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## Fwd: Capitol Watch: Where Session Stands After Friday's Deadline

1 message

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

Tue, Apr 27, 2021 at 1:23 PM

May Board Meeting

----- Forwarded message -----

From: IASA <iasa@iasaedu.org>  
Date: Tue, Apr 27, 2021 at 12:58 PM  
Subject: Capitol Watch: Where Session Stands After Friday's Deadline  
To: <jbauer@panaschools.com>



### Mandate Madness: Where Session Stands After Friday's Deadline

Nearly 800 bills switched chambers, some deadlines on specific legislation got extended and other proposals remain viable after Friday's substantive deadline for legislation to pass out of their chamber of origin.

The third-reading deadline whittled down the sheer volume of bills **but**, with five weeks remaining until the May 31 adjournment, our work is cut out for us and it remains critical school administrators make our voices heard on curricular and unfunded mandates that will have unintended consequences in our schools.

In this Capitol Watch, I want to put out a **Call to Action** and encourage you to contact your local legislator on three bills we oppose in their current format. The remainder of this report will provide an overview of bills that cleared the House and Senate. IASA and other stakeholders continue to have negotiations on many of these proposals. We will keep you updated on changes and developments via Capitol Watch.

[Thank you again](#) to everyone who reached out to your local Representatives on HB 7, which was defeated soundly in the House. Our efforts on the forced school consolidation proposal showed the power of advocacy in action.

#### **1 Hour of Daily, Unstructured "Playtime" in Grades K-8** **[SB 654](#) Sen. Robert Peters (D-Chicago)**

IASA and IPA are meeting with Sen. Peters to discuss an amendment that would make this proposal more manageable for schools by limiting the requirement to grades K-5, instead of grades K-8.

The current legislation would require all public schools to provide daily time for supervised, unstructured, child-directed play for all students in kindergarten through eighth grade. The bill provides that playtime shall not count as a course of physical education. Playtime would count toward the five-clock hour requirement.

SB 654 passed out of the Senate by a vote of 36-16 and moved to the House for consideration. Please call your local [Representatives](#) and ask them to vote "no" on SB 654 as it stands now.

### **Dress Code, Hairstyles and Withholding EBF**

#### **[Senate Amendment 1 to SB 817](#) Sen. Mike Simmons (D-Chicago)**

We encourage you to reach out to your local Senator and ask them to oppose Senate Amendment 1 to SB 817. The third reading deadline has been extended to April 30, and we believe the proposal remains viable.

The main concern with this amendment is the possibility of carving out an exception in the Illinois School Code to withhold EBF dollars for a compliance issue.

Simmons' proposal is an amendment to a shell bill that seeks to expand the guidelines for a school uniform or dress code policy adopted by a school board.

The amendment adds the language, "shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists."

The second part is where we have concerns. The legislation says if the State Board of Education determines that a school board has violated this clause, ISBE shall withhold from the school district the amount, if any, of State funding that exceeds the amount of State funding the school district received under the previous school year.

This excess amount shall be set aside in a separate fund. ISBE is then directed to disburse the withheld funding to the school district once the school district is in compliance with the clause.

The amendment also directs ISBE to publish a list of all school districts in violation of the statute on its website.

### **Instruction and Credit for Suspended and Expelled Students**

#### **[SB 2088](#) Sen. Chris Belt (D-Belleville)**

Please contact your local [Senator](#) and encourage him or her to vote "no" on SB 2088. While the proposal did not clear the Senate, we believe it remains viable.

SB 2088 mandates that schools provide five clock hours of instruction each day, including daily synchronous (direct) instruction, for suspended or expelled students. The bill also provides for academic credit for all work completed by suspended and expelled students.

IASA and IPA continue to negotiate with the sponsor and advocates on this bill.

### **Most Impactful Bills That Cleared Chamber of Origin**

Below is a lengthy list of some of the most impactful bills that are continuing in the legislative process. The lengthy list includes curricular and unfunded mandates, but also some steps in the right direction with the teacher shortage and teacher evaluation.

Passed the Senate  
(listed numerically)

### **Taxing District's Aggregate Extension**

#### **[SB 508](#) DeWitte, R-West Dundee**

Senate Amendment 1 makes changes to provisions of the introduced bill that allow for adjustments for certificates of error, decisions of the board of review or decisions of the Property Tax Appeal Board. The legislation instead provides for a supplemental levy if the

issuance of a certificate of error, a court order or a final administrative decision of the Property Tax Appeal Board results in a refund from the taxing district of a portion of the property tax revenue distributed to the taxing district. The amendment adds procedural requirements for the supplemental levy.

