton CUSD 1

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and encourage legislation that will develop a centralized process for Regional Superintendent Offices to submit certification results for each other to use in the hiring process for substitute teachers in their respective region.

**District Rationale:** Illinois School Districts are having trouble finding substitute teachers. Right now, a person wanting to sub in multiple regional districts must submit to a background check in each region. The cost of this duplication is an unfair burden on these people. This also affects other areas such as multiple copies of their substitute license and health certificates.

**Resolutions Committee Rationale:** This resolution calls for the Illinois Association of School Boards (IASB) to encourage cooperation between Regional Superintendent Offices in order to streamline the process of hiring substitute teachers for multiple regions.

There was movement on this issue in the 2019 spring legislative session of the Illinois General Assembly with the passage of HB 2982. It provides that if a criminal history records check or check of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the Illinois State Board of Education (ISBE) whether the applicant has been issued a certificate based on those checks. It also provides that if ISBE receives information on an applicant, then it must indicate in the Educator Licensure Information System for a 90-day period that the applicant has been issued or has not been issued a certificate. Unfortunately, it does not allow a school district seeking to employ a substitute teacher to use the information in the Educator Licensure Information System rather than initiating its own criminal history records check or check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender against Youth Database.

Currently, a substitute teacher seeking employment in more than one regional school district is required to furnish authorization and fees for all the background checks to each regional superintendent of the educational service region in which the applicant is seeking employment.

The committee supported the submitted resolution, discussing the confusion and the unfair financial burden placed on applicants as well the difficulty districts have finding substitute teachers.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 6. School Safety — Traffic Zones

**Submitted by:** Community High School District 99

BE IT RESOLVED THAT the Illinois Association of School Boards shall urge adoption of legislation that urges increased traffic-calming measures in front of all schools that could include but not be limited to:

1. Reduced speed limits to 20 mph or less within one block of the school from any direction on all federally designated municipal routes or Illinois Department of Transportation designated local roads
2. Enhanced speed limit signs to increase motorist awareness
3. Increased police enforcement of school zones, where feasible for local law enforcement agencies
4. Other traffic-calming measures that mitigate speeds and cut-through traffic in neighborhoods (eg. striping, islands, speed bumps, etc.)
5. Removing the designation “during school hours when children are present” from traffic signs or implementing other warning systems to accommodate after-school activities and use of facilities (eg. playgrounds)

**District Rationale:** Higher vehicle speeds are strongly associated with a greater likelihood of both a pedestrian crash and serious pedestrian injury. From 2007 to 2016, 1,282 people were killed in school transportation-related crashes, an average of 128 fatalities per year. (Reference 5) Occupants of school transportation vehicles accounted for nine percent of the fatalities, and non-occupants (e.g. pedestrians, bicyclists, etc.) accounted for 20 percent of the fatalities. (Reference 5) A 1999 National Highway Traffic Safety Administration study found that 5 percent of pedestrians are fatally injured when struck by a vehicle traveling at 20 mph or less. (References 6 and 7) This compares with fatality rates of 40, 80, and nearly 100 percent when the pedestrian is struck at 30, 40, or 50 mph or more, respectively. (Reference 7)

In fact, Chapter 625 of the Illinois Compiled Statutes, Act 5, Chapter 11, Section 605 states (reference 8): (a) On a school day when children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, no person shall drive a motor vehicle at a speed in excess of 20 miles per hour while passing a school zone or while traveling upon any public thoroughfare where children pass going to and from school. (Please note that in the Opinion of the Attorney General’s Office (Number S-706): This paragraph limits vehicle speed to 20 miles per hour only during school days while the vehicle is passing a school zone or is traveling on a street on or across which children pass going to or from school, and then only when children are physically present on such street or are outside the school building in a school zone. The 20 mile speed limit is not in effect when the children are inside the school building even though school is in session.)

Many request that school speed limits be reduced by the greatest possible extent, expecting motorists to obey the posted speed limit. However, simply setting a reduced speed

limit in a school zone is not likely to produce the desired speed reduction on its own. (Reference 4) While speeds are lower in a school speed limit zone as compared to when the posted regulatory speed is in effect, the average operating speed does not always reach the posted school speed limit. (Reference 3) Applying a combination of measures in conjunction with a reduced speed limit is more likely to slow traffic. Three tools used to assist in reducing vehicle speeds in school zones include police enforcement (e.g. increased police presence, automated speed cameras, double fines), public awareness campaigns, and engineering countermeasures. (Reference 4) Traffic engineering tools include school speed limit zones and traffic-calming measures such as curb extensions or raised cross walks. (Reference 4)

**Resolutions Committee Rationale:** The resolution addresses school safety by calling for legislation to increase traffic safety near schools. This area has been broadly addressed by the legislature recently. Just this year, the legislature approved bills to double the fines for violations when approaching, overtaking, and passing school buses; and to suspend the driving privileges for violators convicted of a vehicular violation governing the right-of-way at crosswalks and school zones.

Specifically, the resolution calls for reducing speed limits for certain roads near schools, enhancing speed limit signs to increase awareness, and increasing police enforcement near school zones.

The committee supported the intent of the proposal, but wanted to make sure that it did not call for a mandate on school districts, municipalities, counties, or local law enforcement. In smaller communities, resources may not be available to increase police enforcement or add new signage. The submitting district agreed to revise the resolution.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 7. School Board Elections — Seating of New Members

**Submitted by:** Blue Ridge CUSD 18

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation allowing newly elected candidates, who have been elected uncontested, to be sworn in or affirmed at the next regularly scheduled board meeting or special meeting, held at least 14 days after the Consolidated Election.

**District Rationale:** There is no need to wait for a certified election result from the county clerk, so this resolution would allow school boards to seat members earlier than the 21 to 28 day post-election window that is currently in statute and would reduce the need for special board meetings to install new members.

**Resolutions Committee Rationale:** The submitted resolution asks the Illinois Association of School Boards (IASB) to support seating newly elected school board members at the next regularly scheduled school board meeting following the election, when they have run for office uncontested.

The School Code under 105 ILCS 5/10-5 and 10-16 provides that the organization of the board must occur “within” 28 days after the election. Given that the law provides for a

“within” standard it would seem that the resolution presented would be allowed under current law. However, more recent laws may require consideration of the previously elected officeholder’s term, any area requirements for the ballot type for the district, and issues regarding various election processes.

With the enactment of Public Act 93-0847 in 2004 that added additional days to the election process to accommodate Election Day registration and other measures, a provision was added defining an elected official’s term of office as 14 days after the proclamation of election results issued for that elected office (10 ILCS 5/1A-19) Beginning with Election Day, numerous actions must be undertaken by the Election Authority, i.e. county clerk or election commission. Those duties include counting Election Day ballots, early voting ballots, vote-by-mail ballots received by the election authority, vote-by-mail ballots not yet received, and provisional ballots. Fourteen days after the election, the election authority must have all provisional and vote-by-mail ballots counted. Twenty-one days after the election they must canvass and proclaim the election results.

