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Fwd: Capitol Watch: Final Days of Session Are Never Dull in Springfield

1 message

Jason Bauer <jbauer@panaschools.com>
To: Bridgett Heinrich <bheinrich@panaschools.com>

Tue, Jun 1, 2021 at 2:46 PM

June board meeting

Sent from my iPhone

Begin forwarded message:

From: IASA <iasa@iasaedu.org>
Date: June 1, 2021 at 1:47:21 PM CDT
To: jbauer@panaschools.com
Subject: Capitol Watch: Final Days of Session Are Never Dull in Springfield
Reply-To: iasa@iasaedu.org

**Final Days of Session are Never Dull in Springfield*****General Assembly Passes Budget with \$350 Million for EBF***

The state's spending plan, totaling \$42.3 billion, for the budget year that begins July 1 includes a \$350 million increase in Evidence-Based Funding for schools and basically maintains level funding for mandated categorical payments.

Meanwhile, the 102nd Illinois General Assembly passed a slate of bills that will make the already vast Illinois School Code even more expansive.

The final days of the legislative session are never dull in Springfield and this year was no exception. Tensions between the Democratic-controlled House and Senate, under two new leaders, were apparent when jockeying over the budget and energy legislation caused the session to spill into overtime Tuesday.

Shortly after 2 a.m. Tuesday senators began ratifying the earlier action of the House in approving the budget and Budget Implementation Bill with partisan votes. However, later in the morning, Senate President Don Harmon used a procedural move to prevent the budget from being sent to the governor.

Since the fiscal plan is in a Senate bill, Harmon has 30 days to transmit it to the governor. However, the clock doesn't start until after Harmon lifts his motion to reconsider, meaning he could hold the budget hostage well into the summer and beyond if he wants.

The blowup is reportedly over the energy bill. The House has adjourned and the Senate was scheduled to return at 11 a.m. Tuesday to take up a handful of unresolved issues. We will be closely monitoring.

The proposals to clear both chambers included unstructured playtime, sexual health education, 6% summer school exemption and extending the provision allowing retired teachers to return to teaching without penalty until June 30, 2024. Furthermore, the Budget Implementation Bill, [House Amendment 2 to Senate Bill 2017](#), included, among other things, exemptions from the 6 percent cap and final average salary. More on those and other bills later.

As of now, it appears the controversial [HB 2789](#), which had 16,818 witness slips in opposition filed, is not moving. That proposal would have required the Illinois Department of Public Health to establish metrics and recommended guidelines for schools if the governor declared a public health emergency. The bill also set forth penalties and procedures for non-compliance.

Budget Boost

The final days of session were extremely hectic, beginning with the 704-page state budget being introduced at 1:30 a.m. Monday (the BIMP bill wasn't released until the afternoon). An ethics omnibus bill and gambling expansion proposal were also among the issues reserved for what was supposed to be the final day.

But the budget, [House Amendment 3 to SB 2800](#), was front and center.

Hanging over this year's negotiation was the massive injection of federal funds, thanks to the passage of the American Rescue Plan Act (ARPA).

The state also had the added benefit of better-than-initially-projected revenues, which allowed the General Assembly to pay down \$2 billion in debt and make the full payment to pension systems.

For schools, SB 2800 includes both the FY 21 supplemental appropriations and an estimated \$7.8 billion in FY 22 appropriations under ESSER I, II and III per the ARPA. Approximately 90% of the \$7.8 billion will be distributed through the Title 1 formula to assist school districts with the academic and operational issues and costs experienced during COVID. These funds will be distributed over FY 22, FY 23 and FY 24.

BIMP Bill

As always, the Budget Implementation Bill included a wide-ranging set of measures. Here are five takeaways for educators:

Exemptions from 6 percent cap and FAS resulting from extra duties performed in an academic year following a school year in which the employer was unable to offer or allow to be conducted extra duties due to an emergency declaration limiting such activities.

- Provides that those that retire after June 1st, 2021 and have the 2020-2021 school year included in their Final Average Salary (FAS) calculation shall use the higher of their four highest consecutive in the last 10 years of service (Current FAS) or their FAS calculated by using their four highest years of salary in their last 10 years.
 - Applies to TRS Tier 1
- Provides that those that retire after June 1st, 2021 and have the 2020-2021 school year included in their Final Average Salary (FAS) calculation shall use the higher of their 96 highest consecutive months of service (or eight years) in the last 120 months of service (or 10 years) (current FAS) or by using their 96 highest months of service (or eight years) in the last 120 months of service (or 10 years).

