



*Lighting The Way To Excellence  
In School Governance*

# 2017 Resolutions Committee Report

For the 2017 Delegate Assembly meeting  
on November 18, 2017, Chicago

**September 2017**

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TO: Board Members and Administrators

FROM: Joanne Osmond, Resolutions Committee Chairman

DATE: September, 2017

SUBJECT: 2017 Resolutions Committee Report

Thank you for your interest in the 2017 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 18, 2017, at the Hyatt Regency Chicago, Regency A/B 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 2017 Resolutions Committee Report. 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.

**Service of the following school board members on the  
2017 Resolutions Committee is acknowledged with sincere appreciation.**

|                        |                            |               |
|------------------------|----------------------------|---------------|
| Chair.....             | Osmond, Joanne .....       | Lake Villa    |
| Abe Lincoln .....      | Reynolds, Amy .....        | Springfield   |
| Blackhawk.....         | Wagner, Julie .....        | Illinois City |
| Central IL Valley..... | Walther, Daniel.....       | Peoria        |
| Corn Belt.....         | Myzia, Jennifer .....      | Dwight        |
| DuPage.....            | Fielden, Terry.....        | Naperville    |
| Egyptian.....          | Irvin, Lisa.....           | Belle Rive    |
| Illini.....            | Uhlott, Sandra.....        | Rantoul       |
| Kaskaskia .....        | Kistler, Kent.....         | Farina        |
| Kishwaukee.....        | Nelson, Stephen.....       | Sycamore      |
| Lake .....             | Armstrong, John.....       | Wauconda      |
| North Cook.....        | Klimkowicz, Anna .....     | Schaumburg    |
| Northwest .....        | Snider, Steve.....         | Lanark        |
| Shawnee.....           | DeNeal, Tom .....          | Harrisburg    |
| South Cook.....        | Jordan, Juanita.....       | Hazel Crest   |
| Southwestern .....     | Schwemmer, Gabrielle ..... | Smithton      |
| Starved Rock.....      | Conner, David.....         | Streator      |
| Three Rivers .....     | Campbell, Liz.....         | Bolingbrook   |
| Two Rivers .....       | Reif, Rodney.....          | Carrollton    |
| Wabash Valley.....     | Ruffner, Carol .....       | Mason         |
| West Cook.....         | Williams, Dianne .....     | Maywood       |
| Western .....          | Vogler, Scott.....         | Colchester    |

## DELEGATE ASSEMBLY AGENDA

1. Call to Order
2. Report of the Credentials Committee
3. Approval of Delegate Assembly Business Rules
4. President's Report, Phil Pritzker
5. Executive Director's Report, Roger Eddy
6. Financial Report, Thomas Neeley
7. Election of Officers
  - A. Nominating Committee Report, Karen Fisher
8. Resolutions Committee Report, Joanne Osmond
  - A. New Resolutions
  - B. Amended Existing Positions
  - C. Reaffirmation of Existing Positions
9. Belief Statements
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## MY BOARD'S RECOMMENDATION

*Support*      *Oppose*

### NEW RESOLUTIONS

#### Board Operations and Duties

      1. Student Safety & Protection

#### District Organization and Election

      2. School as Polling Place Reimbursement

#### Financing Public Education-Local

      3. 1% Sales Tax Statewide

#### Local-State-Federal Relations

      4. Open Meetings-Discuss Shared Staff

      5. PARCC Testing Results

### AMENDED EXISTING POSITIONS

#### Financing Public Education-State

      6. Position Statement 2.50 PTELL No Penalty for Under Levy

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## DELEGATE ASSEMBLY BUSINESS RULES

1. **Business Procedures** — Robert’s Rules of Order Newly Revised 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. **Consent Agenda** — Use of a Consent Agenda to expedite the proceedings is authorized. Proposed resolutions which have been recommended “Do Adopt” by the Resolutions Committee may appear on a Consent Agenda.
8. **Appeals** — Those delegates wishing to appeal a “do not adopt” recommendation of the Resolutions Committee, and have met the notice provisions required by Article IX, Section 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. Appeals shall only be accepted from the submitter of the proposed resolution that has received the negative recommendation of its proposal. Those proposed resolutions that have received a “Do Not Adopt” recommendation from the Resolutions Committee, and of which the Committee has not received a timely written appeal of the negative recommendation from the submitting entity, will not be considered by the Delegate Assembly.
9. **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.
10. **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.
11. **Voting** — The indications to signify voting shall be specified by the presiding officer.
12. **Nomination** — The consent of any nominee from the floor during the election of officers must be secured in writing prior to presentation to the Delegate Assembly, as required in Article IV, Section 1, of the IASB Constitution.

