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# Report to the Membership

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for the 2011 Delegate Assembly Meeting  
on November 19, 2011, Chicago

September 2011



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TO: Board Members and Administrators

FROM: Carlyne Brooks, Resolutions Committee Chairman

DATE: September, 2011

SUBJECT: 2011 Resolutions Committee Report

Thank you for your interest in the 2011 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 19, 2011, at the Hyatt Regency Chicago (Regency A/B Ballroom, West Tower).

The Delegate Assembly is one of the most important functions held at the IASB 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 of vital importance. 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 more 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 districts' delegate should check in at the "Delegate Registration" desk across the hallway 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 24 hours in advance (an additional day or two would be appreciated). 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.

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

**SERVICE OF THE FOLLOWING SCHOOL BOARD  
MEMBERS ON THE 2011 RESOLUTIONS COMMITTEE IS  
ACKNOWLEDGED WITH SINCERE APPRECIATION.**

Armstrong, John .....	Wauconda .....	Lake
Brooks, Carolyne .....	Noble .....	Chair
De Neal, Tom .....	Harrisburg .....	Shawnee
Fairfield-Doering, Amy .....	Dunlap .....	Central IL Valley
Fielden, Terry .....	Naperville .....	DuPage
Joiner-Herrod, Carla .....	Broadview .....	West Cook
Jordan, Juanita .....	Hazel Crest .....	South Cook
Jose, Felton .....	Salem .....	Kaskaskia
Kelly, Mike .....	Joliet .....	Three Rivers
Kessler, Rick .....	Hillsdale .....	Blackhawk
Klimkowicz, Anna .....	Schaumburg .....	North Cook
LePere, Vicki .....	Millstadt .....	Southwestern
Lowrance, Debbi .....	Robinson .....	Wabash Valley
Mammen, Jim .....	Lincoln .....	Abe Lincoln
McCabe, Jim .....	Utica .....	Starved Rock
Nowak, Kelly (Acting) .....	Geneva .....	Kishwaukee
Phillips, Howard .....	Greenfield .....	Two Rivers
Rench, Kevin .....	Nashville .....	Egyptian
Reyes, Gonzolo (Acting) .....	Sterling .....	Northwest
Uhlott, Sandra .....	Rantoul .....	Illini
Vogler, Scott .....	Colchester .....	Western
Weers, Doug .....	Flanagan .....	Corn Belt

**Delegate Assembly Agenda**

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|--|---|
| 1. Call to Order   | 8. Election of Officers                             |
| 2. Report of the Credentials Committee                                 | A. Nominating Committee Report,<br>Mark Metzger     |
| 3. Approval of Delegate Assembly<br>Business Rules                     | 9. Resolutions Committee Report,<br>Carolyne Brooks |
| 4. Approval of Conference Program                                      | A. New Resolutions                                  |
| 5. President's Report, Joe Alesandrini                                 | B. Amended Existing Positions                       |
| 6. Report from the Executive Director<br>Emeritus, Dr. Michael Johnson | C. Reaffirmation of Existing<br>Positions           |
| 7. Financial Report, Dale Hansen                                       | 10. Belief Statements                               |
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# DELEGATE ASSEMBLY BUSINESS RULES

1. Business Procedures — Robert's Rules of Order 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. Appeals — Those delegates wishing to appeal a "do not adopt" recommendation of the Resolutions Committee, to present a late resolution, or to amend a resolution or position statement, and have met the notice provisions required by Article X, Sections 4 and 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.
8. 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.
9. 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.
10. Nomination — Consent of nominee must be secured prior to presentation to the Delegate Assembly.

## RESOLUTIONS PROCEDURES

1. Types of Resolutions — 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 — Resolutions for proposed position statements or belief statements may be proposed by any Active Member, Association Division, Association Council, 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 — 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 non-debatable 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 — 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 X, Section 4), Any Active Member, Association Division, Association’s Council, or Association Board of Directors shall have the right to appeal 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 8 calendar days before the Annual Meeting of the Delegate Assembly. A majority of the delegates present at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.

6. Late Resolutions—(Article X, Section 5), 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’s Council, 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.

7. 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. 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 2011**

The 2011 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10:30, Saturday, November 19, 2011, Regency Ballroom, Hyatt Regency Chicago:

President — Carolyne Brooks  
West Richland CUSD 2

Vice-President — Karen Fisher  
Ottawa THSD 140

## **2011 Nominating Committee Membership:**

Mark Metzger, Chair  
IASB Immediate Past President

Roger Edgecombe  
Warrensburg-Latham CUSD 11

Michelle Skinlo  
Mattoon CUSD 2

Sue McCance  
Fulton County CUSD 3

Roger Pfister  
Carbondale ESD 95

Dave Barton, Alternate  
Pikeland CUSD 10

Phil Pritzker, Alternate  
Wheeling CCSD 21

# NEW RESOLUTIONS

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## EDUCATIONAL PROGRAMS

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### 1. Preschool Programs

Submitted by: Triopia CUSD 27  
Co-Sponsors: Franklin CUSD 1  
Greenfield CUSD 10  
Jacksonville SD 117

BE IT RESOLVED that the Illinois Association of School Boards shall attempt to have legislation passed that would modify the General State Aid Formula calculation to include all Pre-K students. All Pre-K Students would be counted in Total Days of Claimable Attendance, Days of Attendance and Attendance Data.

**Rationale:** Such legislation would support Pre-K programs in all school districts and would greatly reduce or eliminate the need for Pre-K grant funding. School district's Pre-K programs would be funded based on the number of students served. Small school districts would no longer be penalized for an insufficient number of students. (Not meeting the half-day quota of 20 students per session)

Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee debated the merits of a strong pre-Kindergarten program and the availability of funding for K-12 education. Comments reflected the importance of pre-K education.

The group discussed that if pre-K students are counted in a school district's average daily attendance, allowing pre-school education to be funded through the General State Aid formula like regular K-12 education, it would result in funding changes (most likely losses) for some school districts. There is a finite amount of funding available in the Illinois education budget - magnified in the past few years because of the struggling economy and fiscal woes of the State.