- Applies to TRS Tier 2
- Creates a 6% salary exemption for returning to work in an overload and stipend work capacity following a declaration of an emergency. During which, the overload and stipend work could not have been offered. TRS only.
- Creates a 6% exemption for an increase in the number of instructional days beyond the 2019-2020 school year to deal with learning loss. TRS only.
- Changes the 6% language to mirror the language contained in IMRF. It modifies it to use the greater of 6% or 1.5 times CPI when determining the penalty.
- In SURS, creates an exemption for returning to work in an overload capacity following a declaration of an emergency. During which, the overload work could not have been offered.

School Technology Program

Language in the BIMP also authorizes the Illinois State Board of Education to create a School Technology Program to provide technology based resources to school districts to improve educational opportunities and student achievement throughout the State. Resources may include reimbursements for the cost of tuition incurred by a school district for approved online courses accessed through ISBE's Illinois Virtual Course Catalog Program.

State Report Card Publish Date

The BIMP says ISBE shall have until December 31, 2021 to prepare and provide the Illinois School Report Card instead of the normal due date of October 31, 2021.

School Construction Task Force

The BIMP makes changes to the criteria for early childhood construction grants, including the match being based on what tier your district is in.

AP Exam Fees

Any student who qualifies for free or reduced lunch will have fees charged by the College Board for Advanced Placement exams reduced, via state subsidy, to the greatest extent possible based on the appropriation.

Bills Passed Both Chambers

As we detailed previously in Capitol Watch, the 102nd General Assembly will be remembered for the flurry of bills introduced, including the plethora of unfunded and curricular mandates.

There were a variety of reasons for that, including an abbreviated 101st General Assembly, new leadership in the House and Senate and a wave of new legislators. The end result wasn't ideal, although many of the initial proposals were amended to become more manageable for school districts.

Here is a closer look at some of the bills headed to the governor's desk.

Incidents of Violence on School Report Card

SB 633, Murphy, D-Des Plaines

As amended, requires that data on the number of incidents of violence that occurred on school grounds or during school-related activities that resulted in an out-of-school suspension, expulsion or removal to alternative school to be reported on the Illinois School Report Card beginning in the 2022-2023 school year.

Unstructured Playtime in Grades K-5

SB 654 Ortiz, D-Chicago

The legislation passed on a structured roll call vote. The amended version limited the requirement of unstructured playtime to grades K-5 and a half hour instead of grades K-8. The House approved the measure 60-52 and the Senate, which also passed the initial version, concurred with the House changes, 38-18.

While IASA is not supportive of unfunded mandates, the amended version is much more manageable for schools.

Unused Food Sharing
SB 805, Belt, D-Belleville

Requires school districts to establish a food sharing plan for unused food with a focus on needy students. Provides that each school district shall incorporate the plan into its local wellness policy.

Student Teacher Candidates
SB 808, Murphy, D-Des Plaines

Prohibits a student teacher candidate from being required to submit test materials by video submission for the teacher performance assessment approved by ISBE.

Hairstyles
SB 817, D-Simmons

As amended, non-public schools and school districts must not include or apply uniform policies or dress codes to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including protective hairstyles such as braids, locks, and twists. Such hairstyles shall not be prohibited in non-public or public schools.

Sex Education Curricula
SB 818, Villivalam, D-Chicago

SB 818 passed out of the House on a partisan 60-48 vote and now heads to the governor's desk.

The legislation was amended to remove the mandate that all school districts must provide personal health and safety education in kindergarten through grade 5, and sexual health education in grades 6 through 12.

School districts that choose to teach sex ed would be required to follow national guidelines on sex ed and all instruction would have to meet a variety of new standards.

Elections Omnibus (High School Voter Registration)
SB 825 Harmon, D-Oak Park

This elections omnibus bill includes a requirement of the State Board of Elections to prepare voter registration information to be disseminated to high school students. Every high school must provide students with the information, which may be shared electronically. Prohibits high schools from prohibiting nonpartisan voter registration activities on its premises. High schools may adopt reasonable regulations restricting voter registration activities.

Mental Health Absence
SB 1577, Martwick, D-Chicago

Allows "mental or behavioral health of the student" as valid cause for absence for up to 5 school days without a medical note. After the second mental health day used, a student may be referred to appropriate school support personnel.