# RESOLUTIONS PROCEDURES

1. **Types of Resolutions** — (Article IX, Section 1) 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** — (Article IX, Section 2) Resolutions for proposed position statements or belief statements may be proposed by any Active Member, Association Division, 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** — (Article IX, Section 3) 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 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** — (Article IX, Section 4) 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 IX, Section 5) Any Active Member, Association Division, or Association Board of Directors, that has submitted a proposal that has received a negative recommendation from the Resolutions Committee, shall have the right to appeal the 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 and voting at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.
6. **Amendments to Resolutions** — (Article IX, Section 6) Any proposed amendment to a resolution that does not meet the time requirements as set in Section 3 above shall be immediately remanded to the Resolutions Committee for consideration.
7. **Late Resolutions** — (Article IX, Section 7), 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 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.
8. **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 and Elections. 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 2017

The 2017 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10:30, Saturday, November 18, 2017, Regency A/B West Tower, Hyatt Regency Chicago:

President — Joanne Osmond  
Lake Villa CCSD 41

Vice President — Tom Neeley  
Morton CUSD 709

## 2017 NOMINATING COMMITTEE MEMBERSHIP

Mark Christ  
O'Fallon THSD 203

Dennis Inboden  
Robinson CUSD 2

Sue McCance  
CUSD 3 Fulton County

Mary Stith  
Geneva CUSD 304

Carla Joiner-Herrod, Alternate  
Lindop SD 92

John Metzger, Alternate  
Benton CCSD 47

# NEW RESOLUTIONS

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## BOARD OPERATIONS & DUTIES

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### 1. Student Safety & Protection

Submitted by: Hamilton Co. CUSD 10  
Mt. Vernon SD 80  
United CUSD 304  
Edwards Co. CUSD 1

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and advocate legislation which provides local school boards the option of developing Student Safety and Protection Plans which may include administrators, faculty, and/or other staff who have successfully completed a training course approved by the school board and who have passed the multiple background checks and qualifications for and have a current Illinois concealed carry license or a carry license issued under the Law Enforcement Officers Safety Act to be an active and armed part of the Student Safety and Protection Plan, upon being granted board approval.

**District Rationale:** The safety and protection of our students and school personnel is one of our most important and top priorities.

There are many schools that do not have the financial resources to employ full time security on school property to insure the safety and protection of their students and school personnel.

Some schools have grants which provide financial aid for the presence of a school resource officer on school property during certain hours, this is usually one officer at any given time.

Many schools in Illinois are located in areas where it may take up to thirty or more minutes before an effective law enforcement team can arrive on scene in the case of a life-threatening event.

In three states which border Illinois — Indiana, Kentucky, and Missouri — and in many other states, local school boards have authority provided by state law and are entrusted to develop Student Safety and Protection Plans which implement board-approved armed and trained administrators, staff and faculty who could provide for the safety and protection of students and personnel until an effective law enforcement team can respond to a threat to the safety and protection of students and personnel.

This resolution does not compel or require any particular school board to develop or implement such a plan but leaves the decision to each local district board to decide what is best for their schools and students.

**Resolutions Committee Rationale:** The Firearm Concealed Carry Act (PA 98-63), effective July 9, 2013, prohibited any concealed carry in “any building, real property, and parking area under the control of a public or private elementary or secondary school.”

During negotiations on the legislation before it passed the General Assembly, lawmakers discussed the possibility of each individual school board having the authority to decide what the policy would be within its district. Both the proponents and the opponents of the legislation dismissed this idea. The concealed carry proponents wanted no regulation on school property and the opponents wanted a complete prohibition on school property.

School districts are also governed by the federal Gun-Free School Zones Act of 1990, which makes it unlawful for any unauthorized individual from possessing a firearm in a school zone. Exceptions include if an individual possessing a firearm is licensed to do so by the state in which the school zone is located. Individuals in Illinois would not have violated the federal Gun-Free School Zones Act if they carried a concealed weapon in a school zone, if State law had not prohibited it.

The Committee acknowledged that school safety was one of the most important issues faced by school districts today. Further, Committee members recognized that school safety protocols, first responder response times, and available safety resources were much different in less populated rural areas than in urban or suburban settings.

The struggle for consensus was borne out of the controversy of having guns inside the school. Some school districts employ local police or school resource officers to be inside the school buildings. Of course, in these cases, the armed persons have had extensive police training. Allowing staff to arm themselves, even if they met the requirements for a concealed carry license in Illinois, was not enough training according to the majority of the Committee.

There was also concern about how loosely the resolution is drafted. Allowing “administrators, faculty, and/or other staff” to carry firearms is too broad, as is authorizing the carry of weapons in schools to those who have successfully completed a training course “approved by the school board”. Many thought that there should at least be a State standard.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

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## DISTRICT ORGANIZATION AND ELECTION

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### 2. School as Polling Place Reimbursement

Submitted by: Indian Prairie CUSD 204

BE IT RESOLVED THAT the Illinois Association of School Board shall support legislation that amends the Election Code and the School Code to mandate that the appropriate officer or board having responsibility for providing a polling place for the election reimburse the school district for any

costs, including cost of security to ensure student safety, in acting as a polling place which estimated costs shall be provided to the appropriate officer or board in advance of any decision to use a particular public building in order to ensure the efficient use of public resources.

**District Rationale:** Schools are responsible for the safety of students even when they act as polling places on Election Day. In order to do so, some schools have increased security costs.

Currently, the local election authority makes a decision on using schools as polling places without knowing the costs to the schools and without considering the alternative costs to other public buildings. This creates potential inefficient use of public resources because of the lack of information and disconnect between the public agency that makes the decision for polling locations and the public agency that bears the costs. The proposal would align the agency responsible for the decision making with the agency responsible for the costs, thereby providing incentive for additional information gathering and better decision making.

