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Report to the Membership

for the 2012 Delegate Assembly Meeting
on November 17, 2012, Chicago

September 2012



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TO: Board Members and Administrators
FROM: Karen Fisher, Resolutions Committee Chairman
DATE: September, 2012
SUBJECT: 2012 Resolutions Committee Report

Thank you for your interest in the 2012 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 17, 2012, at the Hyatt Regency Chicago (Regency A/B Ballroom, 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 Report to the Membership. 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.

**For further information
please contact Ben Schwarm
at IASB, Springfield office
217/528-9688, ext. 1132**

SERVICE OF THE FOLLOWING SCHOOL BOARD MEMBERS ON THE 2012 RESOLUTIONS COMMITTEE IS ACKNOWLEDGED WITH SINCERE APPRECIATION.

Fisher, Karen	.....Ottawa	.....Chair
Armstrong, John	.....Wauconda	.....Lake
Bulkema, Christopher	.....Rock Falls	.....Northwest
Conner, David	.....Streator	.....Starved Rock
De Neal, Tom	.....Harrisburg	.....Shawnee
Fairfield Doering, Amy	.....Dunlap	.....Central IL Valley
Fielden, Terry	.....Naperville	.....DuPage
Joiner-Herrod, Carla	.....Broadview	.....West Cook
Jordan, Juanita	.....Hazel Crest	.....South Cook
Jose, Felton	.....Salem	.....Kaskaskia
Kelly, Mike	.....Joliet	.....Three Rivers
Klimkiewicz, Anna	.....Schaumburg	.....North Cook
LePere, Vicki	.....Millstadt	.....Southwestern
Lowrance, Debby	.....Robinson	.....Wabash Valley
Mammen, Jim	.....Lincoln	.....Abe Lincoln
Nowak, Kelly	.....Geneva	.....Kishwaukee
Phillips, Howard	.....Greenfield	.....Two Rivers
Rench, Kevin	.....Nashville	.....Egyptian
Sproul, Don	.....East Moline	.....Blackhawk
Uhlott, Sandra	.....Rantoul	.....Illini
Vogler, ScottColchesterWestern
Weers, DougFlanaganCorn Belt

Delegate Assembly Agenda

- | | |
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| 1. Call to Order | 8. Election of Officers |
| 2. Report of the Credential Committee | A. Nominating Committee Report,
Joe Alesandrini |
| 3. Approval of Delegate Assembly
Business Rules | 9. Resolutions Committee Report,
Karen Fisher |
| 4. Approval of Conference Program | A. New Resolutions |
| 5. President's Report, Carolyne Brooks | B. Amended Existing Positions |
| 6. Executive Director's Report,
Roger Eddy | C. Reaffirmation of Existing Positions |
| 7. Financial Report, Dale Hansen | D. Proposed Deletions of Current
Positions |
| | 10. Belief Statements |
| | 11. Adjournment |

TABLE OF CONTENTS

2012 IASB Resolutions Committee	3
Delegate Assembly Agenda	3
Current Positions	6
Delegate Assembly Business Rules	8
Resolutions Procedures	9
Nominating Committee Report	10
Proposed Deletions of Current Positions	21
New Resolutions	11

My Board's Recommendation

Support Oppose

☐
☐

Educational Programs

1. P. E. Exemption for Show Choir	11
-----------------------------------	----

Financing Public Education-State

☐
☐

2. State Authorized Charter School Funding	11
--	----

Financing Public Education-Local

☐
☐

3. Revenue Sources for Pension Funding	12
--	----

☐
☐

4. PTELL No Penalty for Under Levy	12
------------------------------------	----

Board Operations and Duties

☐
☐

5. Criminal History Records Expansion	13
---------------------------------------	----

☐
☐

6. Attorney General Monitoring	13
--------------------------------	----

☐
☐

7. Cyber-Bullying Definition	14
------------------------------	----

☐
☐

8. Time Off For Required Training	14
-----------------------------------	----

Board Employee-Relations

☐
☐

9. Pension Reform Constitutionality	14
-------------------------------------	----

☐
☐

10. Third Party Contracting	15
-----------------------------	----

Local-State-Federal Relations

☐
☐

11. Homeless Student Transportation	15
-------------------------------------	----

☐
☐

12. Transportation-Sharing Vehicles	16
-------------------------------------	----

District Organization and Elections

☐
☐

13. Consolidation into Unit Districts	16
---------------------------------------	----

Amended Existing Positions

Legislative Activity

☐
☐

14. Position Statement 3.09 Budget Stability for School Districts	17
---	----

Support Oppose

Reaffirmation of Existing Positions

Financing Public Education-State

- | | | | |
|--------------------------|--------------------------|--|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Position Statement 2.01 Priority and Support | 17 |
|--------------------------|--------------------------|--|----|

Financing Public Education-Local

- | | | | |
|--------------------------|--------------------------|---|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Position Statement 2.38 School Finance Reform | 17 |
|--------------------------|--------------------------|---|----|

Financing Public Education-Other

- | | | | |
|--------------------------|--------------------------|---|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Position Statement 2.53 Non-Public School Funding | 18 |
|--------------------------|--------------------------|---|----|

Legislative Activity

- | | | | |
|--------------------------|--------------------------|--|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 18. Position Statement 3.03 Limited Bill Introductions | 18 |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. Position Statement 3.04 General Assembly Rules | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Position Statement 3.05 Effective Date & State Board Rules & Regulations | 19 |

Board Employee Relations

- | | | | |
|--------------------------|--------------------------|---|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Position Statement 5.02 Teacher Salaries (Length of Contract) | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Position Statement 5.03 Collective Bargaining | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 23. Position Statement 5.04 Unemployment Compensation (Substitute Teachers) | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 24. Position Statement 5.05 Prevailing Wage Act | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 25. Position Statement 5.07 Illinois Educational Labor Relations Act | 19 |
| <input type="checkbox"/> | <input type="checkbox"/> | 26. Position Statement 5.08 Workers' Compensation Law | 20 |
| <input type="checkbox"/> | <input type="checkbox"/> | 27. Position Statement 5.11 Tenure Repeal | 20 |
| | | 28. Position Statement 5.12 School Employee Strikes | 20 |

