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Fwd: Alliance Legislative Report 100-50

Jason Bauer <jbauer@panaschools.com> Fri, Jan 12, 2018 at 4:27 PM
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January 22 Regular Board Meeting

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From: **IASA** <iasa@iasaedu.org>
Date: Fri, Jan 12, 2018 at 3:39 PM
Subject: Alliance Legislative Report 100-50
To: jbauer@panaschools.com

January 12, 2018



ALLIANCE LEGISLATIVE REPORT (100-50)

GOVERNOR VETOES FUNDING CLEAN UP BILL

Governor Bruce Rauner Monday issued an Amendatory Veto to **SB 444**, the bill that would make technical changes to the funding provisions of the new evidence-based school funding model. Though the Governor's proposed changes had nothing to do with the funding distribution model to public schools, the bill will now require additional legislative action that will further delay the issuance of any funding based on the new distribution formula.

The Governor's amendment has to do with the Invest in Kids Act, which authorizes tax credit scholarships totaling up to \$100 million for low-income students to attend non-public schools. But, according to the Governor's Veto Message, "the current drafting of the law will stand in the way of effectively and fairly implementing the very program it creates, and should be cleaned up along with the other fixes to Senate Bill 1947". The following is the Amendatory Veto Message explanation:

"As written, the Act requires non-public schools to be "recognized" by the Illinois State Board of Education (ISBE). This language creates an eligibility mandate from what is otherwise a voluntary distinction for which

schools may apply. Eligibility should be expanded to also include schools that are *registered* with ISBE, a necessary precursor to becoming "recognized." While it is prudent to require compliance with ISBE measures that protect the health, safety and well-being of students, the current timelines to become recognized will exclude at least 36 schools that are still in the process of registering for and moving toward recognition; the ramifications of this initial exclusion could potentially last for two years. By including those who have registered with ISBE as well as those already recognized, the law will better maximize the number of schools and therefore the number of children who can benefit from this promising new program."

Though the Governor states his concern that 36 schools could be excluded from the tax credit program, Alliance research shows that there are 893 non-public schools that are "registered" in the State, with 635 of these schools being "recognized". That would seem that an additional 258 schools would be affected by the Amendatory Veto.

What is the Difference Between Recognized and Registered?

According to the Illinois State Board of Education (ISBE) website: "To be *registered* means that ISBE is officially aware of the existence of the nonpublic school, ISBE has assigned to the school an ID number (known as an RCDT Code), and ISBE has given the school access to IWAS. There is a brief application for registration that collects basic information about the school, its enrollment, and its staff as well as some other data."

"A *recognized* school has been registered with ISBE for at least one school year, it has filed an extensive application dealing with school policies, curricula, personnel, and student health and safety. In addition, the school has been visited by a small team to confirm this information; the school is revisited by a team every few years. Fundamentally, a recognized school is a school acknowledged to be in substantial compliance with various requirements of state statute and regulation."

The ISBE goes on to state that "it should be noted that recognition (a matter of compliance) is different from accreditation (a judgment about the quality of instruction). Accreditation involves an intensive examination of some or all of a school's curricula, the qualifications of its staff, the appropriateness of its library holdings, etc. ISBE does not accredit any school-accreditation is accomplished through independent third parties. A school may be accredited simultaneously by more than one accrediting body at the same time. A school may be recognized and not accredited; likewise, it may be accredited and not recognized."

Funding Distributions to Public Schools

Since the new evidence-based funding formula is so significantly different than the previous funding formula, the ISBE had a monumental job of establishing a new process to accurately distribute funding to public schools. So upon enactment of the new formula in SB 1947, it was going to take months to actually transmit funds to school districts. Then, with the additional changes in SB 444, new distribution runs would have to be completed. Why were those changes made in SB 444? The ISBE states that,

"while it was working to implement the new funding Act as passed by the General Assembly, it was discovered that the adequacy targets of 178 school districts would unfairly include local resources that those districts are not able to access - to the sum of \$37.8 million. According to the sponsors of the initial legislation, this was not the intent of the legislature".

To correct this drafting error, the ISBE requested the changes included in SB 444 "and requested that the Governor sign the bill that was approved by the General Assembly as soon as possible". The Amendatory Veto "has caused a disruption for the agency as it continues preparations for tier funding distribution as quickly as possible. If PA 100-465 is not changed in accordance with SB 444, there will be further disruption and confusion for all 852 school districts".

The new Evidence-Based Funding formula creates a distribution system where each district's state allocation is directly related to and dependent upon the needs of all 852 school districts. According to the ISBE, "if the changes included in SB 444 are not enacted, 178 school districts will see a reduction in funding based on their inability to access local resources. The State Board is continuing to gather and clean data needed to distribute tier funding as we wait for the General Assembly to act on this amendatory veto. Time is of the essence to ensure that what districts receive from the state this year is equitable and fair."

Next Moves

The General Assembly will have to take up the Governor's Amendatory Veto upon its next meeting. The House of Representatives is scheduled to convene on January 23rd and 24th; both chambers are scheduled to convene on January 30th and 31st.

If both chambers accept the Governor's changes, the bill will be enacted immediately with the original provisions of SB 444 plus the Governor's changes. If both chambers vote to override the Amendatory Veto, the bill will become effective without the Governor's changes. The entire bill would be dead if either of the chambers fail to act or if the chambers take differing action.

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