It was the consensus of the Committee that this was not the time (a struggling economy adding to overall school funding woes) to advocate for such a change.

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## FINANCING PUBLIC EDUCATION - STATE

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### 2. Categorical Reductions Prospective Only

Submitted by: West Aurora SD 129

BE IT RESOLVED that 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.

**Rationale:** In the past, the State has cut line item funds for categorical payments which reimburse school districts

for services already provided and dollars already spent. School districts can plan for prospective reductions but should the State fail to recognize and correct the current practice of retroactive reductions then school districts must divert funds from other education related efforts to compensate for the State's actions.

The Resolutions Committee RECOMMENDS "DO ADOPT"

**Resolutions Committee Rationale:** The Committee recognized the frustration expressed by school districts over the past few years because promised funding for mandated categorical grants has been cut or delayed. The money for these programs (transportation and special education) has been spent, claims have been made and services have been rendered. When the State does not pay the amount statutorily promised, it profoundly affects the local school district budget.

True, the modifications made by the General Assembly and Governor reflect the lack of revenues to fully pay for the costs incurred by school districts to deliver these services and programs. However, these modifications also reflect budget priorities where a legislator, the Governor or coalition of policymakers, divert funds from this part of the budget to fund other state programs.

The Committee realizes that making such a legislative change could be difficult given the dynamics of State budget making and the current fiscal condition. However, it was the consensus of the Committee that lawmakers would be further educated about these reimbursements by adoption of this resolution.

### 3. Residential Facility Reimbursement

Submitted by: West Aurora SD 129

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation requiring that invoices for the cost of educational services rendered by a residential facility for a student placed in such facility, whether placed pursuant to an IEP, court order, or state agency, and which costs would be reimbursed from the State to the responsible school district as provided in the School Code, shall instead be invoiced directly to the State by such facility for direct payment.

**Rationale:** School districts, private placement service providers and the State can cut unnecessary administrative (and other) costs should private placement providers be allowed to bill the State directly. School districts would not expend resources acting as a pass-through agent. Service providers would streamline their receivables process having a single payer for associated services. The State would realize savings by working directly with a smaller, approved list of service providers.

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee cited the fact that the Illinois State Board of Education (ISBE) cannot pay private facilities because of federal law. The possibility that the change proposed by the submitting district could risk federal funding from the

Individuals with Disabilities Education Act (IDEA) also concerned the Committee.

Others questioned whether the change would be any more efficient than current practice and that it could lead to more interference by the ISBE in requesting and receiving the funds. It was the consensus of the Committee, then, to withhold support for the resolution.

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## FINANCING PUBLIC EDUCATION – LOCAL

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### 4. PTELL - Debt Service Extension Base

Submitted by: CHSD 17 (Lake Villa)

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation (currently House Bill 1341) 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.

**Rationale:** While PTELL was designed to keep increases in property taxes to manageable levels for homeowners, it also allowed the creation of a Debt Service Extension Base for the payment of non-referendum bonds. Only districts in Cook and collar counties that had a tax levy for the payment of non-referendum bonds in levy year 1994 received this DSEB. If a district did not have a 1994 tax levy for the payment of non-referendum bonds, a Debt Service Extension Base was not established for them. In some counties this occurred as early as 1991 while some counties still do not have PTELL laws today. Any district that was fiscally conservative with no outstanding debt at the time of PTELL or that simply did not have outstanding debt when PTELL was created, now does not have the ability to pay for capital projects or operating costs by issuing non-referendum bonds. There are less than 100 districts that have no DSEB. Currently, the DSEB in Cook and the collar counties ranges from **ZERO** to **\$12,144,584**.

As the years have passed, the ramifications and inequity of this portion of the law have become clearer and more pronounced. It would have been difficult to project that not carrying non-referendum debt in the early 1990s would later actually hurt local communities by limiting their financial options. Districts without a Debt Service Extension Base have no ability to access non-referendum bonds for Life Safety issues, security measurers or to repair aging and ailing buildings. As a consequence, these districts typically are funding infrastructure improvement or maintenance projects from Education (Fund 10) or O&M (Fund 20) accounts. In Illinois Schools, these types of maintenance and repair are ongoing and continuous. We believe all districts should have access to this funding opportunity. The DSEB could be an amount equal to 2% of the school district's Total Direct Disbursements/Expenditures for all of the funds as shown on line 17 on page 7 of the School District/Joint Agreement Annual Financial Report form for the fiscal

year ending June 30, 2009, submitted to the Illinois State Board of Education. This would create consistency, accuracy, and equity.

The proposed change would not alter local control ensuring that communities retain petition rights when applicable and requiring public hearings before districts can access non-referendum bonded debt. An update to the PTELL law would allow the remaining school districts with no DSEB to enjoy the same opportunities that are available to the vast majority.

The Resolutions Committee RECOMMENDS "DO ADOPT"

**Resolutions Committee Rationale:** The Committee agreed with the submitting district's rationale and was sympathetic to the unfair situation such districts find themselves in. Legislation as proposed in this resolution would give school districts the additional flexibility necessary.

Legislation was introduced in the spring to address the problem, and will likely be reintroduced next year. Adopting this resolution as a position statement will, hopefully, lend needed support from the association in pushing for the legislation's passage.

### 5. EAV Adjustments-Timely Notification

Submitted by: Consolidated SD 158

BE IT RESOLVED that 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.

**Rationale:** The tax assessment system is predicated on a proportionate value system, whereby taxpayers incur liability from a taxing district based upon their "fair value of property" in relation to other property owners. In the circumstance of taxing districts that span county lines, each county's taxpayers incur liability (tax burden) based on their proportionate share. The equilibrium of this system is disrupted when one county (s) adjusts assessed value significantly, while the other (s) does not. In this circumstance, there is a large shift of tax burden from one county's taxpayers to another, which creates unusually large increases to one area of taxpayers and large decreases to another. Currently, there is no notification required between county assessors, so a large assessment change by one county is usually not discovered until the tax extension process is being completed, which by then is too "late to make any current year modifications. There needs to be a notification requirement between county assessors, by a date that allows the county assessor the time to determine if any equalization calculations need to be undertaken, in order to ensure there are no unwarranted, dramatic tax burden shifts.