Although the current School Code allows for school districts to close schools, or utilize polling days as non-student attendance days, calendar challenges do not always make this possible. Furthermore, breaking up a week with a non-student attendance affects average daily attendance figures for districts (which may also have a negative financial impact), as well as diminishes student behavior and academic achievement.

**Resolutions Committee Rationale:** Committee members commented that schools are mandated to comply with the local election authority when the request is made to use the school's facilities for polling. Committee members voiced that school districts can currently collaborate with their local election authorities to find other venues for polling places; schools control their calendar, know in advance when election days occur and can schedule school activities where students are not present on those days. Another point of discussion was whether other facilities used as polling places request money to do so, but members discussed that schools are the only facilities used with children present.

The Committee recognized that this is a big issue for this district as they have submitted several resolutions over the years to trying to find a solution. After much discussion and possible amendments to the Resolution considered, the Committee voted to recommend Do Adopt.

The Resolutions Committee RECOMMENDS DO ADOPT.

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## FINANCING PUBLIC EDUCATION – LOCAL

### 3. 1% Sales Tax statewide

Submitted by Sangamon Valley CUSD 9

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation that will institute the County School Facility Occupation Tax across all counties in Illinois.

**District Rationale:** State funding of education in Illinois is in crisis. IASB's Position Statement 2.38 School Finance Reform reads as follows: "*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.*" The statement goes on to say, "IASB will utilize the following criteria to evaluate proposals for school finance reform ... and includes the point below:

Adequate funding should be sought through the **addition of new state revenues** for public education.

A 1% sales tax implemented by every county in Illinois is a viable addition of revenue for public education. With so many districts struggling to simply educate students and employ teachers and staff, often coming to the point of making drastic cuts to allow the merely the basics to continue, where does the extra money come from to maintain or improve facilities? State construction grants are at a standstill, yet our buildings don't remain unchanging; they continue to age and deteriorate.

Sangamon Valley CUSD #9 draws students from three counties in Central Illinois – Macon, Sangamon and Christian. Currently, Macon and Christian counties have this tax for schools, and through those funds, the district has been able to maintain and even improve its facilities for its students. Most recently, a new science lab was constructed, making use of a former home education classroom and kitchen, which would not have been possible without these monies. A sales tax is also more equitable, not increasing the burden on property owners alone.

Additional income provided by this 1% sales tax would be a welcome addition to all school districts.

**Resolutions Committee Rationale:** This law was originally forwarded from school leaders in Rock Island County as a response to communities who looked across the river at Iowa's law allowing each county to enact a similar provision for school building operations and maintenance.

While many have suggested that, like Iowa, Illinois should adopt this law statewide, we are reminded that Iowans adopted this law in every county before the state legislature broadened the scope to apply statewide. Forty-nine of the 101 Illinois counties eligible to enact the measure have done so. Cook County is specifically prohibited from enacting this sales tax.

The Resolutions Committee, while understanding the financial pressures schools have to upgrade school facilities and the inequitable result in a county-by-county adoption of the sales tax, expressed concerns about this resolution for many reasons. Many communities have utilized other means to offset the costs of school facilities needs through

impact fees and real estate transfer taxes. Requiring the State of Illinois to impose this sales tax statewide puts an undue burden on taxpayers in areas where these kinds of funding mechanisms have been employed. The Committee observed that when supporting the notion of “local control” how would members reconcile support of this measure calling for the state to usurp local control where voters in certain counties have defeated increasing sales taxes for school facilities when it’s been placed on the ballot. Finally, one of our most compelling points in success in defeating the effort to impose the Property Tax Extension Limitation Law (PTELL) statewide, has been the fact that certain counties have held a referendum to impose PTELL and those voters have defeated the measure.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

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## LOCAL — STATE — FEDERAL RELATIONS

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### 4. Open Meetings-Discuss Shared Staff

Submitted by: CUSD 3 Fulton Co.

BE IT RESOLVED THAT the Illinois Association of School Board shall advocate for a change in the Open Meetings Act to allow school districts who provide services through a Joint Cooperative Agreement to meet as a whole Board or Committee to discuss shared personnel in relation to performance and contractual matters. (Open and Closed session)

**District Rationale:** Current law does not allow Board members of different school districts to discuss in closed session any personnel matters with staff who are jointly shared.

**Resolutions Committee Rationale:** The District’s specific situation is that some of its students go to another school within the other Joint Cooperative’s district to participate in some sports and the other district in the Joint Cooperative sends students to its school to participate in some sports. The coaches of the sports are each employed by their respective districts, but both districts contribute half of their coaching salaries, and the administrative costs to run the Joint Cooperative athletic program are split in half between each district.

The Open Meetings Act (OMA) currently allows school boards to hold closed meetings to discuss performance for “specific employees”, and collective negotiating matters concerning salary schedules. It is also silent about board members of different school districts holding joint meetings. And, the OMA is silent as to who can enter closed session. Therefore, anyone that a board invites into closed session is allowed to enter closed session.