### **Curricular Mandate to U.S. History**

#### **SB 564 Ellman, D-Naperville**

The legislation would require the teaching of the contributions made by Muslims and Muslim Americans to society as part of U.S. History. In addition, the proposal adds January 17, the birthday of Muhammad Ali, to the list of commemorative holidays. Commemorative holidays are regular school days.

### **Absenteeism and Truancy**

#### **SB 605 Collins, D-Chicago**

The proposal requires that each school district, charter school, alternative school or any school receiving public funds develop an absenteeism and truancy policy to be communicated to students and their parents or guardians on an annual basis.

An amendment that was adopted provides that the absenteeism and truancy policy be filed with the Illinois State Board of Education and the regional superintendent of schools (rather than only the State Board of Education). The amendment also changes the effective date to July 1, 2022 (rather than July 1, 2021).

### **Student Teachers Not Required to Videotape**

#### **SB 808 Murphy, D-Des Plaines**

Beginning with the 2021-2022 school year, in order to obtain a license under the Article, the legislation says a student teacher candidate may not be required to videotape himself or herself or his or her students in a classroom setting.

### **EBF: Average Student Enrollment**

#### **SB 813 Johnson, D-Waukegan**

With respect to Evidence-Based Funding, the legislation provides that, in recognition of the impact of COVID-19, the definition of "Average Student Enrollment" or "ASE" shall be adjusted for calculations for fiscal years 2022 through 2024. It also provides that, for fiscal years 2022 through 2024, the enrollment used in the calculation of ASE representing the 2020- 2021 school year shall be the greater of the enrollment for the 2020-2021 school year or the 2019-2020 school year.

### **Homestead Exemption**

#### **SB 1572 Martwick, D-Chicago**

The legislation creates a homestead exemption of \$5,000 of EAV for disabled police officers and firefighters.

### **Mental Health Absence**

#### **SB 1577 Martwick, D-Chicago**

The proposal allows students to be absent up to five days for mental or behavioral health without a medical note and shall be allowed to make up any school work missed.

### **Private School TRS Credit**

#### **SB 1646 McClure, R-Jacksonville**

Under Teacher Retirement System, allows a member to establish optional credit for up to two years of service as a teacher or administrator, provided the teacher meets certain criteria.

### **Modify Athletic Uniform**

#### **SB 1784 Murphy, D-Des Plaines**

Each school district must allow a student-athlete to modify his or her athletic uniform for the purpose of modesty in clothing or attire that is in accordance with the requirements of his or her religion under the proposal.

### **Financial Literacy**

#### **SB 1830 Loughran Cappel, D-Plainfield**

Senate Bill 1830 would allow either one year, or a semester, of a financial literacy course to count toward the math requirement to graduate high school.

### **Sunset Date for Retired Teachers**

#### **SB 1989 Joyce, D-Park Forest**

The proposal extends the sunset date to 2023, allowing retired teachers to return to work up to 120 days or 600 hours per year without impairing retirement status.

### **ISBE Data Collection**

#### **SB 2091 Belt, D-Belleville**

The third reading deadline was extended to April 30 for SB 2091. Beginning with the 2021-2022 school year, the legislation requires ISBE to collect certain student discipline data, including referrals and transfers to alternative schools, law enforcement and school-based arrests. It also sets forth provisions regarding school discipline improvement plans and for the ISBE to convene an Equitable and Restorative School Discipline Advisory Council.

### **Trauma-Informed Training**

#### **SB 2109 Villa-D-West Chicago**

An amendment to the initial proposal requires trauma-informed practices to be included as part of annual in-service training programs for staff. The original proposal required each member of a school board and the district superintendent to complete trauma-informed training on an annual basis.

The third reading deadline on this bill was extended to April 30.

### **Grant Accountability and Transparency Act**

#### **SB 2192 Sims, D-Chicago**

The legislation amends the Grant Accountability and Transparency Act. It provides that the requirements established under the Act do not apply to State shared revenues distributed by formula to units of local government from the Local Government Distributive Fund, the Personal Property Tax Replacement Fund, the Motor Fuel Tax Fund or the Transportation Renewal Fund. Effective immediately.

### **Senior Citizen Income Limitation**

#### **SB 2244 Murphy, D-Des Plaines**

Under this proposal, the income limitation for eligibility to receive the senior citizens assessment freeze homestead exemption is increased from \$65,000 to \$75,000.