The Resolutions Committee RECOMMENDS "DO ADOPT"

**Resolutions Committee Rationale:** The Committee recognizes the negative consequences presented to the submitting district because of the lack of communication among counties. There was some question of whether legislation was the proper solution to the problem as some Committee members thought that the situation

could be handled locally among school districts and the counties.

However, it was noted that this was not an isolated incident as many school districts throughout the State could potentially be affected by this situation. It was the consensus of the Committee, then, to support the proposal.

## 6. Property Income for Schools

Submitted by: Hoover-Schrum SD 157

BE IT RESOLVED that the Illinois Association of School Boards shall have the right to own and lease property for income for the school district.

**Rationale:** Lack of funding from the government leaves a burden on the school district to find other resources to pull funding from.

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee was sympathetic to the submitting district's plight. Committee members made several suggestions to address the district's problem locally – sell the property, use it for instructional purposes, etc., — but none of the suggestions had been a viable alternative for the district.

Though, in this case, the district already owned the property in question, the concern for the Committee was amending current law allowing a school district to purchase property for the sole reason of leasing it for profit. This would cause a school district to stray from its main mission of educating students and possibly open up a district to financial liability.

The consensus of the Committee was to withhold support for the resolution.

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## LEGISLATIVE ACTIVITY

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### 7. Legislative Pay Accountability

Submitted by: IASB Board of Directors

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation that requires the Illinois General Assembly to include the salary and benefits of each individual legislator on the Illinois General Assembly website. Benefits include all stipends, bonuses, per diems and other compensation for serving in the General Assembly.

**Rationale:** In the legislature over the past few years, because of a sluggish economy and questionable State fiscal policies, there has been additional scrutiny on budgetary matters and on those who make such policy decisions. Budgets, pensions, and the compensation and benefits of governmental employees have all been studied and published in the name of fiscal transparency, and rightly so. This proposal, simply, adds parity regarding State legislators and the elected officials from units of local governments. Though some of this fiscal information exists in State statutes, multiple internet sites, and other State publications, publishing it in a central location on the General Assembly website makes it much more user

friendly for Illinois citizens and taxpayers.

The Resolutions Committee RECOMMENDS "DO ADOPT"

**Resolutions Committee Rationale:** The Committee agreed that if there is to be accountability and transparency in government, it should cover all units of government – both local and State. When pension limitations were approved by the legislature, they covered all employees covered by State pension systems (teachers, State workers, university employees, judges, and legislators). Now that reports of salary and benefits have become law for schools and municipalities, the same requirement should cover members of the legislature.

It was the consensus of the Committee that it is fair and reasonable for the reporting of legislator's pay and benefits to be reported publicly.

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## BOARD OPERATIONS AND DUTIES

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### 8. School Board Member-Compensation

Submitted by: Lincoln Elementary SD 156

BE IT RESOLVED that the Illinois Association of School Boards shall support legislation to establish monetary compensation for duly elected School Board Members in the State of Illinois.

**Rationale:** School Board Members are **the Grass Roots** of the community; they establish a vision for the community's schools that reflects a consensus of the board, community and district staff. School Board Members have a wide variety of responsibilities, such as adopting a balanced annual budget and issuing interim financial reports, adopting the school calendar, negotiating contracts with employee unions, approving curriculum materials and closing or constructing schools **while maintaining transparency and adhering to the Code of Ethics** as mandated by the Cook County Board of Elections and the State of Illinois. **School Board Members along with other duly elected officials have direct contact with their Constituents and/or district office 24 hours a day if needed.**

Providing School Board members with monetary compensation, at least as a part-time position or per meeting, is an **acknowledgment of their value to the school district and is appropriate for the level of training that is required of Board Members.** Board Members are now required to be informed and trained on various aspects of the district's operations. SB 7 requires school board members elected after the effective date to engage in training on issues such as education and labor law, financial oversight/accountability and fiduciary responsibilities during the first year of their term.

This Resolution requires members to establish **Master School Board Status prior to monetary compensation.**

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee gave serious thought to this resolution. With the enactment of new legislation this year to require training and

professional development of volunteer school board members, there was more support for compensating school board members than there was five years ago when this issue was last brought before the IASB Delegate Assembly.

Arguments were made regarding those school board members who work on an hourly basis and had to lose wages to attend school board meetings, and those who had to pay someone to watch their children in order to attend a meeting. Further, the point was made that some board members may have to pay for their new, mandatory training and this compensation could help cover those costs. It was pointed out, though, that nothing in this resolution requested that compensation would be used for training or professional development.

The greatest concern was about the message that would be sent to the public if school board members began asking for compensation: Are you just doing it for the money? Do you not have a passion for the students? Couldn't the money spent on paying board members be better spent on educating children? Would not the credibility of volunteer school board members be placed in jeopardy? Other questions were raised about the source of the funds to pay school board members (State money or local money?).

The current economic state of affairs was also a factor. Is now, when school districts are not receiving their funding because of revenue shortfalls in the State, the time to redirect money from the classroom into school board members' pockets? The consensus of the Committee was, no, this is not the time.

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## LOCAL-STATE-FEDERAL RELATIONS

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### 9. Transportation – Sharing Vehicles

Submitted by: West Aurora SD 129

BE IT RESOLVED that the Illinois Association of School Boards shall support an amendment to Section 12-806a of the Illinois Vehicle Code in accordance with the attached proposal, so as to allow the use of school busses in conjunction with the supplemental transportation needs of a governmental entity, a not-for-profit organization, or a private school institution.

**Rationale:** Many public school districts in Illinois own and operate school busses for the transportation of students and frequently other units of local government, not-for-profit organizations, or private educational institutions have a need for temporary supplemental transportation, such as park district day camp attendance or shuttle bus

transportation for public events. Current Illinois law places prohibitive restrictions on the use of school busses for such requirements and it would be a better use of tax funded equipment and a more efficient use of school busses to allow their use for other governmental, not-for-profit, or private school events provided the same was accomplished pursuant to a contractual arrangement or intergovernmental agreement.

