



Nicole Blodgett <nblodgett@panaschools.com>

Fwd: Next up: Basic Skills Test suspension

1 message

Jason Bauer <jbauer@panaschools.com>
To: Nicole Blodgett <nblodgett@panaschools.com>

Mon, Aug 5, 2019 at 9:59 AM

August Board Meeting

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From: **State School News Service** <j.m.broadway74@gmail.com>
Date: Mon, Aug 5, 2019 at 9:45 AM
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To: <jbauer@panaschools.com>

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Next up: Basic Skills Test suspension

By Jim Broadway, Publisher, Illinois School News Service

The deadlines are starting to get nearer for Gov. JB Pritzker to take action - sign the bill into law, veto the bill, send the bill back to the legislature with recommendations for change - on bills passed by the General Assembly in the spring. Like last week, only 22 of the 68 bills on the [ISNS bill-tracking page](#) have been signed.

The remaining 46 bills that amend the School Code - or for other reasons relate to public education - are listed on the web page in the order of their deadline for gubernatorial action. For example, the nearest deadline is August 13, Tuesday of next week, when JB must decide what to do about [HB 423](#).

It should be a no-brainer. It's [effects are simple](#) - but important. It mainly suspends until June 30, 2025, the requirement that seekers of educator licenses must pass a "test of basic skills" - and requires ISBE, by that date, to "reevaluate" how it scores those tests and to promulgate any changes by administrative rule.

The bill was hard to pass. It started as a shell bill and six House amendments were filed on it. Only HAM 1 and HAM 5 were adopted, however. As has been the case with other bills lately, over half of the [House Republicans voted against](#) the bill while it wound up getting [approved unanimously in the Senate](#).

Just a week after JB must act on the basic skills test bill, the deadline arrives on another bill House Republicans found objectionable must be signed or vetoed. It looks to me like a bill Republicans should love and, by their votes, the Senate Republicans obviously agree with me, since only one of them voted "no."

It's [HB 2868](#) we're talking about here. It requires ISBE to create and maintain a "a work-based learning database to help facilitate relationships between school districts and businesses and expand work-based learning in this State." No more "humanities waste-of-time." This is a pro-business bill. A job-creator bill.

Why would the GOP object? [Rep. Tom Demmer](#) (R-Dixon) filed a request for a "fiscal note" on the bill. Don't get mad at Demmer; raising such issues is his job as Deputy Republican Leader. Anyway, ISBE said the database would cost about \$18,000 to build and \$90,000 each year to maintain.

That seems high. But even if it's not, is that too much to promote work-based learning experiences for student around the state? Obviously, the [House Republicans thought so](#). The Senate Republican, however, were just a vote shy of unanimous. (Maybe the House and Senate GOP caucuses should communicate more.)

Sometimes a bill is controversial for nonpartisan reasons. Pritzker will have to decide by August 20 on [HB 246](#), which requires certain history text books to describe - and public school history courses to cover - "the roles and contributions of lesbian, gay, bisexual, and transgender people" in the country and the state.

The bill staggered from the House with [just 60 votes](#), the bare minimum it needed to pass. While most opposition was GOP-based, many House Democrats also withheld support. The bill later passed the Senate with [a more comfortable 37 votes](#) but, again, some Democrats just could not vote for that bill.

This time there was no fiscal impact, according to ISBE. Some bills have a religion impact. Legislators who are members of conservative religious congregations - or whose constituents predominantly are - are often unable to support such a bill. Done well, the mandate's effects surely would be good. Done poorly, surely bad.

If you read the writings of [Decatur native James Loewen](#), you realize that "miseducation" was quite common in the past as it relates to many subjects (treatment of African-American slaves and native Americans); truth-telling, to the extent that it happens, would seem to be simple justice. HB 246 seeks the same thing.

Let's look at one more controversial bill. This time, it's about many citizens' core beliefs - in guns. Considering events of the last few days, the timing seems right. Take a look at the legislative history of [SB 337](#), a bill that started out amending the Child Care Act and morphed into a law regulating gun dealers.