The Resolutions Committee suggested that the resolution be revised to make it clearer and to comply with other current laws. The submitting district agreed.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 8. School Board Elections — Swearing In

**Submitted by:** Lincoln Elementary School District 156

BE IT RESOLVED THAT the Illinois Association of School Boards shall allow newly elected members of a Board of Education to be sworn/affirmed by one of the following: 1. Board of Education’s president or designee, 2. The clerk of one’s county, 3. Any presiding judge.

**District Rationale:** In the event a newly elected Board Member is not able to be sworn in/ affirmed with their board, they now have other options.

**Resolutions Committee Rationale:** The resolution directs the Illinois Association of School Boards (IASB) to allow newly elected board members to be sworn in or affirmed by one of three entities: local board of education president or designee, the county clerk, or any presiding judge.

The committee noted that the IASB model policy for Board Member Oath and Conduct states that “State law allows the board to determine how the oath is administered.” Given that Illinois statute keeps the administration of the oath within the scope of the locally elected board of education membership and allows for the individual board members to read and affirm it, it is not necessary to take the process outside the board of education to swear in/affirm newly elected board members. However, the local board of education would still retain the authority to call in relevant dignitaries to administer the oath, as there doesn’t seem to be a specific prohibition from doing so.

The committee suggested amending the Resolution, but the district wanted a vote on the original resolution. Further

discussion included that this matter seemed to be local in nature, seemingly a problem among the members of the board. Trying to address a statewide “solution” to a local problem did not seem prudent.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

## 9. School Board Elections — Terms

**Submitted by:** Peoria SD 150

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation that all school districts having a population of not more than 500,000 shall serve four-year terms and be seated at the first board meeting held at least 14 days following the school board election.

**District Rationale:** The districts that are outside of this provision serve five-year terms and are seated on July 1 following the elections. There is no rationale to have five-year terms for these school districts. The delay of seating board members over three months after election creates a problem of lame duck board members voting on critical issues and leaving the elected board saddled with decisions by the previous board.

**Resolutions Committee Rationale:** The submitted resolution asks the Illinois Association of School Boards (IASB) to support legislation that requires all school districts with a population not more than 500,000 to serve four-year terms and be seated at the first board meeting following the school board election.

While most school boards in Illinois elect their members for four-year staggered terms at the Consolidated Election, a few were created with different election schedules, of which Peoria is one. The voters of Peoria chose to have Peoria schools be governed under Article 33 of the School Code applying to schools having populations of 100,000-500,000. Under this Article, school board members begin their five-year terms on July 1 following the April Consolidated Election. This allows previously elected board members to serve an additional 76 days after new board members are elected, creating the challenge of a lame duck board member potentially voting on critical issues.

The committee agreed that such a delay in seating new board members was not in the best interest of the district or the community and proposed language that simplified the resolution and mirrored the current statute defining an elected official’s term of office as 14 days after the proclamation of election results. The submitting district agreed to revise the resolution.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 10. School Board Member Compensation

**Submitted by:** Peoria SD 150

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and encourage legislation that will give local school districts the authority to offer compensation to its school board members.

**District Rationale:** While this type of resolution has been presented before, there are two basic foundations for supporting the “option” of compensation for school board members. It should be the individual local school board making the decision on compensation and not having this choice dictated by the State of Illinois. It is an argument for local control.

Second, there are 21 other states which have permitted local school districts to make the choice on compensation. This resolution in its simplicity does not have other negative items attached to it.

**Resolutions Committee Rationale:** This resolution calls for the Illinois Association of School Boards (IASB) to support and advocate for school boards to have the authority to vote to receive compensation. Currently, the School Code (105 ILCS 5/10-10) requires that school board members serve “without compensation.” The code goes on to state “except as herein provided,” but it does not provide any specific situations that will permit compensation.

Although there are some states that allow compensation of school board members, these have a varying salary range based on the size of each school district.

The committee discussed the resolution at length. Some committee members appreciated that districts would have the ability to make a local decision regarding compensation. Others were concerned about potential undesirable motives of future board members and the fact that the money would be better spent on students.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

## 11. Charter School — Renewal of Charters

**Submitted by:** Woodland CCSD 50

BE IT RESOLVED THAT the Illinois Association of School Boards shall urge adoption of legislation that allows for participation of the host school district in the charter school renewal process for State Authorized Charter Schools.

**District Rationale:** Once the charter school is authorized by the state over the objection of the local school board, the school board loses all opportunity to participate in the five-year renewal proceedings. The local school board lacks any opportunity for meaningful input, participation or challenge related to the renewal process, despite funding 100 percent of the charter school (millions of dollars annually) It is akin to taxation without representation. Local control must be honored.

**Resolutions Committee Rationale:** The submitted resolution asks Illinois Association of School Boards (IASB) to urge adoption of legislation that allows for the participation of the host school district in the charter school renewal process for State Authorized Charter Schools.

The issue presented in the resolution would only apply to the districts that “host” a state authorized charter school. State authorized charter schools are charter schools run by an entity of the State of Illinois and in existence over the

opposition of local school districts. State authorized charter schools present fiscal challenges to local school districts because they receive per capita tuition dollars from Illinois that were originally designated for the host district.

The committee agreed that the local school district that is losing state funding due to a State Authorized Charter School should have more of a voice in the re-authorization process of the charter school they “host.” The committee recommended the adoption of the district’s proposal as submitted.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 12. Charter Schools — At-Risk Students

**Submitted by:** Woodland CCSD 50

BE IT RESOLVED THAT the Illinois Association of School Boards shall urge the adoption of legislation that defines the special expectations of State Authorized Charter Schools to educate at-risk students, including the requirement that the State Authorized Charter School’s program and operations be specifically designed to attract and service at-risk students, and that the State Authorized Charter School be required to report to the public its progress in achieving these expectations.

**District Rationale:** The State Charter School Commissions and the Illinois State Board of Education have failed to hold charter schools accountable for balanced enrollment of at-risk students at State Authorized Charter Schools. The commission and ISBE have taken the position that while the School Code requires charter schools to place a “special emphasis” on educating at-risk students, such language is an aspirational and not a requirement. Without a legislative cure, State Authorized Charter Schools are allowed to perpetuate discriminatory practices to deter at-risk student enrollment (students who need and deserve a premium of resources), while receiving 100 percent of the local tuition rate.

**Resolutions Committee Rationale:** The submitted resolution asks Illinois Association of School Boards (IASB) to urge adoption of legislation that defines the expectations of charter schools to provide education to at-risk students.

In the Charter School Article of the School Code, the General Assembly declares one of the purposes of charter schools is “to increase learning opportunities for all pupils, with special emphasis on expanding learning experiences for at-risk pupils.” One major issue with charter schools applying the expectation of the law is the lack of a clear definition of “at-risk” student. “At-risk” is defined differently in various sections of law and administrative rules.