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The submitting district had received legal counsel that indicated that the district could not allow its school buses to be used by other entities. However, Committee members and staff had received contrary information.

The School Code specifically allows districts to share buses, as long as the district only charges enough money to cover expenses and not make a profit. Authorities at the Illinois State Board of Education and the Office of the Secretary of State stated that school districts could allow their school buses to be used for these other purposes after application for a "special use permit" from the Secretary of State's office.

The Committee, then, did not believe that such a resolution was necessary, and pledged that staff would continue to work with the submitting district to help solve its problem.

### 10. Salary Caps for School Employees

Submitted by: Hoover-Schrum SD 157

BE IT RESOLVED that the Illinois Association of School Boards shall be granted salary caps for administration and teaching staff.

**Rationale:** Federal and state funding depreciating each year.

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee could not support that school districts decision making be limited, by a State imposed salary cap, on the amount of money teachers and administrators may earn each year. This, Committee members noted, is an issue of local control. School boards must make these decisions based on their specific community expectations and demands and the salaries are largely market driven.

Further, the IASB already has a current position statement (6.15) which specifically states a message contrary to this resolution.

# AMENDED EXISTING POSITIONS

## EDUCATIONAL PROGRAMS

### 11. Position Statement 1.09 No Child Left Behind

Submitted by: Woodland CUSD 5

#### 1.09 No Child Left Behind

The Illinois Association of School Boards:

- strongly disagrees with the premise that the quality and complexity of teaching and learning can be adequately and solely assessed by one achievement test given once during the school year;
- disagrees with the practice of assessing all schools with inconsistent standards allowed to be used by individual states to determine school accountability and adequate yearly progress;
- believes that the federal government has no constitutional authority to sanction local school districts; and
- believes that the current Adequate Yearly Progress (AYP) accountability model for students with disabilities is not consistent with the goals of the new IDEA (Individuals with Disabilities Education Act), as amended.

Therefore, the IASB shall work with the National School Boards Association and other coalitions to urge Congress and the Illinois General Assembly to:

- amend the provision allowing for one high-stakes test to determine student achievement;
- remove the provisions for local school district sanctions per Section 103 of Public Law 96-88 (20 USC 3401) which created the U.S. Department of Education;
- focus on professional development for teachers and administrators;
- fully fund any requirements placed on local school districts;
- amend the Act to permit alternate assessments and other appropriate measures of achievement for students with disabilities as specifically addressed by the student's Individual Education Program (IEP);
- amend the act to permit alternate assessments and other appropriate measures for English language learners, including but not limited to providing directions and question content in their most fluent language, or to allow removal of individual English language learners from the subgroup when no appropriate test at their language level exists;
- allow academic progress to be charted by comparing performance measures made at periodic intervals within cohorts of students rather than by comparing the grade levelgroup test scores from year to year; and
- reject the adoption of an NCLB requirement that high school students be tested annually as the sole measure of academic achievement. (Adopted 2003; Amended 2005, 2008)

**Rationale:** Research has found that the Department of Education (DOE) primary functions are to establish policy for, administer, and coordinate most federal assistance to education; collect data on US schools; and to enforce federal educational laws regarding privacy and civil rights. The DOE does not establish schools or colleges. Having stated that, how can the Department have the authority or power to dissolve schools? Section 103 of Public Law 96-88 is the most compelling argument. In part, it reads:

PL 96-88, Section 103(a) states: "It is the intention of the Congress in the establishment of the Department to protect the rights of State and local governments and public and private educational institutions in the areas of educational policies and administration of programs and to strengthen and improve the control of such governments and institutions over their own education programs and policies. The establishment of the Department of Education shall not increase the authority of the Federal Government over education or diminish the responsibility for education which is reserved to the States and the local school systems and other instrumentalities of the States."

Section 103(b) states: "No provision of a program administered by the Secretary or by any other officer of the Department shall be construed to authorize the Secretary or any such officer to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system . . . ."

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** The Committee discussed the pros and cons of the No Child Left Behind federal legislation. Though it has been fraught with problems with its implementation, there has been success in improving student achievement among subgroups of children, i.e. minority students, students with IEPs, English language learners.

The Committee believes positive changes could still be made to the federal law and in how the Illinois State Board of Education implements the law in our State. Still, the Committee had concerns about original provisions of this resolution regarding the release of assessment data for specific students and a 75% bar for showing student achieving (many districts already have a higher percentage of students meeting the standards).

The submitting district modified its proposal (the result being the language of the amendment above) to address committee concerns.

### 12. Position Statement 1.05 Preschool Program

Submitted by: Alton CUSD 11

The Illinois Association of School Boards shall support legislation to fully fund ~~with new monies~~ for both staffing and infrastructure costs associated with early childhood programs for such children as originally defined in PA 84-126, and further addressed in Public Act 94-0506 and Public Act 94-1054, by including preschool students in the



school district's Average Daily Attendance. (Adopted 1986; Amended 2001, 2006, 2007)

**Rationale:** No one denies the value of a structured professional preschool education. This is why many parents pay tuition to make sure their child starts school as prepared as possible for success. In the last several years of the implementation of the Head Start Program, the State of Illinois' Pre School for All and the many private preschools, our preschoolers have received a good early education, but funding of the Illinois Pre School for All program is not dependable. We need to include the preschooler in the ADA to provide state aid funding to the Pre School for All program.

The Resolutions Committee RECOMMENDS "DO NOT ADOPT".

**Resolutions Committee Rationale:** This resolution is essentially similar to New Resolution #1.

The Committee debated the merits of a strong pre-kindergarten program and the availability of funding for K-12 education. Comments further reflected the importance of pre-K education.

However, the group further discussed that if pre-K students are counted in a school district's average daily attendance, allowing pre-school education to be funded through the General State Aid formula like regular K-12 education, it would result in funding changes (most likely losses) for some school districts. There is a finite amount of funding available in the Illinois education budget – magnified in the past few years because of the struggling economy and fiscal woes of the State.

It was the consensus of the Committee that this was not the time (a struggling economy adding to overall school funding woes) to advocate for such a change.