Local-State-Federal Relations

- | | | | |
|--------------------------|--------------------------|---|----|
| <input type="checkbox"/> | <input type="checkbox"/> | 29. Position Statement 6.01 Local Control | 20 |
|--------------------------|--------------------------|---|----|

CURRENT POSITIONS

Abatements for Home Builders (2.48)	30	E-Rate Discount Program (2.52)	30
Administrative Caps (6.15)	34	ESP Progressive Disciplinary Procedures (5.06)	33
Advanced Placement for Students (1.11)	24	Fair Labor Standards Act (6.18)	35
Alternative Schools (2.19)	27	Freedom of Information Act Changes (6.21)	35
Annexing District Requirements (7.03)	35	Funding for Differentiated Instruction (1.14)	24
Attention Deficit Disorder (4.01)	32	Funding Mandated Programs (2.03)	25
Bidding Contracts-Local Bidders (6.20)	35	Funding Sources (2.02)	25
Bilingual Education (6.17)	34	Funding Special Education Programs (2.04)	25
Bilingual Education Options (1.16)	25	General Assembly Rules (3.04)	31
Board Member Involvement (3.01)	31	Heat Days Funding (2.15)	26
Board Member—Travel Reimbursement (4.04)	32	Home Schooling Policy (6.11)	34
Board Rights (5.01)	32	Illinois Educational Labor Relations Act (5.07)	33
Bond and Interest Levy (2.42)	29	IEP Out-of-Grade Level Assessment (1.13)	24
Budget Stability for School Districts (3.09)	32	Impact Aid (Student Housing) (2.06)	25
Candidate Support (3.02)	31	Impact Fees for Residential Development (2.41)	29
Capital Funding for School Construction (2.14)	26	IMRF Qualification (5.09)	33
Categorical Reductions Prospective Only (2.28)	28	ISBE Oversight Agreement (2.26)	27
Changes in School Accounting Practices (2.39)	29	ISBE Rules and Regulations Review (6.08)	34
Collective Bargaining (5.03)	32	Legislative Pay Accountability (3.10)	32
Constitutional Amendment on School Funding (2.24)	27	Life Safety Fund Use (2.57)	31
Constitutional Convention Support (6.19)	35	Limited Bill Introductions (3.03)	31
Contracting Driver's Education (2.07)	26	Local Control (6.01)	33
Corporate Personal Property Replacement Tax (2.05)	25	Local Legislative Visits (3.07)	31
Curricular Material Determination (1.02)	23	Local Tax Collection and Distribution (2.17)	26
Data Utilization (3.06)	31	Local Taxes on School Districts (2.43)	29
Design Profession Selection (6.12)	34	Mobile Home Taxation (2.10)	26
Detachment from Unit District (7.05)	36	Multi County School District GSA Offset (2.27)	27
Discipline for Special Education Students (1.06)	23	No Child Left Behind (1.09)	23
District Reorganization (7.01)	35	No Child Left Behind – Military Recruitment (1.10)	24
Early Retirement-District Option (5.14)	33	Non-Public School Funding (2.53)	30
EAV Adjustments-Timely Notification (2.50)	30	Non-Public Student Reporting (2.54)	30
Educational Labor Relations Board Procedures (6.03)	33	Non-Resident Student Tuition (2.25)	27
Educational Programs (1.01)	22	Periodic Review of State And Federal Mandates (6.02)	33
Effective Date and State Board Rules & Regulations (3.05)	31	Permissive Rate Equalization (2.09)	26
Elected State Board of Education (3.08)	32	PTELL-Debt Service Extension Base (2.49)	30
Election Schedules (7.08)	36	Physical Education (1.03)	23
		Polling Places in Schools (7.09)	36

Preschool-Prioritize Public Schools (1.15)	25	Staff Development Activities (5.13)	33
Preschool Programs (1.05)	23	Standardized Test Procedures (1.07)	23
Prevailing Wage Act (5.05)	33	Standing on Tax Appeals (2.31)	28
Priority and Support (2.01)	25	State Aid Payments (2.13)	26
Probationary Teacher Dismissal (5.10)	33	State and Federal Grant Carryover (2.58)	31
Property Tax Assessment and Collection (2.29)	28	State and Local Federal Tax Deduction (2.51)	30
Property Tax Base (2.30)	28	State Board Communication (6.04)	34
Property Tax Cap (2.35)	28	State Board of Education Membership (6.05)	34
Property Tax Cap— GSA Calculation (2.36)	28	Statutory Job Descriptions (6.14)	34
Property Tax Classification (2.37)	28	Student Academic Placement (1.17)	25
Property Tax Cap Expiration (2.45)	30	Student Assessment (1.08)	23
Property Tax Rate Increases (2.44)	30	Student Expulsion Hearings (6.16)	34
Public Question Voting Dates (7.06)	36	Student Retention and High School Completion (1.04)	23
Railroad Crossings (6.07)	34	Students on Public Aid (6.09)	34
Reading Local Resolutions (4.02)	32	Summer School Funding (2.16)	26
Residential Placement Costs (2.12)	26	Support Services to Private Schools (6.13)	34
Sales Tax for School Districts (2.47)	30	Tax Assessment Schedules (2.08)	26
School Attendance Days (1.12)	24	Tax Exempt Bond Use (2.56)	31
School Ballot Format (7.07)	36	Tax Increment Financing (2.32)	28
School Board Election At-Large (7.04)	36	Tax Law & Assessment Practices (2.40)	29
School Board Member Training (4.05)	32	Tax Levy Amendments (2.18)	26
School Construction Grant Index (2.23)	27	Teacher Salaries (Length of Contract) (5.02)	32
School Construction Grant Program (2.22)	27	Tenure Repeal (5.11)	33
School District Reorganization Voting Requirements (7.02)	35	Tort Immunity Fund (2.20)	27
School Employee Strikes (5.12)	33	Transportation for Private School Students (2.55)	30
School Finance Reform (2.38)	28	Transportation Levy (Excess Cost) (2.11)	26
School Funding and Taxation Reform (2.21)	27	Truth in Taxation (2.46)	30
School Holidays-Local Option (6.10)	34	Unemployment Compensation (Substitute Teachers) (5.04)	33
Self-Insure Risk (4.03)	32	Utility Rate Reduction (2.59)	31
Separate Utility Assessments (2.33)	28	Workers' Compensation Law (5.08)	33
Site Development (2.34)	28	Zoning Hearing Participation (6.06)	34