Passed the House

### **Remote Learning on Election Day**

#### **HB 4 Mayfield, D-Waukegan**

This proposal allows student instruction to be delivered electronically as an e-learning day when a school is required to be used as a polling place.

### **Disciplinary Notification**

#### **HB 15 Tarver, D-Chicago**

The proposal requires a school to provide written notification to the parent or guardian of a student who commits an act of misconduct involving offensive touching, a physical altercation or the use of violence. Provides that if a student makes a written statement to a school employee relating to an act of misconduct, the school shall provide the written statement to the student's parent or guardian, upon request. Provides that if the parent or guardian of a student involved in an act or acts of misconduct requests a synopsis of any statement made by the parent's or guardian's child, the school shall provide any existing records responsive to that request. Provides that a school shall make reasonable attempts to provide a copy of any disciplinary report resulting from an investigation into a student's act of misconduct to the student's parent or guardian within two school days after the completion of the report.

### **Teacher Evaluation**

#### **HB 18 Scherer, D-Decatur**

Under the proposal, each school district, no later than September 1, 2022, must establish a teacher evaluation plan that ensures that each teacher in contractual continued service whose performance is rated as either "excellent" or "proficient" is evaluated at least once in the course of the three school years after receipt of the rating (rather than at least once in the course of every two school years) and establish an informal teacher evaluation plan that ensures that each teacher in contractual continued service whose performance is rated as either "excellent" or "proficient" is informally evaluated at least once in the course of the two school years after receipt of the rating.

### **Special Education Age**

#### **HB 40 Hurley, D-Chicago**

The legislation would allow special needs students to receive special education services through the end of the school year that they turn 22 years of age. The current law says students are eligible for special education services until the day before his or her 22nd birthday.

### **Anaphylactic Policy**

#### **HB 102 Carroll, D-Northbrook**

Requires the Illinois State Board of Education, in consultation with the Department of Public Health, to establish an anaphylactic policy for school districts.

At least once each calendar year, each school district shall send a notification to the parents or guardians of all children to make them aware of the anaphylactic policy. The notification shall include contact information for parents and guardians to engage further with the school to learn more about individualized aspects of the policy.

### **Faith's Law**

#### **HB 1975 Mussman, D-Schaumburg**

The amended version we wrote about previously in Capitol Watch was part of the bill that cleared the House 115-0.

The amendment removed language about employment history, which some people have referred to as "pass the trash" legislation. IASA has made a commitment and will continue to work with the sponsor and advocates on rules around employment history and background checks.

House Amendment 1 to HB 1975 would make it mandatory for schools to develop a sexual misconduct code of conduct and teach students about grooming and sexual misconduct in sex education. The legislation would allow for schools to set up two days of in-service learning for teachers to train on identifying such behavior and set up a resource guide on sexual abuse for parents. The bill also adds grooming and aggravated criminal sexual abuse to criminal sexual assault offenses in the Criminal Code.

### **School Safety Drills**

#### **HB 2400 Hirschauer, D-West Chicago**

House Amendment 2 was adopted and passed the House 117-0. The proposal removes the requirement that parents or guardians must receive prior notice of a law enforcement drill not less than 5 days prior to the drill. The legislation also provides that:

- School administrators and school support personnel may, in their discretion, exempt a student or students from participating in a walk-through lockdown drill.
- Schools must provide sufficient information and notification to parents and guardians in advance of any walk-through lockdown drill that involves the participation of students and must also provide to parents and guardians an opportunity to exempt their child for any reason from participating in the walk-through lockdown drill.
- Schools must provide alternative safety education and instruction related to an active threat or active shooter event to students who do not participate in a walk-through lockdown drill to provide them with essential information, training and instruction through less sensorial safety training methods.
- During a drill, students must be allowed to ask questions related to the drill.

- Law enforcement may choose to run an active shooter simulation, but only on school days when students are not present and parental notification is not required if students are not required to be present.

### **Labor Petition, Ballots and ULP Changes**

#### **HB 2521 Gonzalez, D-Summit**

If passed, HB 2521 allows electronic signature and communication for labor to show interest in a labor organization petition and requires that showing of interest must occur within 12 months of petition filing. Also allows electronic secret ballot election in addition to paper ballot voting systems. Adds as an unfair labor practice promising, threatening, or taking any action to:

- Permanently replace an employee who participates in a strike.
- Discriminate against an employee who is working or has unconditionally offered to return to work for the employer because the employee supported or participated in such as a strike.
- Lockout, suspend or otherwise withhold from employment employees in order to influence the position of such employees or the representative of such employees in collective bargaining prior to a strike.