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## FINANCING PUBLIC EDUCATION – STATE

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### 13. Position Statement 2.16 State Aid Payments

Submitted by: Wheaton Warrenville CUSD 200

BE IT RESOLVED that 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.

**Rationale:** When State payments are late, Districts are forced to borrow money, deplete reserves, or pay late fees and interest charges, costing them dearly. Per state statute 815 ILCS 205/2, the state must pay their vendors interest (currently at the rate of five (5) per centum per annum) on late payments. If Districts cannot pay their bills or meet payroll because of late State aid payments, this cost should be passed along to the State. Commitments to public school districts should be treated as any instrument of writing to which the state is a part, and thus should be honored according to state statute.

The Resolutions Committee RECOMMENDS "DO ADOPT"

**Resolutions Committee Rationale:** The Committee agreed with the submitting district's rationale that late payments to school districts are costing the districts money through the loss of budget reserves and/or the interest payments a district must make when borrowing money to cover the late payments.

Though the Committee realizes that it would be difficult for the State to make additional interest payments to school districts given the State's fiscal condition, it is an issue of fairness. The money is owed to school districts; the late payments are causing school districts to incur additional costs because of new borrowing; other entities owed money by the State already are eligible for interest payments if the State is late in its payment through the Illinois Prompt Payment Act.

The sad truth is that the State is late on the payments because there is simply not enough cash on hand to pay all entities that the State owes. Calling for additional payments to cover the interest will be a difficult concept for the legislature to support, however important to articulate to lawmakers.

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## BOARD-EMPLOYEE RELATIONS

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### 14. Position Statement 5.05 Prevailing Wage Act

Submitted by: Hinsdale THSD 86

BE IT RESOLVED that 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; Reaffirmed 1985, 1988, 1996, 2009)

**Rationale:** Board of education members take an oath to be fiscally responsible with taxpayer funds. The Prevailing Wage Act is an obstacle to this oath provision as it inhibits competition by artificially setting wages that would otherwise reduce the cost of public school construction projects. Independent research finds that prevailing wages range from 20% to 40% higher than market-set wages.

Eighteen states currently have no Prevailing Wage Act. In Ohio, legislators exempted public school construction from their Act in 1997 and it has shown to provide schools with lower costs and higher quality construction. If Illinois would follow suit, it would require less expenditures for construction projects, therefore leaving additional funds for the betterment of instructional needs.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** Most Committee members expressed agreement with the submitting district's statement that the Prevailing Wage Act increases the cost of repairing and replacing school buildings, leaving fewer resources for educating students. There was discussion however, about some positive effects of the Act as community members (and school district alumni) may earn higher wages.

Attention to the Prevailing Wage Act has been heightened over the past few years as school districts have been raising this issue both at the county level and in the legislature.

There is already an IASB Position Statement on the issue (5.05) – which calls for the association to support legislation to repeal the entire Prevailing Wage Act. The Committee and the submitting district agreed to propose this amendment to the current position statement.

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## DISTRICT ORGANIZATION AND ELECTIONS

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### 15. Position Statement 7.01 District Reorganization

Submitted by: Wheaton Warrenville CUSD 200

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 and reorganization. IASB does recognize that consolidation of an elementary school district and a high school district located within the same community, to become a unit district, can enhance the education of all students within the respective districts, may promote operational efficiencies and may reduce administrative and overhead expenditures. Accordingly, IASB will support measures by the Legislature, Governor, and/or State Board of Education that will facilitate and promote the consolidation of such districts into community unit school districts.

**Rationale:** A number of legislative proposals that mandated school district consolidation were introduced in the General Assembly during the last several months. The

representatives who sponsored these proposals did so because they believed school district consolidation, particularly in downstate districts with small student populations, would promote operational and administrative efficiencies that could result in property tax relief for their constituents. The IASB uniformly has opposed these consolidation proposals and has challenged the tax relief assumptions on which the legislative proposals are based. However some school district consolidation may be beneficial and should be advanced. We encourage the IASB to support measures that would promote the formation of consolidation of elementary and high school districts into community unit school districts where the elementary and high school districts are located in the same communities. We believe that consolidation of such districts into unit districts, such as CUSD 200, can be beneficial to students, taxpayers, and educators

The Resolutions Committee RECOMMENDS "DO NOT ADOPT"

**Resolutions Committee Rationale:** The Committee, among many other issues, was especially concerned about the timing of this resolution. In the 2011 spring legislative session, the issue of mandatory consolidation of school districts was at the forefront of debate. Though no legislation was approved, it is still a very sensitive issue for local boards of education.

Though this resolution does not specifically call for mandated school district consolidation, it does imply that unit school districts are the preferred organizational structure and that this element should be a factor in any new school district reorganization legislation. This would be a departure from longstanding IASB position statements on the issue.

Committee members stated that it has been shown in many communities that consolidation into unit districts would not be the money-saver that has been purported – in fact in some areas such a consolidation would actually cost taxpayers more money in the long run.

It was the consensus of the Committee that the current IASB position statements on school district reorganization and consolidation – allowing the local citizens and taxpayers to make the decisions regarding consolidation – should remain intact.

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## REAFFIRMATION OF EXISTING POSITIONS

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### EDUCATIONAL PROGRAMS

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### 16. Position Statement 1.07 Standardized Test Procedures

Submitted by: Woodland CUSD 5

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 "No Child Left Behind" 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)

**Rationale:** Onerous provisions of the federal No Child Left Behind Act (NCLB) are still burdensome to school districts. Likewise, laws, regulations, and procedures for standardized tests and student assessment are in need of improvement. These issues may be re-visited by Congress in the near future.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** There has been much discussion and pushing at the federal level to reauthorize the Elementary and Secondary Education Act (ESEA) and within that reauthorization make significant changes to the law. Most education interest groups, legislators, the President and his administrative staff agree that the NCLB sanctions are over reaching and the goals are unattainable. The U.S. Department of Education (DOE) estimates that 82 percent of the nation's schools will fail to make the Adequate Yearly Progress (AYP) under NCLB.

Though the federal reauthorization may be a year or two in the future, IASB positions on these issues should be highlighted.