DELEGATE ASSEMBLY BUSINESS RULES

1. Business Procedures — Robert's Rules of Order 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. Appeals — Those delegates wishing to appeal a "do not adopt" recommendation of the Resolutions Committee, to present a late resolution, or to amend a resolution or position statement, and have met the notice provisions required by Article X, Sections 4 and 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.
8. 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.
9. 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.
10. Nomination — Consent of nominee must be secured prior to presentation to the Delegate Assembly.

RESOLUTIONS PROCEDURES

1. Types of Resolutions – 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 — Resolutions for proposed position statements or belief statements may be proposed by any Active Member, Association Division, Association Council, 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 — 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 non-debatable 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 — 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 X, Section 4), Any Active Member, Association Division, Association's Council, or Association Board of Directors shall have the right to appeal 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 at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.
6. Late Resolutions—(Article X, Section 5), 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's Council, 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.
7. 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 2012

The 2012 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10:30, Saturday, November 17, 2012, Regency Ballroom, Hyatt Regency Chicago:

President — Carolynne Brooks
West Richland CUSD 2

Vice-President — Karen Fisher
Ottawa THSD 140

2012 NOMINATING COMMITTEE MEMBERSHIP:

Joe Alesandrini, Chair
IASB Immediate Past President
Pekin CHSD 303

Ben Anderson
East Dubuque CUSD 119

Roger Edgecombe
Warrensburg-Latham CUSD 11

Simon Kampwerth
Peru ESD 124

Jackie Mickley
Geneseo CUSD 228

Michelle Skinlo, Alternate
Mattoon CUSD 2

Mary Stith, Alternate
Geneva CUSD 304

NEW RESOLUTIONS

EDUCATIONAL PROGRAMS

1. P.E. Exemption for Show Choir

Submitted by: Ball-Chatham CUSD 5

BE IT RESOLVED that 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.

Rationale: After watching many show choir performances over the years and recognizing that Show Choir is a high school class which meets daily and practices regularly after school, it seems logical to grant this exemption to Show Choir as well.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolution Committee Rationale: There is currently a provision in the School Code that specifically allows a P.E. exemption for high school students that participate in marching band. This section of the Code also allows students to be exempt from the daily P.E. mandate if: the student participates in varsity sports; needs to take a course that is required for high school graduation; needs to take a course that is required for entering college, or; participates in ROTC.

School districts may now request a waiver from certain P.E. requirements through the mandate waiver process. However, mandate waivers for P.E. are limited to two years (other mandate waivers are valid for up to five years) and can only be renewed two times (other mandate waivers are not limited on renewals).

In the discussion, Resolutions Committee members voiced concerns about students not participating in P.E. and the merits of the aerobic and physical elements of show choir. Many believed that the current mandate waiver process is sufficient for school districts that wish to proceed with the objective of this proposal.

Ultimately, it was the consensus of the committee to withhold support for the resolution.

FINANCING PUBLIC EDUCATION – STATE

2. State Authorized Charter School Funding

Submitted by: Woodland CCSD 50
Rich THSD 227

Co-Sponsors: Freemont SD 79
Thornton THSD 205
Glenwood SD 167
Bremen HSD 228
Hazel Crest SD 152.5
Grayslake HSD 127
Oaklawn-Hometown SD 123

BE IT RESOLVED that the Illinois Association of School Boards shall urge adoption of legislation which would revise the method of funding State-authorized charter schools so as to limit the withholding of State funds from host school districts to reflect the percentage of state funding to the district in the prior fiscal year and to ensure State provision of the entire balance of per capita funding entitlement to the charter school.

Rationale:

1. Decreases in State aid endanger services for both State-authorized charter schools and their host school districts.
2. This bill would avoid cap on charter school funding short of per capita entitlement.
3. This bill would distribute responsibility for funding State-authorized charter schools in fair manner between State and host districts.
4. This bill would encourage creation of new State-authorized charter schools to extent State provides means to fund them.
5. This bill by itself does not mandate additional appropriations.

The intent of this resolution is to urge IASB to adopt legislation which would limit the amount of State revenues that are diverted by the State, from the local districts to the State Chartered districts, to the amount of State revenues the local district receives per student.

State Chartered schools are charter schools that were not approved by action of the local school board and for which the State of Illinois is the chartering entity. There are currently only (2) two such schools, however, the newly appointed State Charter School Commission has a goal for increasing this number statewide. These types of Charter districts are created by the State without referendum or elected local representation. The State Chartered schools are funded by the State diverting State revenues otherwise due the local school district directly to the State Chartered School.

The amount of State funds taken from the local district is based on the per capita tuition calculation of the local district multiplied by the number of students at the charter school. For example, a State Charter School drawing 300 students would receive \$3,000,000 from the local district if that district had a per capita tuition cost of \$10,000 per student. The local district must shoulder 100% of the cost even though State dollars may only account for 20% of the local district's revenues.

