



## ALLIANCE LEGISLATIVE REPORT (95-72)

### ALL QUIET IN SPRINGFIELD

The Illinois General Assembly has not yet transmitted to the Governor the fiscal year 2009 budget bills. According to the Illinois Constitution, the legislature has 30 days after passage of a bill to send it to the Governor.

Governor Blagojevich cannot officially take any budget action (total veto, line item veto, or reduction veto) until he is in receipt of the legislation. Once the Governor receives the legislation, he has 60 days to take action.

Though there is a new rumor every day in Springfield regarding the Governor calling legislators back to the Capitol for a special session on the budget, nothing has materialized thus far. In all likelihood, anything less than a total veto of all of the budget bills will allow the members of the General Assembly to stay away from the capitol until the scheduled Veto Session in November.

### HEALTH EXAMS/EYE EXAMS HAVE NEW RULES

Public Act 95-0422 (**SB 937**), enacted last year, changed from fifth grade to sixth grade the year in which a health examination is required for students. The Alliance initiated a bill this year to clarify that any child who received a health examination before entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination before entering 6<sup>th</sup> grade in the 2008-2009 school year. The bill, **HB 5717**, was approved by the House and Senate and is on its way to the Governor. In the meantime, the Illinois Department of Public Health (IDPH) filed emergency rules which also make it clear that such students would not have to receive another health examination. The text of the rule can be found at: [http://www.idph.state.il.us/rulesregs/2008\\_Rules/77\\_IAC\\_665\\_6-6.pdf](http://www.idph.state.il.us/rulesregs/2008_Rules/77_IAC_665_6-6.pdf) Emergency rules are effective upon filing with the Secretary of State, for a maximum of 150 days (this rule was filed on June 13).

Public Act 95-671 (**SB 641**), enacted on January 1, 2008, requires that all children enrolling in kindergarten and any student enrolling for the first time in school shall have an eye examination. Each school is required to give notice of this eye examination requirement to the parents and guardians of students. Today (June 20), IDPH filed an emergency rulemaking with updated final forms for the Eye Examination Waiver and the State of Illinois Eye Examination Report. To the extent possible, both ISBE and IDPH ask that the final forms be used. The text of the rule can be found at: [http://www.idph.state.il.us/rulesregs/2008\\_Rules/77\\_IAC\\_665\\_Eye\\_Exam\\_6-6.pdf](http://www.idph.state.il.us/rulesregs/2008_Rules/77_IAC_665_Eye_Exam_6-6.pdf)

### SPECIAL EDUCATION PROCEDURES APPROVED

The Illinois State Board of Education has approved the special education procedures developed by the Illinois Council of School Attorneys as conforming to 23 Ill.Admin.Code §226.710. This ISBE rule contains the requirements for special education procedures that must be adopted by each school district and cooperative entity. The revised IASB/ICSA model procedures were uploaded on June 17 to the IASB website, <http://iasb.com/law/icsaspedced.cfm>. There are approximately 80 pages which are available for download without charge. IASB expresses its gratitude to the attorneys who donated their time and expertise to develop these special education procedures and to ISBE for its review and cooperation.

## **MEDICAID MORATORIUM EXTENDED UNTIL 2009**

Last night (June 19), the U.S. House of Representatives passed the war supplemental funding bill, which included an extension of the moratorium (until April 2009) on the Medicaid reimbursement rule regarding cuts for school-based administrative and transportation services. The vote on the domestic spending part of the bill was 416-12. The package now goes to the Senate, where quick action is expected. The President has indicated that he will sign the bill when it reaches his desk, perhaps as early as next week. Proponents of reversing the rule on Medicaid cuts realized last year that success would be more likely with a moratorium than a permanent reversal, so the hope is that the next administration will entertain a permanent reversal of the rule.

## **MANDATE WAIVER REQUEST DEADLINE**

The deadline for mandate waiver applications to be considered by the General Assembly in Fall 2008 is August 8, 2008. More information on waiver applications can be found on the ISBE website at: <http://www.isbe.net/isbewaivers/html/overview.htm>.

## **DIGEST OF BILLS PASSED**

The 2008 Digest of Bills Passed is available on the IASB website at: <http://www.iasb.com/govrel/digest08.cfm>. This Alliance publication, written by the IASB Governmental Relations Department, contains all of the education-related bills that were approved by the legislature this spring and are pending before the Governor. The publication will also be printed in hard copy and mailed to every school district by the Alliance partners.

*\*The legislative report is written and edited by the lobbyists of the Illinois Association of School Boards to provide information to the members of the organizations that comprise the Statewide School Management Alliance.*

**Alliance Legislative Reports:**  
**Bill Text/Status: Illinois General Assembly**

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