## 17. Position Statement 1.08 Student Assessment

Submitted by: Woodland CUSD 5

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)

**Rationale:** Onerous provisions of the federal No Child

Left Behind Act (NCLB) are still burdensome to school districts. Likewise, laws, regulations, and procedures for standardized tests and student assessment are in need of improvement. These issues may be re-visited by Congress in the near future.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** There has been much discussion and pushing at the federal level to reauthorize the Elementary and Secondary Education Act (ESEA) and within that reauthorization make significant changes to the law. Most education interest groups, legislators, the President and his administrative staff agree that the NCLB sanctions are over reaching and the goals are unattainable. The U.S. Department of Education (DOE) estimates that 82 percent of the nation's schools will fail to make the Adequate Yearly Progress (AYP) under NCLB.

Though the federal reauthorization may be a year or two in the future, IASB positions on these issues should be highlighted.

## 18. Position Statement 1.13 IEP Out-of-Grade Level Assessment

Submitted by: Woodland CUSD 5

The Illinois Association of School Boards shall advocate for, offer, encourage and support legislative action designed to:

- Issue findings that No Child Left Behind (NCLB) is in conflict with the Individuals with Disabilities Education Act (IDEA), in particular in reference to the failure of NCLB to permit the use of out-of-grade level assessments to evaluate the achievement of students whose Individualized Educational Plan (IEP) calls for such testing;
- Call on, petition and recommend that the United States Department of Education clarify the assessment rules of NCLB to permit the use of out-of-grade level assessments to evaluate students whose IEP calls for such testing;
- Compel the Illinois State Board of Education (ISBE) to take all steps available to it (including, but not limited to, granting such exceptions and flexibility as it is maximally allowed under NCLB and altering its plans for NCLB implementation in Illinois) to permit as much IEP-consistent assessment testing as students' IEPs may dictate in evaluating the progress of students with IEPs;
- Take such steps as ISBE and the General Assembly may determine are necessary to cause the implementation of NCLB in Illinois to be harmonized with the requirements of IDEA; and
- Make it clear to all persons that out-of-grade level assessments are not "alternate assessments" for purposes of NCLB. (Adopted 2006)

**Rationale:** Onerous provisions of the federal No Child Left Behind Act (NCLB) are still burdensome to school districts. Likewise, laws, regulations, and procedures for standardized tests and student assessment are in need of improvement. These issues may be re-visited by Congress in the near future.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** There has been much discussion and pushing at the federal level to reauthorize the Elementary and Secondary Education Act (ESEA) and within that reauthorization make significant changes to the law. Most education interest groups, legislators, the President and his administrative staff agree that the NCLB sanctions are over reaching and the goals are unattainable. The U.S. Department of Education (DOE) estimates that 82 percent of the nation's schools will fail to make the Adequate Yearly Progress (AYP) under NCLB.

Though the federal reauthorization may be a year or two in the future, IASB positions on these issues should be highlighted.

### 19. Position Statement 1.17 Student Academic Placement

Submitted by: Hoover-Schrum SD 157

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)

**Rationale:** Lack of funds provided by federal and state governments makes it impossible to provide focused and guided teaching for gifted students.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** The Committee discussed the submitting district's initial proposal to be given the right to accelerate the advancement of students into higher grades.

Committee members stressed that this is a local control issue and that the authority now is in the hands of the school district. Except in the case of a student who has been found to be in need of special education, a school board already has general authority to determine retention and promotion. Decisions to retain or promote must be based on successful completion of the curriculum, attendance, performance on the Illinois Goals and Assessment Program tests (IGAP), the Iowa Test of Basic Skills, other testing or other criteria established by the school board.

During the discussion with the submitting district, it was evident that the district's intent went deeper than was presumed by reading the original rationale above. It was the consensus of the committee to withhold support for the resolution as submitted, but that it was similar to current IASB Position Statement 1.17 which the submitting district wishes to reaffirm.

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## LEGISLATIVE ACTIVITY

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### 20. Position Statement 3.09 Budget Stability for School Districts

Submitted by: West Aurora SD 129

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). (Adopted 2010)

**Rationale:** In the event that such changes in appropriations adversely affect a school district's budget resulting in the need to adjust staffing levels, this deadline is necessary in order for school districts to comply with the mandated notification requirements accompanying a Reduction in Force of bargaining unit employees.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** The Committee agreed with the submitting district's rationale of the importance of knowing the State education appropriation in order to effectively adopt a local school district budget. Schools face great uncertainty in budgeting for the upcoming year's programming and operations because of Illinois' state budgetary process.

However, the Committee acknowledged that in 2010, the IASB Delegate Assembly adopted a resolution (Position Statement 3.09) which addressed this issue. The submitting district, then, agreed to modify its original resolution to reaffirm current Position Statement 3.09.

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## BOARD-EMPLOYEE RELATIONS

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### 21. Position Statement 5.01 Board Rights

Submitted by: Wheaton Warrenville CUSD 200

The Illinois Association of School Boards shall support 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) require periodic re-evaluation of tenured faculty in order to maintain tenure status (i.e., every five years);
- (d) maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts;

- (e) repeal that portion of Public Act 81-515 which requires that school boards dismiss teachers by order of seniority within the district; and
- (f) 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; Reaffirmed 1992)

**Rationale:** Many school districts in Illinois must perform a blanket release of staff each spring as a precautionary measure because state funding for the following fiscal year is unknown. The level of uncertainty caused by this practice is a drain on staff, student, and community morale. Also, the costly paperwork required to release/rehire can and should be avoided.

The Resolutions Committee RECOMMENDS "DO ADOPT".

**Resolutions Committee Rationale:** The concept in this resolution has been a common theme in the last couple of years. Because of the uncertainty of State education

budgets – even after appropriations bills are approved by lawmakers and the legislature adjourns – school districts have been struggling with adopting responsible budgets.

This resolution proposes to reaffirm IASB Position Statement 5.01, Board Rights. Specifically, the submitting district wishes to highlight Section (f) of the resolution stating that the Association wants to "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".