We are pursuing legislation that would limit the amount of State funds paid from the local school districts to be based on the percentage of State funds the local district received per student in the prior fiscal year. The State revenue per student should follow the student, not the local revenue. The State as the chartering entity would then ensure payment of the balance of the per capita funding entitlement to the charter school.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: Current law facilitates negotiation between those seeking a charter school and the school district that would be impacted by its approval. Specifically the School Code provides "In no event shall the funding be less than 75% or more than 125% of the school district's per capita student tuition multiplied by the number of students residing in the district who are enrolled in the charter school."

The problem in the cases of the submitting school districts is that the local school board did not approve the Charter School, the Illinois State Board of Education (ISBE) did. However, to fund the program, the Charter School automatically takes 100% of the districts' per student cost – for each student enrolled in the Charter School – from the school district and gives it to the Charter School.

This phenomenon may get worse in the future with the passage of SB 79 (PA 97-0152) which created a Charter School Commission to review charter school applications.

The Committee was genuinely surprised at the financial impact felt by school districts where Charter Schools have been put in place without local school board support. Charters have always been most successful where you have community, school board and chartering entity working together.

The Committee agreed with the districts' rationale and testimony and recommended support.

FINANCING PUBLIC EDUCATION – LOCAL

3. Revenue Sources For Pension Funding

Submitted by: Sherrard Unit SD 200

BE IT RESOLVED that the Illinois Association of School Boards shall lobby the legislature of the State of Illinois to allow for expanded and/or additional revenue including potential TIF reform sources to cover any cost shifting responsibilities to individual school districts regarding the pension benefits of teachers within the Teachers' Retirement System.

Rationale: While post-secondary institutions can address any cost shifting responsibilities through increased tuition of fees, the K-12 educational system has no such source of additional revenues. Without expanded revenue source (e.g. property tax funding) or additional revenue sources, school districts will be adversely impacted thus impacting educational and co-curricular programs.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolutions Committee Rationale: Recent discussions about the Teacher Retirement System (TRS) pension reforms have included a proposal to shift the normal cost of this pension to local school districts. Estimates for this cost shift vary depending on legislative language and actuarial reports defining the components. TRS data indicates that nearly 8% of total pensionable earnings or \$800 million would be borne by school districts if the legislature would act to pass on the entire amount for the next fiscal year, if no cost savings measures are included and it is not

phased in over time.

The Resolutions Committee agreed with the premise that absorbing an \$800 million additional expense would be devastating to school districts and researching alternative revenue sources may be in order. However, there were concerns about the use of TIF funds.

TIF funds are already allocated for a specific purpose as designated by the local municipality, hence the Committee voiced several concerns about seeking funding from TIF surpluses to pay for the pension cost shift to schools. Comments from committee members centered on the inequitable nature of this plan, the fact that surpluses would be distributed to all taxing districts, and those TIF revenues also provide the capital for the redevelopment. In addition, there was concern that many mayors in Illinois had provided vocal opposition to the legislation requiring school districts to pick up the normal costs of pensions and movement of this proposal could alienate local municipal representatives resulting in a loss of support for the school district position on the pension issue.

It was the consensus of the committee to withhold support for the resolution.

4. PTELL No Penalty For Under Levy

Submitted by: Homer CCSD 33C

BE IT RESOLVED that 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.

Rationale: The current PTELL formula does not allow districts to levy less than they are entitled to without impacting all future years. This new rule would allow the tax cap to remain as a cap and still allow districts the ability to reduce the levy with no impact to future years. This would allow districts to reduce their levy and react to favorable times when they would otherwise maximize revenues to avoid the future need for a referendum. PTELL actually creates a disincentive to levy less than the maximized allowed.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The proposal supports a legislative provision that would remove an inherent incentive in the law for taxing districts to levy the maximum amount permitted by law every year. Currently, for taxing districts subject to PTELL, the levy in one year depends on how much the taxing district levied in the previous year. If PTELL allows for example, 3% growth in the levy, and the taxing district does not levy the maximum, they will never be able to recover that growth for future levy years. This causes a number of taxing districts to levy the maximum amount each year regardless of whether they need the maximum.

Enacting this provision would allow school districts additional flexibility under PTELL.

The Resolutions Committee recognized that the resolution reflected legislation that had been heard in the 2012

Spring Session, SB 410, and that it had been met with bipartisan support.

The Committee agreed with the districts' rationale and recommended support.

BOARD OPERATIONS & DUTIES

5. Criminal History Records Expansion

Submitted by: Orland SD 135

BE IT RESOLVED that the Illinois Association of School Boards shall seek to have 105 ILCS 5/10-21.9 Criminal History Records Information expanded to include the following: Each member of any board of education, within 30 days of election or appointment to that board, shall undergo a criminal history background investigation for the purpose of ensuring that the member is not disqualified from membership due to a conviction of certain crime or offense. A member of a board of education shall submit to the school district his or her, name, address and fingerprints taken in accordance with procedures established by the district. The school district is hereby authorized to exchange fingerprint data with and receive criminal history record information from the Federal Bureau of Investigation and the Division of State Police for use in making the determinations required by this act. A member shall furnish his or her written consent to such a check as a condition of holding the office of school board member.

Rationale: Schools have a tremendous responsibility to keep children safe while they learn. The purpose of conducting criminal background checks on members of the board of education is to protect the safety not only of students, but also the safety of staff and others who may be in a school building. By extending this requirement to members of the board of education who can regularly attend school events with children, this legislation makes schools more secure and gives parents even more reason to have confidence that school is one of the safest places their child can be.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolutions Committee Rationale: Currently, only certified and noncertified applicants for employment with a school district are required to authorize a fingerprint-based criminal history records check. But it is also law that conviction as a child sex offender automatically disqualifies a person for school board membership. Other State laws do prohibit any child sex offender from being on the premises of a school without direct supervision – this would apply to school board members.