### **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.

### **School Improvement Days**

#### **HB 2778 Burke, D-Oak Lawn**

Instead of school improvement days with students in attendance a minimum of three clock hours, a school district may opt to have a school improvement day without students in attendance for up to four times in a given school year. Provides that each such day may be counted as a day of attendance, provided that a sufficient number of clock hours have been accumulated beyond the five clock hours per day that students would have been in session.

### **In-Person Instruction Guidelines Next School Year**

#### **HB 2789 Mussman, D-Schaumburg**

This bill cleared the House 113-0 and remains a work-in-progress as IASA, ISBE and other stakeholder groups continue to negotiate with the bill sponsor, Illinois Education Association and Illinois Federation of Teachers.

The concept of the bill is, if the governor declares a public health emergency, the Illinois Department of Public Health would establish metrics and develop recommended guidelines for school districts and public institutions of higher education to use during the public health emergency in determining if the district or institution may safely conduct in-person instruction or if the district or the institution must implement remote learning or blended remote learning to keep students and staff safe.

An amendment being considered in the Senate concerns enforcement if the school district does not follow IDPH guidelines. The amendment would give IDPH power to investigate complaints and take "the appropriate action necessary," including closing any school space until the violation was remediated.

This bill is complex and could have significant ramifications down the road. We're still discussing issues with other stakeholders like liability, local control, flexibility and the role of local health departments in determining metrics.

### **School Board Oath of Office**

#### **HB 2814 Halbrook, R-Shelbyville**

The legislation removes certain sections of the school board member's oath of office including majority vote, majority decisions of the board, setting the course for the district, ensuring students have opportunity to attain maximum potential, ensuring student assessment and serving as education's key advocate on behalf of students.

### **Work Ethic Curricular Mandate**

#### **HB 2987 Lilly, D-Oak Park**

The proposal amends the Postsecondary and Workforce Readiness Act. Beginning in grade 6, students should be introduced to the importance of developing and applying a work ethic in a variety of contexts.

This introduction may include such concepts and behaviors as professionalism, including, but not limited to, the importance of trustworthiness, integrity, initiative and respecting authority; arriving on time and ready for work; and dressing appropriately for the nature and substance of the work.

### **Chicago School Board**

#### **HB 2908 Ramirez, D-Chicago**

The bill would create elections for 21 Chicago school board members in the 2023 and 2027 consolidated primary elections. Currently, the seven sitting Chicago Board of Education members are appointed by the Mayor.

The bill would divide the city into 20 electoral districts to be determined by the General Assembly, with one member to be elected at-large to serve as school board president.

### **State Education Equity Committee**

#### **HB 3114 Delgado, D-Chicago**

Creates a State Education Equity Committee within the Illinois State Board of Education. The purpose of the committee is to strive to ensure equity in education for all children from birth through grade 12.

### **Gender-Neutral Bathrooms**

#### **HB 3195 Stuart, D-Edwardsville**

The legislation amends the Equitable Restrooms Act passed in 2019, which required all public, single-occupancy restrooms to be identified as "All-Gender" restrooms.

HB 3195 says any multiple-occupancy restroom may be identified as an all-gender multiple-occupancy restroom and designated for use by any person of any gender.

### **E-Cigarettes Curricular Mandate**

#### **HB 3202 Mason, D-Gurnee**

The legislation adds e-cigarettes and other vapor devices as an education area under Comprehensive Health Education Program.

### **Gender-Based Violence**

#### **HB 3223 Moeller, D-Elgin**

Rep. Moeller's bill would allow a student who is a victim of gender-based violence to transfer schools immediately if the student's continued attendance at the original school poses a risk to the student's mental or physical well-being or safety. It also provides that a student's disclosure of his/her status as a parent, expectant parent or victim of gender-based violence be a mitigating circumstance in any suspension or expulsion proceeding. Many other requirements for school districts are also included affecting homebound instruction, student absences/truancy, staff training, review/revision of policies and procedures, complaint procedures, confidentiality and student accommodations and services.

### **Missed Schoolwork as a Result of 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.

### **Instruction on Becoming a Naturalized U.S. Citizen**

**HB 3281 Ortiz, D-Chicago**

An amended version of the bill provides that every public high school may include (rather than shall include) in its curriculum a unit of instruction on the process of naturalization.

Sincerely,

Diane Hendren  
Director of Governmental Relations  
Illinois Association of School Administrators

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