The submitting district proposes that this resolution would help to address schools perpetuating “discriminatory practices” by putting clear expectations in law around enrolling and educating at-risk students. The proposed resolution was drafted to address all charter schools, but the committee suggested an amendment to make it specific to State Authorized Charter Schools. The submitting district agreed with this change.

The Resolutions Committee RECOMMENDS DO ADOPT.

# AMENDED EXISTING POSITIONS

## FINANCING PUBLIC EDUCATION – STATE

### 13. Position Statement 5.05

#### Prevailing Wage Act

Submitted by: West Prairie Community  
Unit School District 103

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, or amend the Prevailing Wage Act to exempt school districts from its scope, and advocate for any flexibilities that may reduce the costly burden of the Prevailing Wage Act. (Adopted 1978; Amended 1982, 1990, 2011; Reaffirmed 1985, 1988, 1996, 2009, 2012, 2013, 2016)

**District Rationale:** Governor Pritzker signed Public Act 100-1177 (effective June 1, 2019) on January 15, 2019 thus amending the Illinois Prevailing Wage Act. The Act pertains to the responsibility of the Illinois Department of Labor to regulate the relationship between public entities and contractors relating to wages of laborers, mechanics, and other workers employed in any public works by any public body. The amendments modifies the current role and obligation on public bodies through procedural changes for determining prevailing wage rates.

Prior to the amendments, each public body (per resolution) was annually responsible for ascertaining the prevailing wage rate. As a result of the amendments, public bodies are no longer able to post, publish, discuss, nor adopt an annual prevailing wage resolution. The full responsibility has shifted to the Illinois Department of Labor. Full control to ascertain and publish the prevailing wage rates for each county in Illinois has been given to the Illinois Department of Labor.

The West Prairie Board of Education would like to restore the procedure supporting local control. At a minimum, it is requested to place Prevailing Wage annually on a public agenda, discuss and provide the opportunity for board members to vote on the topic. Per the current position, 5.05 does not allow IASB Government Relations team the chance to advocate on behalf of local school boards. As written, Public Act 100-177 removes local control from school boards regarding Prevailing Wage.

The Prevailing Wage Act negatively impacts students, taxpayers and residents of the West Prairie School District. West Prairie is in one of the state's 10 poorest counties. The West Prairie Board of Education believes that the Prevailing Wage Act inhibits competition by artificially setting wages that could reduce the cost of district construction projects. Artificial wages causing increased costs and in turn reducing the amount of construction, repair and replacement projects the school district can afford to complete.

The West Prairie School Board hereby states its objection to the Prevailing Wage Act. The school district supports any and all efforts of IASB or any other legislative body in action to repeal the Prevailing Wage Act. West Prairie Board of Education supports the removal of Prevailing Wage from public schools. At a minimum, the West Prairie Board seeks to annually publish, post, discuss and vote on the issue of Prevailing Wage.

**Resolutions Committee Rationale:** The submitting district is particularly concerned about legislation (Public Act 100-1177) signed into law in January, 2019, which removed the ability of public bodies from posting, publishing, discussing, or adopting an annual prevailing wage resolution; transferring that responsibility to the Illinois Department of Labor. The legislation was introduced and passed both chambers in 10 days immediately following the election last November.

The committee realizes that, in this political climate, it is unlikely to see any positive movement on changes to this Act. In fact, there was a strong push this past year to significantly expand the parameters of prevailing wage by forcing its application beyond the boundaries of construction projects. IASB was a key member of the coalition that helped stop SB 1783, legislation that has been pushed several times in the past decade.

However, IASB having been a strong opponent of the Prevailing Wage Act for many years, the committee supported the concept of this resolution.

The committee suggested, and the submitting district agreed, to revise the resolution. It now amends current Position Statement 5.05.

The Resolutions Committee RECOMMENDS DO ADOPT.

### 14. Position Statement 1.01 Educational Programs

Submitted by: Township High School District 211

THE ILLINOIS ASSOCIATION OF SCHOOL BOARDS SHALL URGE 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. The Association shall also encourage its members to increase their awareness of the Mental Health Code (405 ILCS 49/15) which supports developments and implementation of a plan to incorporate social and emotional standards as part of the Illinois Learning Standards. School personnel are encouraged to implement trauma-responsive practices to support student success within a trauma-responsive school framework. (Adopted 1959; Amended 1988, 2009)

**District Rationale:** School personnel bear the responsibility of ensuring safe and responsive school cultures which provide opportunities for all students to participate and succeed.



Research is clear that students' reaction to past trauma can interfere with learning and behavior in school. In order for all students to learn, they must feel safe and supported. Schools must acknowledge that mental health and wellness are inherently connected to student success in the classroom. The delivery of trauma-responsive practices will help to ensure each student's past experiences are considered within the student's learning capacity to succeed within the school environment.

**Resolutions Committee Rationale:** This resolution calls for the Illinois Association of School Boards (IASB) to support a legislative agenda encouraging schools to develop trauma-responsive practices that will foster a safe, responsive, and effective instructional environment for all students.

As a result of the Children's Mental Health Act of 2003, the Illinois State Board of Education adopted the Illinois Social and Emotional Learning (SEL) Standards. Social and emotional learning is the process through which individuals develop awareness and management of their emotions, set and achieve important personal and academic goals, use social-awareness and interpersonal skills to establish and maintain positive relationships, and demonstrate decision making and responsible behaviors to achieve school and life success. The SEL standards were created to describe the content and skills for students in grades K-12 for social and emotional learning. These standards were developed in accordance with Section 15(a) of Public Act 93-0495.

The committee supported the concepts within the original resolution. However, it was noted that IASB currently has a position statement closely reflecting the district's submittal. The committee suggested that the resolution be revised to amend current Position Statement 1.01. The submitting district agreed.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 15. Position Statement 2.27

### State Authorized Charter School Funding

**Submitted by:** Woodland CCSD 50

THE ILLINOS ASSOCIATION OF SCHOOL BOARDS SHALL urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district, particularly in the spirit of evidence-based funding. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to "brick and mortar" schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school. Adopted 2012; Amended 2013, 2014; Reaffirmed 2016, 2017, 2017)

**District Rationale:** The loss of students from the home school district to the charter school does not equate to a proportionate reduction in host district expenses. Charter

schools are the opposite of the consolidation theory. Educating the same number of students with additional facilities, additional administration, and additional staff — all without additional funding from the state — is unsound.

The diversion of 100 percent of a school district's "per capita tuition charge" means that school boards and local taxpayers pay for 100 percent of charter school tuition, despite opposing the creation of the charter school. Local control must be honored and restored.

The state assumes no financial responsibility for the charter school, despite opening the school over the objection of the local school board. The state oversees the operations of the school; thus it should bear responsibility for the funding of the school.

The current funding model erodes the values and the intent of evidence-based funding ("EBF") for school districts and ensures that State Authorized Charter schools receive all the benefits of EBF, even if the student body at the charter school is vastly different. Effectively, a charter school can receive a funding windfall by receiving 100 percent of the local tuition rate, while not being required to provide the same/similar services and operations to the same student population.