Summer School Exemption
SB 1646, McClure, R-Springfield

The legislation makes it easier for school districts to offer summer school for students who need extra support.

In a provision that requires an employer to make an additional contribution to the Teacher Retirement System for certain salary increases greater than 6%, excludes salary

increases resulting from teaching summer school on or after May 1, 2021 and before September 15, 2022.

Whole Child Task Force
[SB 2088](#), Belt, D-Cahokia

Requires the Whole Child Task Force to recommend legislation, policies and practices to prevent learning loss in students during periods of suspension and expulsion, including remote instruction.

Teacher Evaluations
[HB 18](#), Scherer, D-Decatur

Allows teachers in contractual service whose performance is rated as either "excellent" or "proficient" may be evaluated at least once in the course of every 3 years (rather than once every 2 years).

Sexting
[HB 24](#), West, D-Rockford

Provides that sex education course material and instruction in grades 6 through 12 must include an age-appropriate discussion on sexting; defines "sexting."

Special Education Services
[HB 40](#), Hurley, D-Chicago

Allows students with disabilities to receive continued public school education through the end of the school year, if the student's 22nd birthday occurs during the school year.

Modify Uniform for Religious Purposes
[HB 120](#), Guzzardi, D-Chicago

Requires a school board to allow a student to modify their athletic or team uniform for the purpose of modesty or attire that is in accordance with the requirements of their religion or cultural values.

Menstrual Hygiene Products,
[HB 156](#) Hernandez, D-Aurora

Legislation that requires public schools to supply menstruation products in both girls' and boys' bathrooms for grades 4 through 12 cleared both chambers.

The bill provides that menstrual hygiene products shall be made available in bathrooms of every school building that are open for student use in grades 4 through 12 during the regular school day.

PE Absence for Religious Fasting
[HB 160](#), Didech, D-Buffalo Grove

Provides that a pupil shall be excused from engaging in any physical activity components of a physical education course during a period of religious fasting.

Time out and Physical Restraint
[HB 219](#), Carroll, D-Northbrook

Makes changes concerning time out and physical restraint in the public schools. The bill was further amended to prohibit prone restraint after the 2021-2022 school year.

Media Literacy
[HB 234](#), Hernandez, E., D-Cicero

Beginning with the 2021-2022 school year, every public high school may include in its curriculum a unit of instruction on media literacy.

Suicide Prevention Lifeline
[HB 597](#), Marron, R-Danville

Requires school districts to provide contact information for the National Suicide Prevention Lifeline and the Crisis Text Line on the back of student identification cards, or on its website.

Lockdown Drills
[HB 2400](#), Hirschauer, D-Batavia

Prohibits law enforcement lockdown drills from including simulations that mimic an actual shooting incident or active shooter event; all lockdown drills must be announced in advance to all school personnel and students prior to commencement; drill content must be age appropriate and developmentally appropriate; and, lockdown drills must include and involve school personnel including mental health professionals. Schools must also provide sufficient information and notification to parents and guardians in advance of any lockdown drill that involves participation of students, and an opportunity for parents and guardians to exempt their child.

Extend Sunset on Retired Teachers Returning Without Penalty
[HB 2569](#) Windhorst, R-Harrisburg

The proposal extends the provision allowing retired teachers to return to teaching without penalty until June 30, 2024. It also requires schools to post vacancies on the district's website and in an online database. It was unanimously approved in both chambers.

Supports for Students Who Are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence
[HB 3223](#), Moeller, D-Elgin

Requires school districts to provide various services and supports to students who are parents, expectant parents, or victims of sexual or domestic violence

Missed Homework, Student Pregnancy
[HB 3272](#), Harper, D-Chicago

Requires a school board to adopt written policies related to absences and missed homework or classwork assignments as a result of or related to a student's pregnancy.

Naturalization Curriculum
[HB 3281](#), Ortiz, D-Chicago

Allows public high schools to include in its curriculum a unit of instruction about the process of naturalization, including content from the naturalization test administered by the U.S. Citizenship and Immigration Services.

To close, thank you to everyone who filled out witness slips and made your voice heard on important matters that impact public education. This was a difficult session with the sheer volume of bills and a number of concerning proposals. I hope you can get some rest and recharge your batteries after an extremely challenging school year. You deserve it.

Sincerely,

Diane Hendren
Director of Governmental Relations
Illinois Association of School Administrators

6/1/2021

Pana Community Unit School District #8 Mail - Fwd: Capitol Watch: Final Days of Session Are Never Dull in Springfield

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