The bill deals with how dealers keep their merchandise secure with locked cabinets and video cameras, how they maintain records of sales, how they determine if an aspiring gun purchaser is legally eligible to possess a firearm. The bill is highly detailed. Opponent say it will put "mom and pop" gun stores out of business.

Although some Republicans signed on as co-sponsors of SB 337, most of the votes to move it through the process were cast by Democrats. It did not receive "veto-proof" vote totals in either chamber.

SB 337 is probably unconstitutional, but not in the way its opponents believe it is. It's how it was enacted. Notice that the bill received its [final passage vote on May 30 - of 2018](#) - but was signed into law in January *of this year*, by a governor who was not even in office when the bill was debated in the legislature.

The Illinois Constitution says: "Every bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage." ([Article IV, Section 9](#)) After the Senate's final vote, Senate President John Cullerton used his favorite trick - a "motion to reconsider" - to hold the bill in place for a few months.

Why? Because the governor at the time, Bruce Rauner, would have vetoed SB 337. But Rauner was known to be politically under water; he was likely to be a former governor by January. Sure enough, Pritzker swamped Rauner. Cullerton removed his motion on January 8 and sent the bill on January 16 to Pritzker, who signed it January 18. (That, I believe, is what made the process unconstitutional; the bill *should have expired with the 100th General Assembly* on January 8.)

But so what? The legal reality is that no law is unconstitutional until it is found by the courts to be so. If SB 337 is tested and thrown out, it could be replicated (quickly and easily, given the current climate) and enacted in an entirely proper manner. Opponents now testing the bill are wasting their money.

There are more guns in this country than there are people. Automatic weapons, "bump-stock" attachments to simulate automatic weaponry, large magazines that can feed scores of bullets into a weapon - the only use for such equipment is to kill people. SB 337 is *mild compared to legislation on the horizon*.

Snippets:

Does your town need to get the lead out? Now it's easy to find out. It's important because lead is a major factor in poor students' educational achievements and, as a [federal report released last month](#) suggests, it can be found in many school districts. Is it in your census tract? If so, how intensely? Here's an [excellent interactive map](#) that will tell you. (Click *off* the low-danger indicators and check out just the 8-through-10 rated tracts. Rural counties are not exempt.)

Fitch upgrades Illinois fiscal rating from "negative" to "stable." *It's a major story.* "The state now has a plausible and achievable 2020 budget plan," the rating agency said, "leaving the state better positioned from a fiscal perspective, and the potential for a rating downgrade in the near-term has receded." But (there's always a "but"), the state's recent gains "are somewhat tenuous and their sustainability hinges on the state's actions over the next several years, particularly around the November 2020 ballot initiative on the graduated individual income tax." (Told ya.)

Sen. Tom Cullerton is charged with embezzlement. The Villa Park Democrat, a cousin of Senate President John Cullerton, faces federal charges that he [illegally received over \\$260,000](#) in salary and benefits for a Teamsters Union job in which he did no work. He may have been framed. If not, his days in the Senate are numbered.

Want to kick Chicago out of Illinois? If so, Rep. Brad Halbrook (R-Shelbyville) [has a plan](#). It's not a very well thought out plan, but that's not unusual for Halbrook. The suburban counties, linked as they are to the state's economic engine, would never join the movement. The result, if it could be achieved (which it can't because it would require federal action) would make the remaining counties look very much like Mississippi, economically and culturally.

Could Kentucky's pension ploy happen in Illinois? Briefly, no. The blue grass state has adopted a policy that, in part, [shifts public educator pension obligations](#) from the state to the local districts, expecting the result will be many districts going bankrupt (which they can do but states can't), thus costing retirees their benefits.

That could not happen in Illinois because of the "contractual" language in the state constitution and federal policy on contract enforcement. In Illinois, the state will have to pay what it owes to the pension systems' members, no matter how long it takes. Reamortizing pension debt will eventually happen - because it must.

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State School News Service, [347 S Durkin Dr, Springfield, IL 62704](#)

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Mr. Jason Bauer
Superintendent - Pana CUSD #8
[14 E. Main Street](#)
[Pana, IL 62557](#)
Phone: (217) 562-1500
Fax: (217) 562-1501