**Resolutions Committee Rationale:** The current position statement on State Authorized Charter Schools (SACS) was amended in 2014 to provide more flexibility and cleaner language that fits better into IASB's overall position statements. Position Statement 2.27 was reaffirmed in 2015, 2016, 2017 and 2018.

State Authorized Charter Schools continue to be a major issue as "host" districts have to scramble to find a way to deal with less revenues from the State of Illinois while still providing a quality education to the students they serve.

Current law takes state funding from a local district and distributes it to a state authorized charter school. If the local school district looked to raise revenue and provide additional resources to students from local sources, the SACS would receive an even larger share of the local districts' state funding.

The submitting district had sought a new position statement on funding SACS, but the committee felt that amending Position Statement 2.27 with language specific to the Evidence-Based Funding model would be the better route. The submitting district agreed and the committee recommended adoption of an amendment to Position Statement 2.27.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 16. Position Statement 2.04

### Funding Special Education Programs

**Submitted by:** Community Consolidated School District 168

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 percent 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 disabled** child placed in private facilities; **and**
- shall encourage the state to create a new line item with funding from new dollars that school districts could request a one-time grant from if a high-need child enrolls, or is identified, in the district after September 30 of the school year. (Portions adopted 1977, 1980, 1986; Portions reaffirmed 1985, 1986, 2002; Amended 1988, 2000, 2001)

**District Rationale:** School districts must submit their budget to Illinois State Board of Education by September 30 of each year. Between January and August, school districts work to develop the most efficient budget to meet the needs of their students. This includes special education students who may need more individualized services. Periodically, school districts will have a student enroll after September 30 who is high need. Not knowing the student was coming to the district, there were no funds budgeted. This legislation would approve a specific amount set aside for schools to apply for a one-time grant to accommodate the needs of the newly enrolled child. This would allow the school district time to make adjustments in the ensuing budget for the next fiscal year. Districts are having children enroll after September 30 that can potentially have residential placement not budgeted, one-to-one services not budgeted, deaf and hard of hearing services not budgeted, etc. This one-time grant would allow a district to receive some additional funding as they are required to provide the services as dictated by the child's IEP. Any unused funds in this set-aside could be distributed to districts in April or serve as carryover for the following year's grant. This ensures that the IDEA dollars are able to meet the needs of our children without causing budgetary issues for local school districts.

**Resolutions Committee Rationale:** The resolution originally called for the adoption of a new position statement to support legislation that would provide a set-aside from IDEA dollars school districts could request funding from if a high need child enrolls in the district after September 30 of the school year.

The submitting district, and many other districts, have struggled with the costs of special education especially when a high-need/high-cost student enters the district. That struggle is exacerbated when the student enrolls in the district after the district has submitted its budget to the Illinois State Board of Education on September 30 of each year.

The committee considered that the federal government dictates how IDEA funds are distributed. The Illinois State Board of Education has no discretion in deciding how IDEA funds can be spent. Thus, this would require a change in federal law to allow our state to take funds out of our IDEA portion and set it aside for this purpose. An alternative would be for the state to create a new line item for this purpose. Unless the state contributed new funds to the line item, however, those funds would be created by taking funds away from other education-related line items.

There is also a current funding provision set in state statute to help districts with high-cost students called the High Cost Student Provision. Districts qualify for funds if they have a student that costs four times the district's per capita tuition rate. Districts can apply for funds once that threshold has been met to help cover the costs of these students. The funds used to cover this provision are unused federal room and board funds, after all claims under room and board are paid at 100 percent. This leaves a small portion of money to fund this provision, and claims have been paid at an average of 12 percent for the past eight years, with three of those fiscal years having zero unused funds to distribute.

Instead of creating a new position statement on this subject, it was the consensus of the committee to amend the current position statement regarding special education funding. The submitting district agreed. The resolution now amends Position Statement 2.04.

The Resolutions Committee RECOMMENDS DO ADOPT.

## 17. Position Statement 2.04

### Funding Special Education Programs

**Submitted by:** Grayslake Community HS District 127 (Sponsor)  
Gavin SD 37 (Co-Sponsor)  
Lincolnshire-Prairie View District 103 (Co-Sponsor)  
Fox Lake Grade School District 114 (Co-Sponsor)  
Millburn CCSD 24 (Co-Sponsor)  
Deerfield PSD 109 (Co-Sponsor)

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 education 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 percent 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 disabled** child placed in private facilities; **and**

- shall support modifications to state laws that would equalize the reimbursement provisions so funds would be distributed through a placement neutral process. (Portions adopted 1977, 1980, 1986; Portions reaffirmed 1985, 1986, 2002; Amended 1988, 2000, 2001)

**District Rationale:** The law that supports students with disabilities (IDEA) indicates that state funding processes should not distribute funds based on a type of setting (OSEP/Federal IDEA) and reflects the importance of a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) possible for students with disabilities. Illinois remains the only state in the union with a dedicated private tuition reimbursement line item in the state budget that reflects an antiquated, incentivized method of reimbursing school districts for tuition payments to private schools. Specifically, under current Illinois law, when a student is placed in a private school setting, a school district is reimbursed for costs above two times the district's per capita threshold. A school district which educates students with more extensive needs within a less restrictive environment in a public setting receives reimbursement only when their costs exceed four times the district's per capita threshold from remaining state funds from room and board allocations, when available. This system for addressing students with more significant needs has been underfunded, underreported, and prorated since the process was developed over 40 years ago. This inequitable reimbursement process remains under mandated categorical payments and falls outside of the Evidence-Based Funding model. There is no current process or funding provisions in the EBF model to address students with more significant needs and associated costs.

The current funding process for tuition reimbursement for students placed in private school settings was developed during an era when districts did not have the resources or capacity to educate students with more significant needs. Over the years, our public school districts and cooperatives have advanced considerably and effectively educate and support students with a wide range of diverse needs within their home school districts and public school settings. However, the current funding system in Illinois for students with greater needs remains inequitable, continues to encourage private placements, and draws public funds to support private tuitions without addressing a comparable public option of reimbursement.

**Resolutions Committee Rationale:** The resolution calls for the adoption of a new position statement to support modifications to current state laws and funding mechanisms through an equalized reimbursement process. State funding mechanisms should distribute funds and reimbursement to districts through a placement neutral process (equalized

reimbursement for students regardless of their educational placement in public or private settings)

The committee considered the three main ways special education costs are funded:

1. Individuals with Disabilities Education Act (IDEA) (Federal) — a district's regular appropriation out of federal IDEA funds that districts are able to determine locally how to spend under federal guidelines.
2. Private Tuition Reimbursement Line Item (State) — districts receive the remaining of the cost of tuition minus what two times the district's per capita tuition rate is, and then that amount is prorated (last fiscal year at 80 percent) depending on how much the state appropriates for that line item.
3. High Cost Student Provision (State) — districts qualify for funds if they have a student that costs four times the district's per capita tuition rate. Districts can apply for funds once that threshold has been met to help cover the costs of these students. The funds used to cover this provision are unused federal room and board funds, after all claims under room and board are paid at 100 percent. This leaves a small portion of money to fund this provision, and claims have been paid at an average of 12 percent for the past eight years, with three of those fiscal years having zero unused funds to distribute.