The Resolutions Committee was concerned by the submitting district's position that virtually no criminal background is acceptable. Some committee members questioned whether an indiscretion in one's youth should prohibit one forever from serving on a school board. Voters, ultimately, will decide who sits on the local school board. No other type of elected official in Illinois is required to undergo a criminal background check before serving.

It was the consensus of the Committee to withhold support for the resolution.

6. Attorney General Monitoring

Submitted by: Woodland CCSD 50

BE IT RESOLVED that the Illinois Association of School Boards shall in their role of representing their member school boards establish and enact procedures to monitor monthly the official website of the Office of the State Attorney General and notify monthly in writing member Illinois School Districts of all binding orders. Further, to establish procedures for receipt and notification of all binding orders received by the member Illinois School Districts and sent to IASB for dissemination to its members.

Rationale: The Attorney General's office has been granted new authority regarding the Freedom of Information Act (FOIA) and the Open Meeting Act (OMA) pursuant to Illinois Public Act 96-0542. Illinois School Districts are bound by the decisions of the Public Access Counselor in the Office of the Attorney General. These decisions are binding and are considered a final decision of the Attorney General thereby affecting all Illinois School Districts. The Attorney General is required to post his/her binding opinions on the official website of the Attorney General. However, no requirement appears to exist for the Attorney General's office to notify school districts of these decisions that affect them. Each school district that is affected when the decision is made will need to have information of that decision from the Illinois Attorney General's office. That information needs to be sent to the IASB to be distributed to all member districts. Without notification, districts may inadvertently fail to comply with the binding order whereby putting all districts at risk for violation.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolutions Committee Rationale: The submitting district previously forwarded this resolution in 2010. Since, procedurally within the Association, the decision to specifically direct staff is not a function of the Delegate Assembly, nor that of the IASB Board of Directors, the Resolutions Committee forwarded the proposal to the Board of Directors which, in turn, directed the Executive Director to look into the matter. This was again a concern of the Committee. The committee, as was the case two years ago, had concerns about the appropriateness of a local school board, the Resolutions Committee, or the Delegate Assembly specifically directing staff to carry out a task. This is a duty and responsibility of the Association's executive director.

The official request of the district was not *specifically* carried out. The Association had (and still has) questions whether the binding opinions and orders of the Attorney General's office were binding to all units of local government, or specifically to the one unit of local government which requested the opinion. There is hesitancy on behalf of the IASB to specifically contact each school district about a binding order which may, or may not, give legal direction to each school district. Indeed, also many of the binding orders were specific to villages, counties, or townships.

However, the Committee highlighted the fact that IASB does communicate regularly with the Association membership regarding binding orders and opinions that are relevant to all school districts. School law updates, featured

routinely in the monthly Illinois School Board Newsbulletin, report on new binding orders that affect local school boards. The IASB's Open Meetings Act training, now required by State law for all school board members to receive, covers the Public Access Counselor and her binding opinions and orders. So the general objective contained in the proposal – to get appropriate information from the Attorney General's office to school board members – is being carried out.

The Resolutions Committee urged the IASB staff to continue to find the best methods to achieve the goal of the resolution.

7. Cyber-Bullying Definition

Submitted by: Dunlap CUSD 323
Indian Prairie SD 204

BE IT RESOLVED that the Illinois Association of School Boards shall advocate for legislation that requires all Illinois public school districts' "Policy on Bullying" to include a bullying definition, which includes "cyber-bullying". School districts are encouraged to include a wide range of local education stakeholders in the establishment of the policy and to include in their policy specific provisions on bullying reporting requirements, investigation procedures, intervention options, and appropriate consequences.

Rationale: We feel that no district (its students) should have to tolerate harassing, intimidating conduct, or bullying (including cyber bullying) that affects the tangible benefits of education, that unreasonably interferes with a student's education performance, or that creates an intimidating, hostile, or offensive educational environment. Moreover, the effects of cyber bullying have been fatal and there are no consequences at hand to deter such behavior.

There is plenty of research that clearly indicates that bullying adversely affects a student's academics. A 2004 study by the Centers for Disease Control found that each day as many as 160,000 children stay home from school because they're afraid of being bullied.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: Current law does not specifically mention "cyber-bullying", but it does state that bullying includes "communications made in writing or electronically". There was a similar resolution submitted this year relating to bullying that called for support of bullying legislation that was much more prescriptive for local school board policies. This final proposal was an agreement between the two submitting districts after taking into consideration concerns of Committee members regarding flexibility for local school boards.

It was the consensus of the Resolutions Committee that bullying is an issue of major importance that should be addressed by the Association. This particular proposal strikes the right balance between guidance from the State and flexibility at the local level.

8. Time Off Allowed For Required Training

Submitted by: Jasper County CUSD 1

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 the Illinois Association of School Boards or other approved training providers.

Rationale: To aide school board members, who are unpaid elected officials, in professional development leading into improved school board governance, fostering relationships between schools and communities and remaining compliant with the law.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: This resolution calls for adoption of a Belief Statement, not a Position Statement. It would encourage employers to allow employees that are elected school board members to use vacation days or days off with pay to attend mandated school board member training and professional development opportunities.

The district's rationale is that school board members serve unpaid, and that professional development leads to improved school board governance, better relationships between schools and communities, and compliance with the law requiring school board member training. This type of proposal fits well with our Belief Statement format.

Current law requires employers to allow elected local government or school board members unpaid time off to attend "official meetings".

BOARD EMPLOYEE – RELATIONS

9. Pension Reform Constitutionality

Submitted by: Sherrard Unit SD 200

BE IT RESOLVED that the Illinois Association of School Boards shall support only pension reform measures that are clearly constitutional under the Illinois State Constitution as presently written.