A general thought on silence in the law is if the law does not specifically prohibit an activity, then it’s allowable. The Public Access Counselor within the Attorney General’s office has written several opinions on “meetings held outside the boundaries of a public body”, which for one of the districts participating in the Joint Cooperative would hold true. The OMA requires that the meeting location must be “convenient” for the public, meaning the location of a

meeting of both districts together held outside of one or the other’s boundaries must not deter their publics from attending.

Several committee members commented that they currently do this or know of other public bodies that have joint meetings. The presenters expressed that attorneys for both districts have said what they want to do is not allowed. There was some uncertainty from committee members over what the district wanted to do that they could not already do.

After much discussion, the Committee suggested the district approach the Attorney General’s Public Access Counselor for an opinion.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

### 5. PARCC Testing Results

Submitted by: Altamont CUSD 10

BE IT RESOLVED THAT the Illinois Association of School Board shall petition the Illinois State Board of Education to fairly report discrepancies in the scoring of state required standardized testing: 1) between paper and pencil versus electronic test results AND 2) within the electronic testing method. Further, that such discrepancies will be made public so that schools may provide said information to parents and media when the testing results are reported as required under state law.

**District Rationale:** The State of Illinois annually tests students in grades three through eight and grade eleven on standardized tests. These tests are used to determine student progress toward meeting statewide goals. Aggregated summarized scores are reported to media and parents as the “Level of Performance” for that particular grade level and school.

When Illinois adopted the Common Core and College Readiness standards, school districts were informed to prepare to take these new tests using electronic devices through an online testing format. However, when the time came to utilize technology for the state required standardized testing, certain schools were identified by the state board as not ‘technology ready.’ As a result, there are entire districts who are permitted to take the “standardized” test in a paper and pencil format. Districts that were considered “technology ready” were mandated to test utilizing the online format on devices that ranged from workstations to tablets and multiple other online capable platforms. Testing format variations existed even within individual school districts from grade level to grade level. For example, in one district, the third grade would be given paper and pencil tests, but fourth grade would utilize online testing methods.

The results of the 2016 assessment reflect that schools who were permitted to take the paper and pencil format scored significantly higher than schools who were mandated to test online. Further, the online testing revealed wide discrepancies in results based on the type of device used, the platform and other variables. These discrepancies resulted in individual and grade wide scores with a plus or minus range of up to 20 points beyond that which was reported.

**Resolutions Committee Rationale:** Officials from PARCC acknowledged that there were discrepancies in scores across different formats of its exams. Assessment experts state that the remedy for a “mode effect” is typically to adjust the scores of all students who took the exam in a particular format, to ensure that no student is disadvantaged by the mode of administration. However, PARCC officials state it will be up to district and state officials to determine the scope of any problem in their schools’ test results, as well as what to do about it.

A 2015 and 2016 analysis of online and paper-and-pencil scores conducted by ISBE shows that schools mandated to take the PARCC exam online scored significantly lower than those who used paper and pencil. The analysis report states, “variables that may have influenced outcomes include the characteristics of the schools tested and the students’

interaction with technology as a tool...when comparing online and paper test results, recognition of these differences is important.”

A report from the Council of Chief State School Officers stated that “device effect” is a real threat to test-score comparability. Familiarity, device features (screen size, keyboard, touchscreen, mouse), and assessment specific features can all contribute to device effect.

In addition to the compelling rationale and testimony from the submitting district, the Resolutions Committee commented that the contract with the Illinois State Board of Education testing firm is expiring and that the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment may no longer be the exam administered.

The Resolutions Committee RECOMMENDS DO ADOPT.

## AMENDED EXISTING POSITIONS

### FINANCING PUBLIC EDUCATION – STATE

#### 6. PTELL No Penalty for Under Levy

Submitted by: Naperville CUSD 203

Be it resolved that the Illinois Association of School Boards shall:

##### 2.50 PTELL No Penalty for Under Levy

*The Illinois Association of School Boards shall support legislation that allows school districts to levy an amount less than the Property Tax Extension Limitation Law (PTELL) formula would allow without penalty in future years. This would require that when a district “under” levies, the district will have the ability to reassess the reduced levy taken in a given year and recover the full entitled levy for a period of 3 years from the effective date of the reduced levy. A district will not be entitled to reassess the reduced levy once the three-year limit has expired. that the full allowable extension amount be tracked and made accessible in future years.*

**District Rationale:** The Illinois Property Tax Extension Limitation Law (PTELL) limits increases in property tax to the lesser of 5% or the increase in the national Consumer Price Index (CPI) for the year preceding the levy year. Tax levies build on themselves however, and governmental entities that do not levy the full amount for any given year are then held to the same limits in increases the following year.

For the past several years, state legislation has been pending which would result in major reductions in school funding. Revisions to the school funding formula, potential limitations in property taxes, and legislation to shift pension costs to local school districts would make a significant impact on state and local funding for schools. In addition, state legislators continue to add to the spending required by school districts with the addition of costly mandates.

School districts have responded to this funding uncertainty by working to reduce budgets, better controlling health and

employee costs, and reducing any unnecessary spending. However, the funding uncertainty creates an incentive for schools and other governmental entities to levy the full amount available under the PTELL law, even if a lower amount could be considered, given the funding instability and inability under the law to levy the full amount later.