Specifically, the submitting district would like the High Cost Student Provision qualification to be reduced to the same as the Private Tuition Reimbursement Line Item, at two times the district's per capita tuition rate instead of four. Its further goal would be for there to only be one additional state funding stream for special education instead of two, and that districts would qualify for that one stream based on two times a district's per capita tuition rate requirement.

There is no other state special education reimbursement besides the two provisions listed above, however, districts are able to use funding they receive through the Evidence-Based Funding model (EBF) for special education services as well. IDEA funds are decided by a formula set at the federal level and distributed to districts based on that formula. The committee was cautious since lowering the threshold for a funding provision allows more districts and students served by districts to qualify, competing for the finite amount of money in the fund.

Since there is already a position statement addressing special education programs, it was the consensus of the committee to modify the proposal to amend current Position Statement 2.04. The submitting district agreed.

The Resolutions Committee RECOMMENDS DO ADOPT.

# REAFFIRMATION OF EXISTING POSITIONS

## 18. Position Statement 1.08 Standardized Test Procedures and 1.09 Student Assessment

Submitted by: Community Consolidated School District 46

### 1.08 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 Every Student Succeeds 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;
- 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; and
- expedite and fully fund test development and implementation of an appropriate assessment instrument for English language learners. (Adopted 2002; Amended 2003, 2008, 2016; Reaffirmed 2011)

### 1.09 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;
- fairly test students who are English language learners so that their academic progress can be accurately assessed regardless of their fluency;
- 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; and
- develop a reporting process that reflects a school's progress beyond simply student assessment scores. (Adopted 2002; Amended 2008; Reaffirmed 2011)

**District Rationale:** Results must be returned in a timely manner to effect student improvement measures. Results that are returned in the following school year prevent districts from identifying appropriate interventions and modifications of curriculum to meet student needs.

Results must be disaggregated by standards. Simply providing results in percentages do not allow school districts to initiate needed change.

#### Resolutions Committee Rationale:

The resolution directs the Illinois State Board of Education (ISBE) to return test results in a manner and time that will allow school districts to maximize student learning.

The resolution reflects the ongoing battle between meeting the needs of students in learning and the needs of the public and lawmakers in measuring student success in learning in our schools. IASB has two Position Statements that reflect the district's submittal. It was the consensus of the Resolutions Committee that the current position statements already encompass the objective of this proposal. The submitting district agreed to revise its resolution to reaffirm Position Statements 1.08 and 1.09.

The Resolutions Committee RECOMMENDS DO ADOPT.

## CURRENT POSITIONS

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### EDUCATIONAL PROGRAMS

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#### 1.01 Educational Programs

The Illinois Association of School Boards urges its member districts to develop educational programs 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. The Association shall also encourage its members to increase their awareness of the Mental Health Code (405 ILCS 49/15) which supports developments and implementation of a plan to incorporate social and emotional standards as part of the Illinois Learning Standards. (Adopted 1959; Amended 1988, 2009)

### **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 including opposing any mandated curriculum that comes from the Common Core Standards. (Adopted 1981; Amended 1983, 1988, 2001, 2013)

### **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 and appropriate exemptions for physical education at the K-12 level. (Portions Adopted 1982, 1986; Reaffirmed 1984, 1987; Amended 1988, 1995, 2013)

### **1.04 P. E. Exemption for Show Choir**

The Illinois Association of School Boards shall attempt to have legislation passed that would amend 105 ILCS 5/27-6 of the School Code of Illinois to grant an additional exemption for students, grades 9-12, enrolled in an ongoing Show Choir program for credit. (Adopted 2012)

### **1.05 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)

### **1.06 Preschool Programs**

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority with legislation providing new monies for both staffing and infrastructure costs associated with early childhood programs for preschool children, at-risk infants and toddlers, and grants for parental training. (Adopted 1986; Amended 2001, 2006, 2007, 2016)

### **1.07 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)

### **1.08 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 Every Student Succeeds Act. Further 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;
- 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; and
- expedite and fully fund test development and implementation of an appropriate assessment instrument for English language learners. (Adopted 2002; Amended 2003, 2008, 2016; Reaffirmed 2011)

### **1.09 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;
- fairly test students who are English language learners so that their academic progress can be accurately assessed regardless of their fluency;
- 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; and
- develop a reporting process that reflects a school's progress beyond simply student assessment scores. (Adopted 2002; Amended 2008; Reaffirmed 2011)

### **1.10 Every Student Succeeds Act — 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 Every Student Succeeds 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; Amended 2016)

### **1.11 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)

### **1.12 Funding For Differentiated Instruction**

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. (Adopted 2007)

### **1.13 Bilingual Education Options**

The Illinois Association of School Boards shall request the Illinois State Legislature to pass legislation to amend the current School Code to make Transitional Bilingual Education optional and not mandatory. (Adopted 2008)

### **1.14 Student Academic Placement**

The Illinois Association of School Boards shall support local school district and parent collaboration, evaluation, and decision-making regarding the grade-level placement of students based upon their academic, social, and emotional maturity and readiness to advance. When parental advancement requests deviate from normal school advancement, school districts maintain the authority to evaluate and place students. (Adopted 2010; Reaffirmed 2011)

### **1.15 Virtual Charter Schools**

The Illinois Association of School Boards shall encourage the Charter School Commission to develop regulations that ensure State-authorized virtual charter schools meet the full needs of Illinois students and follow the intent of current State laws prohibiting the use of public funds for profit-driven educational firms. Examples of such regulations might include, but not be limited to, the following:

- Assurance of student access to teachers, including information regarding teacher accessibility, teacher/student ratio, and amount of teacher/student contact time
- Evidence of the social-emotional well-being of students, such as information regarding opportunities for peer interaction and collaboration, adult advisory resources, and protocols to prevent bullying or other inappropriate online behavior
- Not-for-profit entities that sponsor virtual charter schools shall be in existence for at least one year before submitting a virtual charter school proposal and operate under the Open Meetings Act and the Freedom of Information Act once a charter school has been approved

- Entities proposing virtual charter schools are limited to submitting a proposal to only one school district per year
- Members of the not-for-profit board that proposes a virtual charter school must demonstrate a direct link to the community in which it is proposing a charter school, through either residency, employment, or education
- Funding for State authorized virtual charter schools shall be reduced proportionately to reflect annual State aid proration, as well as per pupil expenditure used for building maintenance, classroom supplies, transportation, and other costs unique to the services provided by a “brick and mortar” school. (Adopted 2013)

### **1.16 Student Discipline Practices**

The Illinois Association of School Boards shall oppose legislative and rulemaking initiatives that enact statewide student discipline policies. IASB encourages school districts to consider policies and procedures that develop sound discipline practices which may

