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Fwd: Capitol Watch: Update on Spring Legislative Session -- Where Bills Stand Today

1 message

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To: Bridgett Heinrich <bheinrich@panaschools.com>

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March Board Meeting

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

From: **IASA** <iasa@iasaedu.org>
Date: Tue, Mar 8, 2022 at 1:01 PM
Subject: Capitol Watch: Update on Spring Legislative Session -- Where Bills Stand Today
To: <jbauer@panaschools.com>



Update on Spring Legislative Session: Where Bills Stand Today

The Illinois General Assembly sure operates at a different speed and schedule in an election year.

Last year at the substantive deadline for bills to pass out of their chamber of origin, nearly 800 bills switched chambers in what was one of the most frenetic legislative sessions in recent history.

The upcoming election has tempered the chaos while pushing up the start and adjournment dates to allow more time for campaigning.

As of Friday's deadline for bill passage, 293 pieces of legislation have passed the House and 186 have passed the Senate. About 12 percent of that legislation would have some sort of impact on local school districts.

Of course, there is always a chance to extend deadlines for individual bills, but we believe the majority of the legislation that will be moving has already passed out of its chamber of origin. Typically, there are not as many surprises in an election year.

Just because there are fewer bills, it doesn't mean schools won't be impacted by legislation. We are currently monitoring numerous proposals intended to address administrative leave, school construction, food service, the teacher shortage, performance evaluation and employment matters.

Here is a rundown of legislative highlights that are moving to the next chamber.

COVID-19 Administrative Leave

[HB 1167](#), Rep. Yang Rohr (D - Naperville) is the current version of HB 2778, which provides for administrative leave in lieu of sick leave for school staff who were absent from work for a COVID-19 related reason. Following discussions with the Governor's office, the new version would only allow for administrative leave to be used for vaccinated employees, or those who become fully vaccinated within 5 weeks of the effective date of the legislation. This section of the bill only applies while the Governor has declared a public health emergency due to COVID-19, and districts are able to request documentation necessary to approve administrative leave days.

HB 1167 also includes a paycheck protection provision for education support personnel. It would require districts to pay wages and benefits to non-certified employees who are district employees, or are employees of contractors, on e-learning days. The original language would have required districts to "double pay" employees for emergency days, as well as the day at the end of the school year when the attendance day was made up.

We were successful in negotiating language for Amendment #3 with Representative Yang Rohr that eliminated that provision. The resulting language will only require districts to pay support personnel on days of school closure when the attendance day will not be made up. This bill passed the House along party lines with a vote of 70-28-6, and is being sponsored by President Harmon in the Senate.

Mental Health Days

[SB 3914](#), Senator Loughran Cappel (D - Plainfield), has passed the Senate in an amended form that is considerably better than the originally proposed language, which would have provided all full-time school employees with 5 mental health days per year. Those days would not have rolled over to the next year if unused, would have been in addition to sick leave already provided under statute or through collective bargaining agreements, and districts could not have asked for documentation related to the use of those days.

We were successful in working with Senator Loughran Cappel to make an adjustment to the current sick leave statute that would formally allow an employee's available sick leave days to be used for the purposes of addressing mental health, and allow district administration the ability to request documentation in the same manner as is allowable for the use of sick leave for physical illness. This bill passed the Senate unanimously with a vote of 54-0-0.

School Construction

[HB 3637](#), Rep. Bennett (R - Pontiac), should be a welcome sight for school administrators across the state. After years of a static situation with school construction funding, a proposal has unanimously passed the House that would allow new grants to be approved if the GA appropriates funding. ISBE will be responsible for prioritizing the grants submitted. Districts that had received approval for projects in 2004, 2005, and 2006, and whose grants are chosen through the new procedure, may have their required local match reduced and the grant award amount increased by an amount determined by the Capital Development Board to be equal to the amount of the grant the applicant would have received had it been awarded a grant in 2004, 2005, or 2006.

Food Service

We are excited to announce that [HB 4813](#), Rep. Gordon-Booth (D - Peoria), passed the House unanimously with a vote of 104-0-0. This bill exempts food service contracts from the competitive bid requirements, allowing school districts to use variables other than just cost when selecting a source for food for their students.

[HB 4089](#), Rep. Nichols (D - Burbank), requires a school district to offer a plant-based meal option for students who submit a prior request.

Bills Related to Employee Shortages

[HB 4798](#), Rep. Stava-Murray (D - Downers Grove), allows individuals enrolled in teacher preparation programs in Illinois to receive a substitute teaching license after successful completion of 90 credit hours.

[HB 5472](#), Rep. Yang Rohr (D - Naperville), allows retirees to return to work as substitutes for 140 days, rather than 120, or 700 hours, rather than 600 hours, in a given school year. Extends through the end of the 2021-2022 school year.

[SB 3893](#), Sen. Joyce (D - Park Forest), allows substitute teachers to teach up to 120 days, rather than 90, for any one licensed educator, for the 2021-2022 and 2022-2023 school years.