The Committee supports the submitting district's proposal and rationale. It was noted that a small change was made in this area in the spring of 2011. Up until June, the law required a school district to notify a tenured teacher at least 60 days before the end of the school term regarding a "reduction in force" (RIF). For most school districts, this date would be near the end of March or the first of April. The new education reform bill (SB 7) that was signed into law on June 13, changed the notification time to 45 days before the end of the school term, giving a school district 15 more days to issue the RIF notices.

## CURRENT POSITIONS

### 1.01 EDUCATIONAL PROGRAMS

The Illinois Association of School Boards urges 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. (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. (Adopted 1981; Amended 1983, 1988, 2001)

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

### 1.04 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 ele-

mentary level and continuous intervention at the secondary school level to facilitate graduation. (Adopted 1986; Amended 2003)

### 1.05 PRESCHOOL PROGRAMS

The Illinois Association of School Boards shall support legislation to fully fund with new monies for both staffing and infrastructure costs associated with early childhood programs for such children as originally defined in PA 84-126, and further addressed in Public Act 94-0506 and Public Act 94-1054. (Adopted 1986; Amended 2001, 2006, 2007)

### 1.06 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)

### 1.07 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 "No Child Left Behind" 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)

### **1.08 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)

### **1.09 NO CHILD LEFT BEHIND**

The Illinois Association of School Boards:

- strongly disagrees with the premise that the quality and complexity of teaching and learning can be adequately and solely assessed by one achievement test given once during the school year;
- disagrees with the practice of assessing all schools with inconsistent standards allowed to be used by individual states to determine school accountability and adequate yearly progress;
- believes that the federal government has no authority to sanction local school districts; and
- believes that the current Adequate Yearly Progress

(AYP) accountability model for students with disabilities is not consistent with the goals of the new IDEA (Individuals with Disabilities Education Act), as amended.

Therefore, the IASB shall work with the National School Boards Association and other coalitions to urge Congress and the Illinois General Assembly to:

- amend the provision allowing for one high-stakes test to determine student achievement;
- remove the provisions for local school district sanctions;
- focus on professional development for teachers and administrators;
- fully fund any requirements placed on local school districts;
- amend the Act to permit alternate assessments and other appropriate measures of achievement for students with disabilities as specifically addressed by the student's Individual Education Program (IEP);
- amend the act to permit alternate assessments and other appropriate measures for English language learners, including but not limited to providing directions and question content in their most fluent language, or to allow removal of individual English language learners from the subgroup when no appropriate test at their language level exists;
- allow academic progress to be charted by comparing performance measures made at periodic intervals within cohorts of students rather than by comparing the grade level group test scores from year to year; and
- reject the adoption of an NCLB requirement that high school students be tested annually as the sole measure of academic achievement. (Adopted 2003; Amended 2005, 2008)

### **1.10 NO CHILD LEFT BEHIND – 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 No Child Left Behind 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)

### **1.11 ADVANCED PLACEMENT FOR STUDENTS**

The Illinois Association of School Boards shall offer and support legislation guaranteeing that the graduates of Illinois public high schools who achieve the following scores on Advanced Placement examinations shall be accorded, at minimum, the following benefits by all Illinois public colleges and universities:

For scores of 3, 4 or 5, full credit for completion of the college or university course corresponding to the Advanced Placement exam, including the award of the semester or credit hours (or their equivalent) which would have been earned if the student had successfully completed the coursework and any predecessor coursework at the post-secondary institution.

In all cases, Illinois public colleges and universities shall be free to award credit or benefits for scores below 3 as they see fit. Similarly, Illinois public colleges and universities shall continue to be free to grant such additional credit and placement in still higher coursework for scores of 4 and 5 as they see fit. (Adopted 2004)

### **1.12 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)

### **1.13 IEP OUT-OF-GRADE LEVEL ASSESSMENT**

The Illinois Association of School Boards shall advocate for, offer, encourage and support legislative action designed to:

1. Issue findings that No Child Left Behind (NCLB) is in conflict with the Individuals with Disabilities Education Act (IDEA), in particular in reference to the failure of NCLB to permit the use of out-of-grade level assessments to evaluate the achievement of students whose Individualized Educational Plan (IEP) calls for such testing;
2. Call on, petition and recommend that the United States Department of Education clarify the assessment rules of NCLB to permit the use of out-of-grade level assessments to evaluate students whose IEP calls for such testing;
3. Compel the Illinois State Board of Education (ISBE) to take all steps available to it (including, but not limited to, granting such exceptions and flexibility as it is maximally allowed under NCLB and altering its plans for NCLB implementation in Illinois) to permit as much IEP-consistent assessment testing as students' IEPs may dictate in evaluating the progress of students with IEPs;
4. Take such steps as ISBE and the General Assembly may determine are necessary to cause the implementation of NCLB in Illinois to be harmonized with the requirements of IDEA; and
5. Make it clear to all persons that out-of-grade level assessments are not "alternate assessments" for purposes of NCLB. (Adopted 2006)

### **1.14 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)

### **1.15 PRESCHOOL—PRIORITIZE PUBLIC SCHOOLS**

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority. All programs receiving any public monies shall be required to meet all standards and oversight applicable to programs operated by public schools. (Adopted 2007)

### **1.16 BILINGUAL EDUCATION OPTIONS**

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

### **1.17 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)

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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)

### **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; 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 time lines for accomplishment should reflect consideration of the human and material resources and amount of deliberation and development necessary to accomplish the mandate
- shall urge the General Assembly to adopt legislation which would allow school districts greater flexibility in regard to state mandates and the use of grants.