- Ensure a safe, responsive, and effective instructional environment
- Strive to meet the social, emotional, and behavioral needs of all Illinois students
- Strive to expedite investigations in response to alleged student misconduct and communicate findings and determinations to parents/guardians. (Adopted 2014)

### **1.17 Data Equity**

The Illinois Association of School Boards shall support legislation allowing non-unit districts to enter into agreements to share student data to the same extent and with the same ease as unit districts. (Adopted 2014)

### **1.18 Longitudinal Data Systems**

The Illinois Association of School Boards shall support legislation allowing local districts to enter into the necessary student data-sharing agreements to build, maintain, and utilize local longitudinal data systems in order to improve their student outcomes including college and career success. (Adopted 2014)

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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, 2012, 2014)

## **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, 2014; 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 timelines for accomplishment should reflect consideration of the human and material resources and amount of deliberation and development necessary to accomplish the mandate;
- shall support legislation that causes all statutory and regulatory educational mandates to sunset if sufficient funding is not provided to implement such mandates and requirements. Local school districts may choose to continue to implement the mandated programs voluntarily until such time that the General Assembly appropriates the funding necessary to cover the costs of the required programs. (Adopted 1976; Amended 1988, 1989, 2001, 2005, 2013; Reaffirmed 1980, 1991, 1994, 1999, 2002, 2009, 2014)

## **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; and

- 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 percent 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's 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 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 percent 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)

### **2.11 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. Furthermore, the Illinois Association of School Boards shall support legislation that requires the State of Illinois to pay interest at the current legal rate on any payments which are late. (Adopted 1991; Reaffirmed 2000, 2014; Amended 2011)

### **2.12 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. 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; Reaffirmed 2007, 2014)

### **2.13 Heat Days Funding**

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

### **2.14 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)

### **2.15 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 disbursement 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)

### **2.16 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)

### **2.17 Alternative Schools**

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

### **2.18 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)

### **2.19 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 the legislation meets the criteria outlined in the IASB Position Statement 2.37 — School Finance Reform. (Adopted 2004; Amended 2005; Reaffirmed 2014)

### **2.20 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. School districts shall receive a priority ranking within 90 days of the end of the current year’s application cycle. The Illinois State Board of Education shall priority rank, by grant year, all school districts that have been waiting for longer than 90 days for school construction grant funds. (Adopted 2006, Amended 2014, Reaffirmed 2015)

### **2.21 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)



## **2.22 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; Reaffirmed 2007, 2014)

## **2.23 Non-Resident Student Tuition**

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. (Adopted 2007; Reaffirmed 2008)

## **2.24 ISBE Oversight Agreement**

The Illinois Association of School Boards shall work to modify state statutes governing Illinois State Board of Education (ISBE) school district oversight panels or finance authorities. Statutory changes should include, but not be limited to, the following:

- Unless called for by the local school district, an oversight panel or finance authority shall not be imposed without a rigorous set of criteria proving the school district will not or cannot serve the needs of its students, staff, and community;
- Clear benchmarks and goals shall be included in the establishment of an oversight panel or finance authority and once substantially met, the oversight panel or finance authority shall be dissolved;
- Bonding authority and issuance must remain the responsibility of the elected school board so that the duration of the oversight can be minimal;
- Progress toward benchmarks and goals must be reviewed and shared with the school district under oversight on a regular basis including any reasons or criteria for inability to make progress. Review should also recommend any modifications needed to achieve success;
- Due process and review by the Attorney General must be afforded school districts when appropriate; and
- ISBE authority to establish oversight panels or finance authorities shall not be broadened to facilitate imposition of a panel or authority or to expand their oversight once put in place. (Adopted 2009; Amended 2010)

## **2.25 Multi-County School District GSA Offset**

The Illinois Association of School Boards shall support legislation to modify the GSA (General State Aid) Formula calculation for multi-county PTELL (Property Tax Extension Limitation Law) school districts which have lost GSA for

current and prior years due to an estimate of Equalized Assessed Value (EAV) utilized by the county providing the limiting rate to the Illinois State Board of Education (ISBE) for use in calculating a District's GSA. (Adopted 2010)

## **2.26 Categorical Reductions Prospective Only**

The Illinois Association of School Boards shall support legislation requiring that any reductions in line item funds for categorical payments which are subject to reimbursement by the State (e.g. transportation or special education) shall be prospective only and shall not affect such line item costs incurred by a school district prior to such reduction but not yet claimed or approved for reimbursement. (Adopted 2011)

## **2.27 State Authorized Charter School Funding**

The Illinois Association of School Boards shall urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to "brick and mortar" schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school. (Adopted 2012; Amended 2013, 2014; Reaffirmed 2016, 2017, 2018)

## **2.28 Special Education Student Transportation Cost**

The Illinois Association of School Boards shall support legislative, administrative, or legal remedies to limit and equalize cost for Special Education Student Transportation. (Adopted 2014)

## **2.29 Clock Hours vs. Minutes**

The Illinois Association of School boards shall research the impact and viability of moving from a methodology of required days of student instruction to minutes of student instruction as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, evacuations, or other events beyond the control of the school district. (Adopted 2016)

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# **FINANCING PUBLIC EDUCATION – LOCAL**

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## **2.30 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)

### **2.31 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, 2016)

### **2.32 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, 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)

### **2.33 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, 2016)

### **2.34 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)

### **2.35 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;
- base any such index (CPI or ECI) on a method for calculating average over time to lessen the unpredictability of tax capped local resources; 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, 2009; Reaffirmed 1991)

### **2.36 Property Tax Cap — GSA Calculation**

The Illinois Association of School Boards shall support legislation to modify the General State Aid Formula calculation for school districts subject to PTELL (Property Tax Extension Limitation Law) such as that they are not penalized when successfully passing an operating fund rate increase referendum. (Adopted 2008)

### **2.37 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 one-to-one ratio. (Adopted 1991; Reaffirmed 2016))

### **2.38 School Finance Reform**

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. Education funding should take into account the cost associated with delivering quality, research-based programming, geographic conditions, and student needs. Fully funding districts would ensure adequate funding for districts to locally determine and deliver appropriate and effective educational experiences to every student.

IASB supports the need for transparency and dissemination of information, regarding the impact of proposed education funding reforms as they are developed, formally proposed, considered, and enacted. Additionally, IASB will utilize the following criteria to evaluate proposals for school finance reform:

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 based on research, data, and current best practices.
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.
  10. Funding should not be tied to mandated training of local Boards of Education.