Legislation to allow school districts to levy less than the full amount in any given year, with the ability to levy these funds at a later point in the event of state action, would encourage districts to levy only the amount necessary, relieving them of the need to protect against harmful state action.

Proposed legislation would limit districts to recovering only the amount lost by state or federal action, ensuring the least possible property tax variation, tied only to losses due to these actions.

Districts would continue to be limited by the PTELL limitation in past years, never levying more than what PTELL would have allowed.

Time limiting the recovery period to three years would ensure that taxpayers are not subject to large tax fluctuations.

**Resolutions Committee Rationale:** Currently, for taxing districts subject to PTELL, the levy in one year depends on how much the taxing district levied in the previous year. For example, if PTELL allows 3% growth in the levy, and the taxing district does not levy the maximum, the district would not be able to recover that growth for future levy years without referendum approval. This causes a number of taxing districts to levy the maximum amount each year regardless of whether they need the maximum.

The resolution calls for a three-year time limit to recover losses in order to ensure that taxpayers are not subject to large tax fluctuations. The Committee agreed that this was a reasonable change.

The Resolutions Committee RECOMMENDS DO ADOPT.

# REAFFIRMATION OF EXISTING POSITIONS

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## FINANCING PUBLIC EDUCATION – STATE

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### 7. Position Statement 2.27

#### State Authorized Charter School Funding

Submitted by Woodland CCSD 50

BE IT RESOLVED THAT the Illinois Association of School Boards shall urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to “brick and mortar” schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school.

**District Rationale:** Loss of students does not equate to a proportionate reduction in host district expenses.

With current method the State Charter does not share in reductions or proration’s in state funding. The charter school tuition increases as host districts state funding decreases.

State currently assumes no financial responsibility for State charter Schools that were approved over the objections of the locally elected school board members.

There is no locally elected representation by the communities that are required to support the State Chartered School; therefore, the burden of financial support should be assumed by the State.

**Resolutions Committee Rationale:** State Authorized Charter Schools (SACS) continue to be a major issue as “host” districts have to scramble to find a way to deal with fewer revenues from the State of Illinois while still providing a quality education to the students they serve.

Current law takes state funding from a local district and distributes it to a state authorized charter school. If the local school district looked to raise revenue and provide additional resources to students from local sources, the SACS would receive an even larger share of the local districts’ state funding.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

## NEW BELIEF STATEMENT

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## LOCAL – STATE – FEDERAL RELATIONS

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### 8. Energy Savings Contracting

Submitted by: Ball-Chatham CUSD 5

The Illinois Association of School Boards believes school boards should employ competitive bidding practices for upgrades in technology and energy savings and should also provide energy savings contracting model policy and training opportunities for school districts.

**District Rationale:** The School Code (Sec. 10-20.21) lists in the rules for bidding contracts multiple exceptions to the competitive bidding process. At issue, it seems school officials are interpreting this exception very broadly, so a multitude of things need not be subject to bid. Our board recently received a quote for security cameras and was told that the \$265,000 project did not need bid because it fell under the bidding exception for “the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services”. After debating the matter in open session, the board requested an opinion from legal counsel. Counsel agreed that, according to the exception in State law, it indeed did not have a bidding requirement. The concern is that with such a broad

interpretation, this philosophy could be expanded to the point where school districts statewide could be undergoing major upgrades and construction projects with multimillion dollar no bid contracts.

Ultimately this exception, at minimum, needs major clarification. At maximum, the legislature should look at striking this exception from the School Code. Decades ago when this exception was approved, it may have been necessary. With the vast changes in technology since then now that most all building components are computerized and may be interpreted to fall under this exception, it now needs revisited. An interim step would be for IASB to publish a policy through the PRESS Policy Service to provide guidance and options for boards of education.

**Resolutions Committee Rationale:** When this law was first enacted in January of 1993 (PA 87-1106), the purpose was to facilitate installation of energy conservation and savings projects that could help offset energy costs schools incurred due to outdated lighting, heating and air conditioning, and inefficient energy systems. The original law provided that contracts for payment for replacement and installation of new equipment could be let for 10 years.

In 2002 the “guaranteed energy savings contract” timeline was increased to 20 years. Not only were the energy conservation

systems becoming more sophisticated and expensive, but at the same time, schools were finding it more and more difficult to find the revenue to address ever increasing energy costs, utilizing outdated and inefficient systems. Additionally, State funding under the School Construction Grant Program and School Maintenance Grant program for such projects had not been appropriated.

Resolutions Committee members have been involved in discussions about how Illinois should better educate school board members and administrators about the nuances of these opportunities for school facility technology and energy

upgrades. Committee members were united about the fact that education was the key. Also they commented that school boards should have the ability to contract for these systems and should seek counsel to negotiate contract terms protecting the school district and carrying out its fiduciary duty expending public dollars. The committee observed that this resolution for a position statement may be better provided to the membership as an *IASB Belief Statement*, given its wording and directive.

The Resolutions Committee RECOMMENDS DO ADOPT.

