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Every bill to change state policy has its own story

By Jim Broadway, Publisher, Illinois School News Service

So [443 bills passed both](#) the House and Senate since January 1. Some were signed or vetoed by Gov. Bruce Rauner and the rest have been delivered to him for his consideration. Is it true that every bill "has a story"?

Sure it is. The story about appropriations bills is this: The state has financial obligations even though it is broke. The story about revenue-generating bills is this: None of them were passed in either chamber this spring; that part of budgeting for FY 2017 and beyond will have to wait until after November's elections.

Yes, a bill can have a story without passing in the House and the Senate. [SB 231](#), for example, the school funding reform measure pushed in recent years by [Sen. Andy Manar](#) (D-Bunker Hill) passed the Senate but not the House. Still, Manar and the education leaders who kept the issue alive told their story eloquently.

A clear direct result of all that effort by Manar, by [Advance Illinois](#) and other advocacy groups - and especially by the [Funding Illinois' Future](#) coalition - is the [Illinois School Funding Reform Commission](#) announced this week by Rauner. Their task is huge, but the members of this commission are difference-makers.

Will significant school funding reform happen in 2017? I think it will, partly because of the state's wretched fiscal status. Major revenue increases (tax hikes) will be needed just to cover unpaid bills and the costs of basic state services. School funding reform can provide political justification for all that new revenue.

It's a risky prediction, but it's what I think.

State Superintendent of Education Tony Smith also made a major announcement this week that seemed to have been presaged in bills that were filed but did not pass. Smith announced, of course, that the [PARCC exam will not be given](#) to high school students next spring; rather, they will take the SAT, at state expense.

The PARCC (Partnership for Assessment of Readiness for College and Careers) exam, an outgrowth of the Common Core State Standards movement begun by the national associations of governors and chief state school officials, had run into a political maelstrom last year as "red" states dumped CCSS in droves.

[HB 4362](#), which would have required ISBE to offer a non-PARCC option, passed the House 73-36 - gathering the votes of most House Republicans and significant support from Democrats as well. Major school [advocacy groups favored the bill](#) in committee. Only ISBE and the (SAT-provider) College Board opposed it.

Why that opposition? By this spring, as the [agency announced in February](#), ISBE and the College Board already had the process under way that led to this week's bigger announcement. When the remedy to [a huge controversy](#) is in the works, there's no point in complicating things with an alternative.

Let's look now at some bills that did pass. Consider [HB 119](#), for example, the first School Code-amending bill to be found on the [all-that-passed list](#). It's about retention of students, a school district's decision to keep academically weak students from being promoted a grade until they "perform" as they should.

Although it originally applied to all school districts, HB 119 was amended to apply just to Chicago Public Schools. Also, it is "permissive" rather than mandatory. It *allows* the CPS to create a "committee on the retention of students," but it *doesn't say they must* do that. It is thus more attention-focusing than it is substantive.

So what's the story? The story is that the bill's sponsor, [Rep. Mary Flowers](#) (D-Chicago) cares passionately about children and about protecting them from harmful public policy, and it's about how that she researches potentially harmful policies. I'll bet you anything, Mary Flowers read some of [the articles at this link](#).

The argument that retention does more harm than good, that it scars children psychologically and makes it more likely that they will drop out of school, is persuasive.

You may have noticed that Flowers also sponsored [HB 114](#), the lowest-numbered House bill that passed this year. That is another protective measure. It took four amendments to get there, but the bill in various ways makes sure a court will hear about it if any "critical incidents" happen to youths while they are incarcerated.



Mary Flowers' legislative district includes densely-populated urban areas in which conditions severely jeopardize a child's ability to thrive - or even to survive. She files many bills as a result, and in debate she can become very emotional, very insistent that we listen to her. Yes, she is the story.

Rep. Flowers was first elected to the House in 1984. In the more than three decades since, she has consistently sought to address concerns about children's education, health and safety, insisting that state statutes must not ignore their needs. I have joked a bit about "Mary's Mandates," but her goals are always righteous.

There's a longer, more involved story about [HB 4462](#), another bill to address a health-safety concern for children, the rapidly growing incidence of allergies triggering life-threatening emergencies. Schools districts already may, under current law, keep medications to administer in such situations.