[SB 3907](#), Sen. Turner (D - Carlinville), allows an individual with a short-term substitute license to teach for 15 consecutive days, rather than 5, for any one licensed educator, if the Governor has declared a disaster proclamation due to a public health emergency.

[SB 3915](#), Sen. Loughran Cappel (D - Plainfield), provides there is no fee for a substitute teaching license if the Governor has declared a disaster proclamation due to a public health emergency.

[SB 3988](#), Sen. Pacione-Zayas (D - Chicago), allows an individual to receive a paraprofessional endorsement at the age of 18, rather than 19, with certain stipulations.

Curriculum Mandates

[HB 3296](#), Rep. Ness (D - Carpentersville), is one of the more substantial curriculum mandates currently moving through the chambers. It moves to make the postsecondary and career expectations framework a requirement in all schools that enroll students in grades 6 through 12. We were successful in getting an opt-out provision included in the bill, but each school board would still need to consider the adoption and implementation by July 1, 2025.

[HB 3254](#), Rep. Ford (D - Chicago), requires books that are selected for courses must be written by diverse authors, may not perpetuate bias against others, and must be approved by the local board of education.

[HB 4203](#), Rep. West (D - Rockford), provides that no public body shall display any racially derogatory language on its property or during public meetings. Uses of literature that contains racially derogatory language for educational purposes is exempt from this act.

[HB 4716](#), Rep. Halpin (D - Rock Island), requires the State Board of Education, in collaboration with other stakeholders, to adopt rigorous learning standards for the classroom and laboratory phases of driver's education.

Reporting and Other Relief

[HB 5176](#), Rep. Yednock (D - Ottawa), would streamline some district reporting requirements by combining or eliminating them. This bill would merge periodic and electronic expenditure reports, combine certain surveys for more efficiency in reporting, require ISBE to remove outdated systems from the IWAS portal, and place the responsibility for extracting data from the Annual Financial Report and importing it into the Maintenance of Effort and Excess Cost Reports on ISBE rather than local districts.

[HB 4256](#), Rep. McCombie (R - Sterling), allows districts the choice to suspend evaluations for teachers, assistant principals and principals for the 2021-2022 and 2022-2023 school years who had previously received a "proficient" or "excellent" in their most recent evaluation, and prohibits the use of student growth measure as part of an evaluation for the two school years listed.

[HB 4257](#), Rep. McCombie (R - Sterling), reduces the number of professional development hours required for a license renewal from 120 to 100 for any educator with a professional

educator license renewal cycle that includes the 2021-2022 school year and waives the requirement for an administrator's academy credit for the 2021-2022 school year.

[HB 4688](#), Rep. Yednock (D - Ottawa), includes the same provisions as HB 4256 and reduces the number of professional development hours required for any educator with a professional educator license renewal cycle that includes the 2021-2022 school year by 20%.

Employment

[HB 4215](#), Rep. West (D - Rockford), provides that an employee who has lost a child to suicide or homicide is entitled to 12 weeks of unpaid bereavement leave from a large employer (250 or more full-time employees), or 6 weeks of unpaid bereavement leave from a small employer (50 to 250 full-time employees).

[HB 4316](#), Rep. Mussman (D - Schaumburg), requires school districts to conduct an employment history review on any prospective employee to ensure they have not previously been the subject of a sexual misconduct allegation, unless an investigation resulted in a finding that the allegation was false, unfounded, or unsubstantiated. This bill aims to halt the perceived practice of "district-hopping" following allegations of inappropriate conduct.

Other Bills of Note

Two bills that would prohibit the State Board of Education from mandating or funding standardized testing in grades K through 2 have passed their respective chambers. [HB 5285](#), Rep. LaPointe (D - Chicago) and [SB 3986](#), Sen. Pacione-Zayas (D - Chicago), would not prevent local districts from continuing to develop, purchase, and administer assessments at the local level for students in grades K through 2.

[HB 4365](#), Rep. Didech (D - Buffalo Grove), seeks to provide districts with more flexibility for the placement of special education students into residential placements. This bill would allow districts to be eligible for reimbursement from the State Board of Education if a student is placed in a non-ISBE approved residential facility under emergency circumstances.

[HB 4243](#), Rep. Mason (D - Gurnee), prohibits a public high school from withholding transcripts, grades, or a diploma, due to an unpaid fee balance.

[HB 5265](#), Rep. Guzzardi (D - Chicago), includes homeless children and youth in the waiver for school fees, and prohibits a district from charging fines for the loss of school property to students who qualify for fee waiver.

[SB 3867](#), Sen. Johnson (D - Waukegan), requires the waiver of school fees for all students of veterans and active duty military personnel with incomes 200% below the poverty level.

While there may not be as many bills as last year, a wide variety of proposals have surfaced this legislative session that will have an impact on public schools. We are continuing to have discussions with members of both chambers to improve the language in some of these pieces of legislation, and are working to ensure the bills that are positive for our school districts get across the finish line in the next chamber.

As always, we will keep you updated on the latest developments via Capitol Watch. Have a great week!

Sincerely,

Madeline McCune
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Illinois Association of School Administrators/Illinois Association of School Business Officials

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