## CURRENT POSITIONS

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### EDUCATIONAL PROGRAMS

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#### 1.01 Educational Programs

The Illinois Association of School Boards urges its member districts to develop educational programs 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 including opposing any mandated curriculum that comes from the Common Core Standards. (Adopted 1981; Amended 1983, 1988, 2001, 2013)

#### 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 and appropriate exemptions for physical education at the K-12 level. (Portions Adopted 1982, 1986; Reaffirmed 1984, 1987; Amended 1988, 1995, 2013)

#### 1.04 P. E. Exemption for Show Choir

The Illinois Association of School Boards shall attempt to have legislation passed that would amend 105 ILCS 5/27-6 of the School Code of Illinois to grant an additional exemption for students, grades 9-12, enrolled in an ongoing Show Choir program for credit. (Adopted 2012)

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

#### 1.06 Preschool Programs

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority with legislation providing new monies for both staffing and infrastructure costs associated with early childhood programs for preschool children, at-risk infants and toddlers and grants for parental training. (Adopted 1986; Amended 2001, 2006, 2007, 2016)

#### 1.07 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)

#### 1.08 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 Every Student Succeeds Act. Further 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, 2016; Reaffirmed 2011)

### **1.09 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; Reaffirmed 2011)

### **1.10 Every Student Succeeds Act —**

#### **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 Every Student Succeeds 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; Amended 2016)

### **1.11 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)

### **1.12 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)

### **1.13 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)

### **1.14 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; Reaffirmed 2011)

### **1.15 Virtual Charter Schools**

The Illinois Association of School Boards shall encourage the Charter School Commission to develop regulations that ensures State-authorized virtual charter schools meet the full needs of Illinois students and follow the intent of current State laws prohibiting the use of public funds for profit-driven educational firms. Examples of such regulations might include, but not be limited to, the following:

- Assurance of student access to teachers, including information regarding teacher accessibility, teacher/student ratio, and amount of teacher/student contact time
- Evidence of the social-emotional well-being of students, such as information regarding opportunities for peer interaction and collaboration, adult advisory resources, and protocols to prevent bullying or other inappropriate online behavior
- Not-for-profit entities that sponsor virtual charter schools shall be in existence for at least one year before submitting a virtual charter school proposal and operate under the Open Meetings Act and the Freedom of Information Act once a charter school has been approved
- Entities proposing virtual charter schools are limited to submitting a proposal to only one school district per year
- Members of the not-for-profit board that proposes a virtual charter school must demonstrate a direct link to the community in which it is proposing a charter school, through either residency, employment, or education



- Funding for State authorized virtual charter schools shall be reduced proportionately to reflect annual State aid prorations, as well as per pupil expenditure used for building maintenance, classroom supplies, transportation, and other costs unique to the services provided by a “brick and mortar” school. (Adopted 2013)

### 1.16 Student Discipline Practices

The Illinois Association of School Boards shall oppose legislative and rulemaking initiatives that enact statewide student discipline policies. IASB encourages school districts to consider policies and procedures that develop sound discipline practices which may:

- Ensure a safe, responsive, and effective instructional environment
- Strive to meet the social, emotional, and behavioral needs of all Illinois students
- Strive to expedite investigations in response to alleged student misconduct and communicate findings and determinations to parents/guardians. (Adopted 2014)

### 1.17 Data Equity

The Illinois Association of School Boards shall support legislation allowing non-unit districts to enter into agreements to share student data to the same extent and with the same ease as unit districts. (Adopted 2014)

### 1.18 Longitudinal Data Systems

The Illinois Association of School Boards shall support legislation allowing local districts to enter into the necessary student data sharing agreements to build, maintain, and utilize local longitudinal data systems in order to improve their student outcomes including college and career success. (Adopted 2014)

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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, 2012, 2014)

### 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, 2014; 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 support legislation that causes all statutory and regulatory educational mandates to sunset if sufficient funding is not provided to implement such mandates and requirements. Local school districts may choose to continue to implement the mandated programs voluntarily until such time that the General Assembly appropriates the funding necessary to cover the costs of the required programs. (Adopted 1976; Amended 1988, 1989, 2001, 2005, 2013; Reaffirmed 1980, 1991, 1994, 1999, 2002, 2009, 2014)

### 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 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)

## **2.11 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. 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. (Adopted 1991; Reaffirmed 2000, 2014; Amended 2011)

## **2.12 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. 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, 2014)

## **2.13 Heat Days Funding**

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

## **2.14 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)

## **2.15 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)

## **2.16 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)

## **2.17 Alternative Schools**

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

## **2.18 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)

## **2.19 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 2.37 — School Finance Reform. (Adopted 2004; Amended 2005; Reaffirmed 2014)

## **2.20 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. School districts shall receive a priority ranking within 90 days of the end of the current year's application cycle. The Illinois State Board of Education shall priority rank, by grant year, all school districts that have been waiting for longer than 90 days for school construction grant funds. (Adopted 2006, Amended 2014, Reaffirmed 2015)

## **2.21 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)

## **2.22 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, 2014)

## **2.23 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)

## **2.24 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 cannot 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)

## **2.25 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)

## **2.26 Categorical Reductions Prospective Only**

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. (Adopted 2011)