Rationale: As the representative membership body for governmental school boards within the State of Illinois the IASB should only take positions on behalf of membership districts that are constitutional. Governmental bodies inherently must comply with constitutional law and any advocacy for change goes against this fundamental principle.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolution Committee Rationale: Committee members wholeheartedly agreed that the IASB should be diligent in its efforts to shape pension legislation that is fiscally responsible but fair to school district employees. Adhering to the Constitutional provision on pensions is something that should be strived for. However, there was concern among Committee members about the ability to ascertain

the standard of legislation being “clearly constitutional”.

Determining constitutionality in proposed legislation is virtually impossible for anyone. Indeed, no one working in the legislative process, including legislators themselves, will determine whether or not a proposed legislative initiative is constitutional. The Illinois court system, ultimately the Illinois Supreme Court, will make that determination.

Though the committee absolutely supported the concept behind this resolution, committee members found that it would not be achievable as currently drafted. Reluctantly, it was the consensus of the committee to withhold support for this resolution.

10. Third Party Contracting

Submitted by: Quincy SD 172

BE IT RESOLVED that 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.

Rationale: The FY 2013 state education budget passed this spring is \$210 million less than last year. State aid was cut \$161 million. Early Childhood support was cut \$25 million. Special Education was cut \$13 million. Free and Reduced Lunch was cut \$12 million. Drivers Education was cut nearly \$7 million. Transportation cuts from last year were not restored. In addition, the prospect of pension reform, with up to \$800 million of liability being passed along to local school districts, would further hamper and strain already limited financial resources. The financial impacts of these cuts on local school districts this year are not unlike impacts we’ve incurred through each of the last three state budget years.

In 2007, just before the state went into its current downturn, the legislature imposed costly new regulations on local school districts that made future privatization of non-instructional services extremely difficult, if not impossible. At that time, 56% of Illinois school districts used private contractors to provide cafeteria services, janitorial services or daily busing services. Daily busing service was by far the most popular service to be privatized, with an estimated 43% of districts using private busing companies to transport students. 29% of school districts used private foodservice providers to prepare and/or serve meals at their schools. 13% of school districts used private contractors to fulfill all or part of their janitorial needs.

Given the financial challenges facing our district this past Spring, our school board has explored various cost-saving avenues, including outsourcing non-instructional services. However, upon evaluation of the legal obstacles and risks presented by the 2007 legislation, the privatization of non-instructional services is basically cost prohibited by the legislation.

We are seeking approval of this resolution to restore management rights that were taken away from us when the legislature mandated these new procedures and costs to

discourage contracting out of non-instructional services. While it makes sense to have these management tools at all times, these particularly tough times make it even more compelling to have them now.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: Third party contracting can be an effective fiscal tool for local school districts and State law should allow for more opportunity for this activity – not less. The restrictions on third-party contracts passed in 2007 (Public Act 95-0241) were counter-intuitive.

Committee members agree that the legislation has definitely created hardships for districts and that reducing the flexibility of districts like this, in this economy, has limited districts’ ability to manage their budgets.

LOCAL-STATE-FEDERAL RELATIONS

11. Homeless Student Transportation

Submitted by: Aurora West USD 129

BE IT RESOLVED that 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.

Rationale: Current Illinois law (105 ILCS 45) represents an unequal and significant burden to school districts serving homeless students in and around urban and suburban populations by extending the requirements of federal law.

Exacerbating the situation, homeless student populations have grown exponentially since the beginning of the recession, while the state has reduced funding at a time when local resources are declining rapidly. While we are sympathetic to the plight of homeless students, the ability to effectively serve the much larger population of permanently housed students is directly and negatively impacted by overreaching good intentions of the previous legislature. Federal law sufficiently protects the rights of homeless students making Illinois’ additional requirements duplicative and unnecessary.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The submitting district made a strong case as to the specific financial and logistical impact of the problem it faces with transportation of homeless students. The Committee was genuinely taken by surprise that the district provides transportation services for over 200 homeless students including the many logistical and costly problems that service entails.

Generally, two pieces of law direct a school district’s responsibilities regarding education of homeless students, Education for Homeless Children Act and the Federal McKinney-Vento Act. The general rule of thumb for requirements regarding the transportation of homeless students is that homeless students will have the same transportation opportunities provided as the regular resident student. Complicating matters for homeless students is the fact that homeless shelters may not be located in their student’s school district of origin, however under

both Illinois Law and McKinney-Vento the student must be allowed to attend their district of origin.

Illinois law does go further than McKinney-Vento in that if the student's living arrangements terminate in the school district of origin and the student is living in another district and the student is still attending the school of origin, the districts are required to meet and apportion the responsibility and costs for providing the transportation to the school of origin. If the schools do not agree then the costs for transportation shall be shared equally.

12. Transportation- Sharing Vehicles

Submitted by: Aurora West USD 129

BE IT RESOLVED that the Illinois Association of School Boards shall support an amendment to Section 12-806a of the Illinois Vehicle Code in accordance with the attached proposal, so as to allow the use of school buses in conjunction with the supplemental transportation needs of a government entity, a not-for-profit organization, or a private school institution.

Rationale: Many public school districts in Illinois own and operate school buses for the transportation of students and frequently other units of local government, not-for-profit organizations, or private educational institutions have a need for temporary supplemental transportation, such as park district day camp attendance or shuttle bus transportation for public events. Current Illinois law places prohibitive restrictions on the use of school buses for such requests, including the required purchase of temporary special use permits (see attached letter from the Secretary of State's office). It would be a better use of tax funded equipment and a more efficient use of school buses to allow their use for other governmental, not-for-profit, or private school events provided the same was accomplished pursuant to a contractual arrangement or intergovernmental agreement.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolutions Committee Rationale: The School Code already specifically allows districts to share buses, as long as the district only charges enough money to cover expenses and not make a profit. Districts need to apply for a "special use permit" from the Secretary of State's office.