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, 2008, 2014, 2016; Reaffirmed 2001, 2012)

### **2.39 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)

### **2.40 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)

### **2.41 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)

### **2.42 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)

### **2.43 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 not seek to deprive or deplete 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, 2008; Amended 2004)

### **2.44 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)

### **2.45 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, 2007)

### **2.46 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)

### **2.47 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)

### **2.48 Abatements for Home Builders**

The Illinois Association of School Boards shall support legislation to amend the Illinois Property Code (35 ILCS 200/18-165, et seq.) to enable Boards of Education to develop criteria for awarding abatements of school property tax to individual homebuilders. Said legislation shall provide rural school boards that are struggling with declining enrollments and loss of assessed valuation with a tool to stimulate the growth of both tax base and population base of their districts. (Adopted 2008)

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## FINANCING PUBLIC EDUCATION – FEDERAL

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### 2.49 PTELL — Debt Service Extension Base

The Illinois Association of School Boards shall support legislation to modify the Debt Service Extension Base (DSEB) formula established by the Property Tax Extension Limitation Law (PTELL) to allow the limited number of school districts that do not have DSEB to have one established for them creating more equity among districts affected by the PTELL and equal opportunity in school funding. (Adopted 2011)

### 2.50 PTELL No Penalty for Under Levy

The Illinois Association of School Boards shall support legislation (currently House Bill 1341) that allows school districts to levy an amount less than the Property Tax Extension Limitation Law (PTELL) formula would allow without penalty in future years. This would require that when a district “under” levies, that the full allowable extension amount be tracked and made accessible in future years. (Adopted 2012)

### 2.51 EAV Adjustments — Timely Notification

The Illinois Association of School Boards shall support legislation to require timely notification between county assessors of substantial adjustments to assessed values for a taxing district that has assessed property in multiple counties. (Adopted 2011)

### 2.52 Pension — Normal Cost Shift

The Illinois Association of School Boards recognizes that legislation to sensibly resolve Illinois’ current pension crisis must be fully compliant with prevailing actuarial scientific standards in order to achieve fully-funded and sustainable pension funds. The Illinois Association of School Boards therefore shall not support a “cost-shift” to local districts as a true sensible solution to the pension burden. (Adopted 2013)

### 2.53 School Facility Occupation Tax

The Illinois Association of School Boards shall support an amendment to State Statute 55 ILCS 5/5-1006.7 School Facility Occupation Tax, to include the purpose to purchase or lease technology to aid instruction, education, or efficiency of the school district. (Adopted 2014)

### 2.54 Tax Increment Financing

The Illinois Association of School Boards shall support changes to the Tax Increment Financing statute to include the following: a municipality cannot reset a TIF district, which would extend the life of the TIF beyond the 23 years. (Adopted 2014; Reaffirmed 2016)

### 2.55 Energy Savings Funding and Borrowing

The Illinois Association of School Boards shall recommend to the legislature that a bill be passed that allows districts to borrow or otherwise obtain money without referendum for the sole and specific purpose of purchasing and installing energy saving equipment relating to the utility usage (water, gas and electricity) (Adopted 2018)

### 2.56 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)

### 2.57 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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## FINANCING PUBLIC EDUCATION – OTHER

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### 2.58 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, 2012)

### 2.59 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)

### 2.60 Transportation For Private School Students

The Illinois Association of School Boards shall pursue and support legislation amending 105 ILCS 5/29-4 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)

### 2.61 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, 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)

## **2.62 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)

## **2.63 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)

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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, 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 management 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; Reaffirmed 2012)

## **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; Reaffirmed 2012)

## **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; Reaffirmed 2012)

## **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 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)

## **3.09 Budget Stability for School Districts**

The Illinois Association of School Boards shall support legislation requiring the Illinois General Assembly to determine the amount of funding for educational entitlements and General State Aid no later than March 31 (3 months prior to the start of the budget year) and enact a biennial budgetary cycle. Once the amount of funding for educational entitlements is determined, the General Assembly shall be required to vote on the funding in a stand-alone piece of legislation. (Adopted 2010; Reaffirmed 2011; Amended 2012, 2016)

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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, 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 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)

### 4.03 Board Member — Travel Reimbursement

The Illinois Association of School Boards shall support legislation which will allow members of Boards of Education to be reimbursed for mileage for school board meetings held in compliance with the Illinois Open Meetings Act and for events regarding school district staff. Mileage reimbursement would be paid at the federally allowable travel reimbursement rate. (Adopted 2008)

### 4.04 School Board Member Training

The Illinois Association of School Boards shall oppose any legislation that includes a provision for mandatory training of school board members. The IASB encourages local boards of education to model continuous improvement by pursuing all professional development and training opportunities. IASB, with its unique combination of expertise and resources, is uniquely in the position to be the primary agency responsible for school board member training and professional development as recognized by Article 23 of the School code, and any such legislation requiring school board member training shall specifically list IASB as a training provider. (Adopted 2008; Amended 2012)

### 4.05 Statement of Affairs

The Illinois Association of School Boards shall support legislation that allows a school district to publish any notice, agenda, record, or other information or material required by law electronically instead of in a newspaper. (Adopted 2016)

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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. maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts; and
- d. 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, 2012; Reaffirmed 1992, 2011)

### 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; Reaffirmed 2012)

### 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; Reaffirmed 2012)

### 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; Reaffirmed 2012)

### 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, or amend the Prevailing Wage Act to exempt school districts from its scope. (Amended 1982, 1990, 2011; Reaffirmed 1985, 1988, 1996, 2009, 2012, 2013, 2016)

### 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; Reaffirmed 2012)

### **5.08 Workers' Compensation Law**

The Illinois Association of School Boards shall actively support legislation to reduce the costs of Workers' Compensation. (Adopted 1993; Reaffirmed 2012)

### **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 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; Reaffirmed 2012)

### **5.11 School Employee Strikes**

The Illinois Association of School Boards shall strongly seek and support legislation forbidding public school employees from striking. The Association shall also work with legislators, the Illinois State Board of Education, and the teachers' unions to develop alternatives to striking, including mediation and binding arbitration. (Adopted 1996; Amended 2009; Reaffirmed 2012)

### **5.12 Third Party Contracting**

The Illinois Association of School Boards shall strongly oppose legislation or rulemaking that regulates and restricts the ability of school boards to contract with third parties for the provision of non-instructional services. The Illinois Association of School Boards shall seek to repeal or amend the provisions of the School Code which unreasonably restrict the ability of school boards to enter into contracts with third parties for the provision of non-instruction services. (Adopted 2012)

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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. In the event any such

rule, regulation, or legislation is promulgated or adopted, the Association shall take all appropriate actions calling for amendment (s) to return the decision making powers back to the local school district. (Adopted 1976; Amended 2014; Reaffirmed 2006, 2012, 2014, 2016)

### **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 its 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 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 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)

### **6.17 Fair Labor Standards Act**

The Illinois Association of School Boards shall support legislation at both the Federal and State levels to exempt school district employees from overtime and salary regulations as described in the Fair Labor Standards Act. (Adopted 2005)

### **6.18 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, 2007)

### **6.19 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 percent over the lowest responsible bid and the bidder must be considered a local contractor by the local Board of Education. (Adopted 2006)

### **6.20 Freedom of Information Act Changes**

The Illinois Association of School Boards shall support legislation to modify the Freedom of Information Act (FOIA) to facilitate school districts’ compliance with the Act and to remove unnecessary burdens on units of local government. The legislative changes should:

- Increase allowable FOIA response time from five business days to 10 business days
- Exclude official school breaks in business day response time
- Allow denials for commercial purposes
- Allow denials for any request that is unduly burdensome
- Clarify language that would allow a request to be denied if it is unduly burdensome to the public body if the public body deems compliance with the request would result in excessive response costs
- Allow the imposition of reasonable fees regardless of the number of pages being provided
- Remove the balancing test between the public’s interest and the employee’s right to privacy in the privacy exception



- Expand the evaluation exemption to cover all school employees
- Exempt employment applications to protect the privacy of individuals that apply for high profile employment positions
- Delete provisions requiring public bodies to write a virtual legal opinion as to why they are claiming an exemption
- Delete provisions requiring public bodies to prepare a virtual legal pleading before being challenged for a denial
- Limit public bodies' liability by limiting a court's inquiry to violations of FOIA and not the content of information provided
- Force the Public Access Counselor to defend its decisions before a court of law if a public body is sued
- Allow public bodies to seek review of a binding opinion of the Public Access Counselor in the county in which they are located rather than just Sangamon or Cook Counties. (Adopted 2010)

### **6.21 Homeless Student Transportation**

The Illinois Association of School Boards shall support legislation conforming Illinois law with federal law, specifically related to 105 ILCS 45 and the requirement for school districts to transport homeless students beyond district boundaries. (Adopted 2012)

### **6.22 Mandate Cost and Periodic Review**

The Illinois Association of School Boards shall support modifications to the Illinois State Mandates Act (30 ILCS 805) that will strengthen the ability of the Illinois State Board of Education (ISBE) to accurately and sufficiently provide timely information on the costs of mandates including input from local elected boards of education. In addition, the mandates report required for other local governments shall be required of ISBE to provide timely, updated information on the impact of new mandates as they are enacted. (Adopted 2013; Reaffirmed 2014)

### **6.23 PARCC Testing Results**

The Illinois Association of School Boards shall petition the Illinois State Board of Education to fairly report discrepancies in the scoring of state required standardized testing: 1) between paper and pencil versus electronic results AND 2) within the electronic testing method. Further, that such discrepancies will be made public so that schools may provide said information to parents and media when the testing results are reported as required under state law. (Adopted 2017)

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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 (2/3) 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 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)

### **7.08 Polling Places In Schools**

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. If a school building is used as a polling place, the safety of the children and staff should not be compromised, and voters must be physically separated from students when the school is in session. (Adopted 2007; Amended 2009)

### **7.09 School as Polling Place Reimbursement**

The Illinois Association of School Boards shall support legislation that amends the Election Code and the School Code to mandate that the appropriate officer or board having responsibility for providing a polling place for the election reimburse the school district for any costs, included cost of security to ensure student safety, in acting as a polling place which estimated costs shall be provided to the appropriate officer or board in advance of any decision to use a particular public building in order to ensure the efficient use of public resources. (Adopted 2017)

### **7.10 Board Vacancy Filings**

The Illinois Association of School Boards shall support legislation to increase the timeline to fill a school board vacancy from 45 days to 60 days to allow school boards more time to fill such vacancies. (Adopted 2014)

# CURRENT IASB BELIEF STATEMENTS

**1. The Illinois Association of School Boards believes** in improving the image of school boards and public education at the state and national levels

**2. The Illinois Association of School Boards believes** school administrations and faculties should be composed of persons supporting the principles of constitutional government because schools should continue with vigor their programs for giving young citizens a clear understanding of the principles of the American way of life and a desire to make these principles prevail in their own lives and in the life of their country. Further, the Association believes in the value of student non-partisan civic responsibility, including the importance of student voter registration.

**3. The Illinois Association of School Boards believes** that local boards of education should provide the necessary leadership for educational reform by sharing information and resources and collaborating with each other and the larger educational community.

**4. The Illinois Association of School Boards believes** that a comprehensive restructuring is needed in the way public schools are funded in Illinois and that IASB should be an active partner in responsible grassroots initiatives for school funding reform.

**5. The Illinois Association of School Boards believes** that schools should provide a safe and secure environment for all students. School board members and staff should try to protect students from the effects of bullying and offer appropriate instruction to improve intergroup relations and to promote peaceful resolution to conflict.

**6. The Illinois Association of School Boards believes** strongly in the non-partisan election of local school boards.

**7. The Illinois Association of School Boards supports** teacher salaries which are performance-based, market-sensitive, professionally competitive, and which are tied to an effective evaluation system.

**8. The Illinois Association of School Boards believes** in the vigorous support and the rigid enforcement of the laws pertaining to the sale, possession, and/or use of firearms.

**9. The Illinois Association of School Boards believes** that local boards of education should be prepared for possible public health crises (such as an Avian Flu pandemic) and other public safety concerns. The IASB should obtain the most recent and accurate information from the pertinent federal, state, and local agencies and disseminate such information to school districts throughout the State. School districts are encouraged to adopt proactive pandemic preparedness strategies. IASB also encourages school participation in the National Fire Protection Association's campaign for fire escape planning and practice among our member families and citizens.

**10. The Illinois Association of School Boards urges** local boards of education to provide education programs on awareness of the advantages of wearing bicycle helmets when riding bicycles.

**11. The Illinois Association of School Boards urges** its member districts to limit career exploration activities to non-school attendance days or to school-run career days. In addition, the Association believes Take-Your-Daughter-to-Work Day should be designated for a non-attendance day and should also consider working to make this day non-gender specific.

**12. The Illinois Association of School Boards believes** that the overall health of our students is of prime importance. Local boards of education and school district officials should have the authority and flexibility to access State and community health services as deemed appropriate. To that end, IASB urges school districts to comply with the required notification provisions regarding vision screening for students, recommends that parents provide for regular and ongoing comprehensive vision examinations for their children, and encourages school districts to consider adopting a policy requiring optometric vision examinations for all children entering kindergarten.

**13. The Illinois Association of School Boards believes** that the work of locally elected, volunteer school board members should be valued and that employers should be encouraged to allow employees to utilize vacation days or days off with pay to attend mandated school board member training and professional development opportunities offered by IASB or other approved training providers.

**14. The Illinois Association of School Boards believes** that effective local school board governance is vital to the success of our public schools and urges local boards of education to abide by IASB's Foundational Principles of Effective Governance, avoid real or perceived incidents of impropriety, and adopt policies or procedures to ensure that board members and elected board officers have no conflicts of interest.

**15. The Illinois Association of School Boards believes** school boards should employ competitive bidding practices for upgrades in technology and energy savings and should also provide energy savings contracting model policy and training opportunities for school districts.

**16. The Illinois Association of School Boards believes** that schools should provide a safe and secure environment for all students and staff. Decisions of school safety drills, plans, and procedures should be made at the local level, utilizing evidence-based practices that maximize resources and effectiveness, and by soliciting input from local emergency responders resulting in fewer physical, emotional, and psychological risks to students and staff.