### **2.27 State Authorized Charter School Funding**

The Illinois Association of School Boards shall urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to “brick and mortar” schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school. (Adopted 2012; Amended 2013, 2014; Reaffirmed 2016)

### **2.28 Special Education Student Transportation Cost**

The Illinois Association of School Boards shall support legislative, administrative, or legal remedies to limit and equalize cost for Special Education Student Transportation. (Adopted 2014)

### **2.29 Clock Hours vs. Minutes**

The Illinois Association of School boards shall research the impact and viability of moving from a methodology of required days of student instruction to minutes of student instruction as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, evacuations, or other events beyond the control of the school district. (Adopted 2016)

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## **FINANCING PUBLIC EDUCATION – LOCAL**

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### **2.30 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)

### **2.31 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, 2016)

### **2.32 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, 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)

### **2.33 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, 2016)

### **2.34 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)

### **2.35 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)

### **2.36 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)

### **2.37 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; Reaffirmed 2016)

## 2.38 School Finance Reform

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. Education funding should take into account the cost associated with delivering quality, research-based programming, geographic conditions, and student needs. Fully funding districts would ensure adequate funding for districts to locally determine and deliver appropriate and effective educational experiences to every student.

IASB supports the need for transparency and dissemination of information, regarding the impact of proposed education funding reforms as they are developed, formally proposed, considered, and enacted. Additionally, IASB will utilize the following criteria to evaluate proposals for school finance reform:

- 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 based on research, data, and current best practices.
- 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, 2014, 2016; Reaffirmed 2001, 2012)

## 2.39 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)

## 2.40 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)

## 2.41 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)

## 2.42 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)

## 2.43 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 not 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)

## 2.44 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)

### **2.45 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)

### **2.46 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)

### **2.47 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)

### **2.48 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)

### **2.49 PTELL — Debt Service Extension Base**

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. (Adopted 2011)

### **2.50 PTELL No Penalty for Under Levy**

The Illinois Association of School Boards shall support legislation that allows school districts to levy an amount less than the Property Tax Extension Limitation Law (PTELL) formula would allow without penalty in future years. This would require that when a district "under" levies, that the full allowable extension amount be tracked and made accessible in future years. (Adopted 2012)

### **2.51 EAV Adjustments — Timely Notification**

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. (Adopted 2011)

### **2.52 Pension — Normal Cost Shift**

The Illinois Association of School Boards recognizes that legislation to sensibly resolve Illinois' current pension crisis must be fully compliant with prevailing actuarial scientific standards in order to achieve fully funded and sustainable pension funds. The Illinois Association of School Boards therefore shall not support a "cost-shift" to local districts as a true sensible solution to the pension burden. (Adopted 2013)

### **2.53 School Facility Occupation Tax**

The Illinois Association of School Boards shall support an amendment to State Statute 55 ILCS 5/5-1006.7 School Facility Occupation Tax, to include the purpose to purchase or lease technology to aid instruction, education, or efficiency of the school district. (Adopted 2014)

### **2.54 Tax Increment Financing**

The Illinois Association of School Boards shall support changes to the Tax Increment Financing statute to include the following: a municipality cannot reset a TIF district, which would extend the life of the TIF beyond the 23 years. (Adopted 2014; Reaffirmed 2016)

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## **FINANCING PUBLIC EDUCATION — FEDERAL**

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### **2.55 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)

### **2.56 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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### **2.57 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, 2012)

## **2.58 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)

## **2.59 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)

## **2.60 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, 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)

## **2.61 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)

## **2.62 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)

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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; Reaffirmed 2012)

### **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; Reaffirmed 2012)

### **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; Reaffirmed 2012)

### **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 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) and enact a biennial budgetary cycle. Once the amount of funding for educational entitlements is determined, the General Assembly shall be required to vote on the funding in a stand-alone piece of legislation. (Adopted 2010; Reaffirmed 2011; Amended 2012, 2016)

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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, 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 ISBE to local school districts. (Adopted 1992)

### **4.02 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)

### **4.03 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)

### **4.04 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. IASB encourages local boards of

education to model continuous improvement by pursuing all professional development and training opportunities. 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, and any such legislation requiring school board member training shall specifically list IASB as a training provider. (Adopted 2008; Amended 2012)

### **4.05 Statement of Affairs**

The Illinois Association of School Boards shall support legislation that allows a school district to publish any notice, agenda, record, or other information or material required by law electronically instead of in a newspaper. (Adopted 2016)

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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) maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts; and
- (d) 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, 2012; Reaffirmed 1992, 2011)

### **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; Reaffirmed 2012)

### **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; Reaffirmed 2012)



#### **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; Reaffirmed 2012)

#### **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, or amend the Prevailing Wage Act to exempt school districts from its scope. (Amended 1982, 1990, 2011; Reaffirmed 1985, 1988, 1996, 2009, 2012, 2013, 2016)

#### **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; Reaffirmed 2012)

#### **5.08 Workers' Compensation Law**

The Illinois Association of School Boards shall actively support legislation to reduce the costs of Workers' Compensation. (Adopted 1993; Reaffirmed 2012)

#### **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 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; Reaffirmed 2012)