The submitting district acknowledges that a school district can currently do this, but must apply and pay for a "special use plate" through the Secretary of State's office. The district would rather amend statute to allow districts to share buses through an intergovernmental agreement than deal with "red tape" and pay a fee.

The Committee discussed and agreed that this can be and is being done by other districts now.

DISTRICT ORGANIZATION AND ELECTIONS

13. Consolidation Into Unit Districts

Submitted by: Barrington CUSD 220

BE IT RESOLVED that the Illinois Association of School Boards shall seek and support legislation to promote the consolidation of all Illinois' school districts into unit districts.

Rationale: In 2002, the IASB adopted Position Statement number 7.09 which states:

"The Illinois Association of School Boards shall support a provision to allow the unit district formation of those districts wishing to consolidate."

This position is not strong enough given the importance of this matter to the health and viability of the public school system in Illinois.

The current economic environment only underscores the need to promote and incentivize consolidation.

Formation of unit school districts across the state would save administrative costs, put more money into classrooms, and /or reduce tax rates. Unit districts help school administrators provide more continuity in curriculum between elementary, middle, and high schools.

Illinois' 875 school districts are a far cry from the 12,000 one room schoolhouse districts in Illinois in 1940. But since a law designed to ease consolidated restrictions passed in 1985, the number of districts has dropped by only about 125.

Illinois remains one of only a handful of states that allows schools in the same area to be divided into elementary districts and high school districts, with separate sets of administrators. Most states require all schools to be in unit districts-kindergarten through 12th grade under one administration.

Current IASB position statements 7.01 ("District Reorganization") would need to be amended or superseded with approval of this resolution for consistency.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

Resolutions Committee Rationale: The submitting district proposed this resolution five consecutive years, from 2006 through 2010. Each of those years the IASB membership rejected the proposal. In 2011, a different school district proposed a similar resolution which was again rejected by the IASB Resolutions Committee and Delegate Assembly.

This year the Committee voiced similar concerns that the decision to reorganize or consolidate a school district should be at the discretion of the local board and the local community. Arbitrary requirements to reorganize a school district based on district type or enrollment is contrary to the Association's belief in the local control of school districts.

It was questioned again that whether consolidating school districts automatically results in cost savings. Depending on the salary schedule of the school districts involved (most high school districts have higher salary schedules than the elementary school districts), it could actually be more costly in the long run for school districts to consolidate if they use the highest salary schedule of those school districts involved.

It was the consensus of the Committee to withhold support for this resolution.

AMENDED EXISTING POSITIONS

LEGISLATIVE ACTIVITY

14. Position Statement 3.09 Budget Stability for School Districts

Submitted by: Oak Park SD 97

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. (Adopted 2010; Reaffirmed 2011)

Rationale: The State currently determines its budget, including the amount of funding for educational entitlements and General State Aid, after school districts' budgets are due. Because school districts must set their budgets without knowing how much the State will give them for educational entitlements and General State Aid, school districts are not able to confidently make long-term decisions regarding staffing and programming. If the State adopts two-year budgets, school districts would be able to

engage in longer-term planning because they will be able to take the amount of educational entitlements and General State Aid available for the following years which have been budgeted for by the State into account during their budget process.

The Resolutions Committee RECOMMENDS DO ADOPT

Resolutions Committee Rationale: The timing of the adoption of a State budget has always been a problem for local school districts. Most times the State budget isn't approved by the legislature until the end of May and is not enacted into law until late June. School districts have already made many fiscal and staffing decisions by that time. This timetable has been exacerbated in the past few years because of State budget shortfalls and lean fiscal times with the State delaying payments to school districts or failing to make payments at all.

Current Position Statement 3.09 was adopted in 2010 to address this problem. This proposal adds another provision, calling for a two-year State budget cycle. The Committee believes this could help school districts with budget planning.

REAFFIRMATION OF EXISTING POSITIONS

FINANCING PUBLIC EDUCATION-STATE

15. Priority and Support (2.01)

Submitted by: Orangeville CUSD 203

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)

Rationale: The elimination of monies from General State Aid and Transportation impacts small rural school districts. Most small rural districts receive a large percentage of their revenue from State Aid. Small rural districts also are obligated to transport a majority of their students, and the distance of travel is far greater than that in urban districts—some of which rely on city transportation.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The original resolution directed the IASB to suggest alternate ways to balance the State budget other than the reduction of General State Aid (GSA) and transportation reimbursement. It fur-

ther provides that the percent of the budget represented by GSA should be used to pro-rate the deductions made in any grants-in-aid.

There was concern with the original proposal whether it is the responsibility of the IASB to be providing "alternate ways to balance the State budget".

The Committee recognized that IASB has consistently advocated for fully funding GSA and mandated categorical grants as the priorities in funding public education. The Committee expressed that current Position Statement 2.01 covers the objective of this resolution and modified this proposal to reaffirm the current Position Statement.

FINANCING PUBLIC EDUCATION-LOCAL

16. School Finance Reform (2.38)

Submitted by: Woodland CUSD 5

The Illinois Association of School Boards shall adopt as a position statement the recommendations contained in the Report of the Finance Initiative Committee of the Illinois Association of School Boards which reads:

"The State of Illinois, having the responsibility of defining requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development. Such areas include

the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities to fulfilling the primary purpose of schooling." (The School Code, 105 ILCS 5/27-1)

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.

An appropriate education is defined as an education that provides for all students educational opportunities that meet the goals for learning established by the state in the Education Reform Act of 1985 and local community expectations as expressed through local board policy.

The following is criteria by which proposals for school finance reform shall be evaluated:

- 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.
- 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; Reaffirmed 2001)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The Committee agrees that highlighting the issue of school funding is important.

FINANCING PUBLIC EDUCATION-OTHER

17. Non-Public School Funding (2.53)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The Committee agrees that highlighting the issue of diverting State dollars for non-public schools is important.