But current law was deemed inadequate this year. The reason, mainly, was a tragic story presented by Shelly LeGere of Elmhurst, whose 13-year-old daughter died from anaphylactic shock when first-responders lacked epinephrine-injectors and the training to use these uncomplicated life-saving devices.

State [Rep. Michelle Mussman](#) (D-Schaumburg) filed HB 4462 in response. The bill would expand current law to include school transportation companies, State Police and local first responders, authorizing them to hold "undesignated" (not prescribed) doses of epinephrine and have access to [training for using them](#).

Shelly LeGere, who has promoted such policy as a personal mission since her daughter died, spoke in legislative hearings with powerful effect. The House vote on HB 4462 was 115-0; the Senate vote was 55-0. The bill was sent to Rauner on June 9. He will surely sign it into law by August 8, the bill's deadline.

There is a national policy angle to HB 4462. The June issue of Governing Magazine included an article whose thrust was about an effect of the partisan gridlock that clogs the U.S. House and Senate policymaking processes in which corporate lobbying efforts are shifting to the state level. [Shelly LeGere's story was an illustration](#).

An epinephrine injection device - called an "EpiPen" - is manufactured by Mylan, Inc., a U.K.-based company. The devices are not cheap. They cost about \$500 for a two-dose pack. But the story of what they can do is compelling. Governing said Mylan had lobbyists in nine states in 2010, and by 2014 they were in 45 states.

"This is just a tiny glimpse into the fundamental shift underway in lobbying, as interest groups switch their focus from Washington to the states," Governing writer Donald Kettle wrote, citing a study indicating that "organizations with lobbyists in the nation's capital declined by 25 percent from 2010 to 2014."

Representing Mylan at [committee hearings in Illinois](#) was Vivion Meisenbacher, a veteran lobbyist for healthcare interests. She is also listed as a partner in the firm of [Rauschenberger Partners](#), whose president is former Illinois state Senator (and one-time gubernatorial candidate) Steve Rauschenberger (R-Elgin).

NOTE: There is much web-based information on how epinephrine can be obtained by folks who cannot afford the sticker price - [here](#) and [here](#). There is a "research and education" [organization focusing on food allergies](#). It may or may not be relevant that Mylan is [at the top of the list](#) of their "corporate partners."

Rauner now has received a number of bills passed by the legislature with effects intended to protect schoolchildren from harm. Among them are:

[HB 4365](#), sponsored by [Rep. Emanuel Chris Welch](#) (D-Westchester), which dramatically strengthens policy designed to protect student athletes from the effects of repeated concussions. It requires the compilation of monthly concussion data into an annual report to be distributed to the General Assembly.

[HB 6333](#), sponsored by [Rep. Robyn Gabel](#) (D-Evanston), which requires school districts to maintain an "asthma emergency response protocol" to be followed when students experience asthma attacks, which continues to increase in frequency. The bill seems to be a companion to the epinephrine bill HB 4462.

[SB 345](#), sponsored by [Sen. Don Harmon](#) (D-Oak Park), would create a comprehensive "Autism and Co-Occurring Medical Conditions Awareness Act" with prohibitions against insurers' policies of denying health coverage under conditions that commonly occur in causes of autism or immunodeficiency.

In spite of the bill's mandate on insurance companies - which exert a powerful influence over the legislature in this and most other states - Harmon's bill passed both chambers unanimously (Senate 55-0; House 117-0).

[SB 2137](#), sponsored by [Sen. Julie Morrison](#) (D-Deerfield), would require instruction on the "Americans with Disabilities Act as it pertains to the school environment" to be included among the offerings, at least every two years, at professional development programs in which teachers participate.

[SB 2300](#), sponsored by [Sen. Donne Trotter](#) (D-Chicago), puts teeth in the [Lead Poisoning Prevention Act](#) by requiring owners of buildings on which "mitigation notices" have been filed to eliminate any lead hazard before the buildings can be sold or leases on them renewed. The only safe level for lead is "zero."

[SB 2835](#), sponsored by [Sen. Andy Manar \(D-Bunker Hill\)](#), codifies in law the locations at which drivers would be prohibited from passing a school bus that has stopped to pick up or drop off children. The locations (such as private roads, parking lots) are common sense, but apparently some drivers need laws.