#### **5.11 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; Reaffirmed 2012)

#### **5.12 Third Party Contracting**

The Illinois Association of School Boards shall strongly oppose legislation or rulemaking that regulates and restricts the ability of school boards to contract with third parties for the provision of non-instructional services. The Illinois Association of School Boards shall seek to repeal or amend the provisions of the School Code which unreasonably restrict the ability of school boards to enter into contracts with third parties for the provision of non-instruction services. (Adopted 2012)

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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. In the event any such rule, regulation, or legislation is promulgated or adopted, the Association shall take all appropriate actions calling for amendment (s) to return the decision-making powers back to the local school district. (Adopted 1976; Amended 2014; Reaffirmed 2006, 2012, 2014, 2016)

#### **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 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 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)

## **6.17 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)

## **6.18 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 marshalling resources for the promotion of a vote in favor of conducting the Constitutional Convention. (Adopted 2005; Reaffirmed 2006, 2007)

## **6.19 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)

## **6.20 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 five 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)

### **6.21 Homeless Student Transportation**

The Illinois Association of School Boards shall support legislation conforming Illinois law with federal law, specifically related to 105 ILCS 45 and the requirement for school districts to transport homeless students beyond district boundaries. (Adopted 2012)

### **6.22 Mandate Cost & Periodic Review**

The Illinois Association of School Boards shall support modifications to the Illinois State Mandates Act (30 ILCS 805) that will strengthen the ability of the Illinois State Board of Education (ISBE) to accurately and sufficiently provide timely information on the costs of mandates including input from local elected boards of education. In addition, the mandates report required for other local governments shall be required of ISBE to provide timely, updated information on the impact of new mandates as they are enacted. (Adopted 2013; Reaffirmed 2014)

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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 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)

### **7.05 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)

### **7.06 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)

### **7.07 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)

### **7.08 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)

### **7.09 Board Vacancy Filings**

The Illinois Association of School Boards shall support legislation to increase the timeline to fill a school board vacancy from 45 days to 60 days to allow school boards more time to fill such vacancies. (Adopted 2014)

## **CURRENT IASB BELIEF STATEMENTS**

**1. The Illinois Association of School Boards believes** in improving the image of school boards and public education at the state and national levels.

**2. The Illinois Association of School Boards believes** school administrations and faculties should be composed of persons supporting the principles of constitutional government because schools should continue with vigor their programs for giving young citizens a clear understanding of the principles of the American way of life and a desire to make these principles prevail in their own lives and in the life of their country.

**3. The Illinois Association of School Boards believes** that local boards of education should provide the necessary leadership for educational reform by sharing information and resources and collaborating with each other and the larger educational community.

**4. The Illinois Association of School Boards believes** that a comprehensive restructuring is needed in the way public schools are funded in Illinois and that IASB should be an active partner in responsible grassroots initiatives for school funding reform.

**5. The Illinois Association of School Boards believes** that schools should provide a safe and secure environment for all students. School board members and staff should try to protect students from the effects of bullying and offer appropriate instruction to improve intergroup relations and to promote peaceful resolution to conflict.

**6. The Illinois Association of School Boards believes** strongly in the non-partisan election of local school boards.

**7. The Illinois Association of School Boards supports** teacher salaries which are performance-based, market-sensitive, professionally competitive, and which are tied to an effective evaluation system.

**8. The Illinois Association of School Boards believes** in the vigorous support and the rigid enforcement of the laws pertaining to the sale, possession, and/or use of firearms.

**9. The Illinois Association of School Boards believes** that local boards of education should be prepared for possible public health crises (such as an Avian Flu pandemic) and other public safety concerns. IASB should obtain the most recent and accurate information from the pertinent federal, state, and local agencies and disseminate such information to school

districts throughout the State. School districts are encouraged to adopt proactive pandemic preparedness strategies. IASB also encourages school participation in the National Fire Protection Association's campaign for fire escape planning and practice among our member families and citizens.

**10. The Illinois Association of School Boards urges** local boards of education to provide education programs on awareness of the advantages of wearing bicycle helmets when riding bicycles.

**11. The Illinois Association of School Boards urges** its member districts to limit career exploration activities to non-school attendance days or to school-run career days. In addition, the Association believes Take-Your-Daughter-to-Work Day should be designated for a non-attendance day and should also consider working to make this day non-gender specific.

**12. The Illinois Association of School Boards believes** that the overall health of our students is of prime importance. Local boards of education and school district officials should have the authority and flexibility to access State and community health services as deemed appropriate. To that end, IASB: urges school districts to comply with the required notification provisions regarding vision screening for students, recommends that parents provide for regular and on-going comprehensive vision examinations for their children, and encourages school districts to consider adopting a policy requiring optometric vision examinations for all children entering kindergarten.

**13. The Illinois Association of School Boards believes** that the work of locally elected, volunteer school board members should be valued and that employers should be encouraged to allow employees to utilize vacation days or days off with pay to attend mandated school board member training and professional development opportunities offered by IASB or other approved training providers.

**14. The Illinois Association of School Boards believes** that effective local school board governance is vital to the success of our public schools and urges local boards of education to abide by IASB's Foundational Principles of Effective Governance, avoid real or perceived incidents of impropriety, and adopt policies or procedures to ensure that board members and elected board officers have no conflicts of interest.