(Adopted 1976; Amended 1988, 1989, 2001, 2005; Reaffirmed 1980, 1991, 1994, 1999, 2002, 2009)

#### **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:

- 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% 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 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 MOBILE HOME TAXATION**

The Illinois Association of School Boards shall support legislative changes in the calculation and collection of Local Services Tax on Mobile Homes which will more adequately reflect the value of the dwelling and value of services afforded the owners of the dwelling. (Adopted 1978; Amended 1986; Reaffirmed 1988, 1996)

#### **2.11 TRANSPORTATION LEVY (EXCESS COST)**

The Illinois Association of School Boards shall support legislation which will permit school districts, which have reached a levy of 12 cents in the transportation fund and which transport children in accordance with the statutes of the state of Illinois, to increase the levy in the transportation fund subject to backdoor referendum, to a figure necessary to compensate for the transportation expenditures which are not covered by the amount of funds obtained from local taxes and the amount of reimbursement received from the state of Illinois. (Adopted 1981)

#### **2.12 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% 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)

### **2.13 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. (Adopted 1991; Reaffirmed 2000)

### **2.14 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. The 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)

### **2.15 HEAT DAYS FUNDING**

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

### **2.16 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)

### **2.17 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)

### **2.18 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)

### **2.19 ALTERNATIVE SCHOOLS**

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

### **2.20 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)

### **2.21 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 2.34 - School Finance Reform. (Adopted 2004; Amended 2005)

### **2.22 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. (Adopted 2006)

### **2.23 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)

### **2.24 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)

### **2.25 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)

### **2.26 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 can not 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)

### **2.27 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)

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## **FINANCING PUBLIC EDUCATION — LOCAL**

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### **2.28 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)

### **2.29 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)

### **2.30 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, the 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)

### **2.31 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)

### **2.32 SEPARATE UTILITY ASSESSMENTS**

The Illinois Association of School Boards shall support legislation which provides that regulated companies and other taxpayers (including single family dwelling homeowners, farmers, and non-regulated companies) be assessed separately. (Adopted 1982)

### 2.33 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)

### 2.34 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)

### 2.35 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)

### 2.36 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)

### 2.37 SCHOOL FINANCE REFORM

The Illinois Association of School Boards shall adopt as a position statement the recommendations contained in the Report of the Finance Initiative Committee of the Illinois Association of School Boards which reads:

"The State of Illinois, having the responsibility of defining requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development. Such areas include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities to fulfilling the primary purpose of schooling." (The School Code, 105 ILCS 5/27-1)

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.

An appropriate education is defined as an education that provides for all students educational opportunities that meet the goals for learning established by the state in the Education Reform Act of 1985 and local community expectations as expressed through local board policy.

The following is criteria by which proposals for school finance reform shall be evaluated:

- 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.
- 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; Reaffirmed 2001)

### **2.38 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)

### **2.39 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)

### **2.40 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)

### **2.41 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)

### **2.42 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 neither 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)

### **2.43 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)

### **2.44 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)

### **2.45 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)

### **2.46 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)

### **2.47 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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### **2.48 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)

### **2.49 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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### **2.50 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)

### **2.51 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)

### **2.52 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)

### **2.53 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, the 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)

### **2.54 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)

### **2.55 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)

### **2.56 UTILITY RATE REDUCTION**

The Illinois Association of School Boards shall endorse legislation for regulated utility companies (electric, gas, water) to provide service to school districts at cost. (Adopted 1991; Amended 1995)

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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)

### **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)

### **3.05 EFFECTIVE DATE AND STATE BOARD RULES & 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)

### **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 the 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). (Adopted 2010)

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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, the 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 READING LOCAL RESOLUTIONS**

The Illinois Association of School Boards shall endorse an amendment to the state statute to make it absolutely clear that Board resolutions do not have to be read aloud. (Adopted 1992)

### **4.03 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)

### **4.04 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)

### **4.05 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. The 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 Illinois School code. (Adopted 2008)

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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) require periodic re-evaluation of tenured faculty in order to maintain tenure status (i.e., every five years);
- (d) maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts;
- (e) repeal that portion of Public Act 81-515 which requires that school boards dismiss teachers by order of seniority within the district; and
- (f) 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; Reaffirmed 1992)

#### **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)

#### **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)

#### **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)

#### **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. (Amended 1982, 1990; Reaffirmed 1985, 1988, 1996, 2009)

#### **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)

#### **5.08 WORKERS' COMPENSATION LAW**

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

#### **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 PROBATIONARY TEACHER DISMISSAL**

The Illinois Association of School Boards shall encourage state legislators to refrain from enacting legislation further restricting a Board of Education from declining to rehire probationary teachers with or without cause. (Adopted 1994)

#### **5.11 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)

#### **5.12 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)

#### **5.13 STAFF DEVELOPMENT ACTIVITIES**

The Illinois Association of School Boards shall urge the Illinois State Board of Education to offer alternative times for staff development workshops other than during regular school hours when classes are in session. (Adopted 2000)



#### **5.14 EARLY RETIREMENT-DISTRICT OPTION**

The Illinois Association of School Boards shall support legislation which will allow Boards of Education to determine if a teacher may retire exercising the Early Retirement Option (ERO) with the Teachers Retirement System (TRS). (Adopted 2006)

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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. (Adopted 1976; Reaffirmed 2006)

#### **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 their 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 the 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 STUDENT EXPULSION HEARINGS**

The Illinois Association of School Boards shall support legislation and/or encourage the National School Board Association to support legislation that gives local school districts more latitude than the law currently mandated by *Honeig v. Doe*. Particularly, school districts should have more latitude than the 10 day suspension limitation to accommodate the needs of the accused to acquire legal counsel, bring forth evidence, or testimony pertinent to the hearing. (Adopted 2002)

### **6.17 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)

### **6.18 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)

### **6.19 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 marshaling resources for the promotion of a vote in favor of conducting the

Constitutional Convention. (Adopted 2005; Reaffirmed 2006, 2007)

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

### **6.21 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 5 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 the FOIA Act 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)

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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 (2/3rds) 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 SCHOOL BOARD ELECTION AT-LARGE**

The Illinois Association of School Boards support legislation to repeal the provisions of the School Code that require a school district to have a ballot question approved in each congressional township before the district can move to electing its board members at-large. (Adopted 2009)

### **7.05 DETACHMENT FROM UNIT DISTRICT**

The Illinois Association of School Boards shall oppose any efforts to amend the Illinois School Code to allow for less restrictive procedures for school districts to detach and form a new district. (Adopted 2005; Amended 2006)

### **7.06 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)

### **7.07 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)

### **7.08 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)

### **7.09 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)