LEGISLATIVE ACTIVITY

18. Limited Bill Introductions (3.03)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The Committee agrees that highlighting the issue of limited bill introductions is important. In this two year legislative cycle, over 10,000 bills have been introduced.

19. General Assembly Rules (3.04)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolutions Committee Rationale: The Committee agrees that a more thoughtful, logical legislative process is in the best interest of the citizenry.

20. Effective Date and State Board Rules & Regulations (3.05)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee agrees that local school boards should not be saddled with costly new State requirements, and that any such provisions should have a reasonable lead time for school district implementation.

BOARD-EMPLOYEE RELATIONS

21. Teacher Salaries (Length of Contract) (5.02)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee agrees that teacher salaries should be determined locally.

22. Collective Bargaining (5.03)

Submitted by: Woodland CUSD 5

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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee agrees that highlighting the issue of a fair playing field for collective bargaining is important.

23. Unemployment Compensation (Substitute Teachers) (5.04)

Submitted by: Woodland CUSD 5

The Illinois Association of School Boards shall support legislation which would exempt substitute teachers from being eligible for unemployment compensation. (Adopted 1986)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: In many communities, the local school district is the largest employer. Therefore, the Committee agrees that unemployment insurance is an important issue.

24. Prevailing Wage Act (5.05)

Submitted by: Cary SD 26

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)

Rationale: As state support of local school districts diminishes, the state should not also impose the requirement that school districts pay minimum amounts for labor that may represent a substantial premium. Districts need to be given the latitude to use their limited resources more for the benefit of the children than the adult contractors.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee acknowledged that the various union organizations push various changes that would strengthen the Prevailing Wage Act every year in the State Capitol. This is still a concern of the membership and should be highlighted.

25. Illinois Educational Labor Relations Act (5.07)

Submitted by: Woodland CUSD 5

The Illinois Association of School Boards shall support the proposed amendment to the Illinois Educational Labor Relations Act, Section 10, which provides that an employ-

er'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)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee agrees that highlighting the issue of collective bargaining rights is important.

26. Worker's Compensation Law (5.08)

Submitted by: Woodland CUSD 5

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

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: As large employers, Workers' Compensation Insurance is an issue that is of importance to local school districts

27. Tenure Repeal (5.11)

Submitted by: Cary SD 26

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)

Rationale: The original purpose of academic tenure was to protect free thinking instructors in a college setting. That rationale does not apply to secondary education. Instead, it allows teachers who are less able, but manage to survive to tenure or those who just burn out, to remain employed even though it may not be best for the kids. Furthermore, it limits movement of teachers between districts that may put them in a better situation for their own and also the kids' benefit.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee gave serious thought to this reaffirmation because of the education reform legislation that passed last year. Although the education reform legislation addresses tenure and significantly lessened its weight over district decisions, changes as a result of the legislation will take some time to take effect. Until the new process has been applied in the school setting it will be difficult to determine its effectiveness.

28. School Employee Strikes (5.12)

Submitted by: Cary SD 26

Woodland CUSD 5

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)

Rationale: Public employees already have the right to lobby, and vote for their bosses. The additional ability to withhold vital public service is simply too much power. It's like negotiating the fees for medical services after your leg is broken, but before it's been set. The result is more money spent than necessary to attract and retain teachers, but also a cutback in teaching staff. This makes for underserved kids, overstressed teachers who have too many kids in their classes and many other unemployed teachers.

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: Again, the Committee discussed that, although the education reform legislation addresses strikes and attempted to shift some power back to school boards, changes as a result of the legislation will take some time to take effect. Until the new process has been applied in the school setting it will be difficult to determine its effectiveness.

LOCAL-STATE-FEDERAL RELATIONS

29. Local Control (6.01)

Submitted by: Woodland CUSD 5

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. (Adopted 1976; Reaffirmed 2006)

The Resolutions Committee RECOMMENDS DO ADOPT.

Resolution Committee Rationale: The Committee believes that this is the cornerstone of local school board governance and the IASB should be ever vigilant to protect it.

PROPOSED DELETIONS OF CURRENT POSITIONS

The Illinois Association of School Boards' resolutions process results in the adoption of several new position statements each year. Though the IASB Constitution (Article X, Resolutions, Section 3, Annual Review) requires that the Resolutions Committee "annually review all position statements and resolutions in force", the association does not delete out-of-date position statements every year. The last time a significant number of positions statements were reviewed to re-evaluate the significance or appropriateness of the statements and to recommend deletion was 2006.

Without some type of re-evaluation, the IASB Constitution and Position Statements booklet will continue to grow to the point of being unwieldy (not unlike the Illinois School Code).

The IASB Resolutions Committee has reviewed the Positions Statements booklet and has recommended the deletion of some dated entries. Some position statements are no longer needed because the objective has been accomplished, some are issues that may never be accomplished, and some simply are no longer relevant because of the passage of time.

The committee recommends the deletion or amendment of the following position statements:

1.15 PRESCHOOL—PRIORITIZE PUBLIC SCHOOLS

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority. ~~All programs receiving any public monies shall be required to meet all standards and oversight applicable to programs operated by public schools.~~ (Adopted 2007)

Rationale: Amend. The provision cited in the second sentence is already State law. Pre-school For All grants are available to: public school districts, university laboratory schools, child care centers, Regional Offices of Education, charter schools, community colleges, community organizations, private pre-schools, park districts, faith-based organizations, and home-based child care networks. All grant recipients must, by law, offer appropriate education programs including curriculum and instruction that is aligned to the Illinois Early Learning Standards. All administrators and staff must hold appropriate certifications and qualifications for the position for which they are hired, including the requirement that all teaching staff hold a Type 2 or Type 4 Early Childhood Certificate (same as required in the public schools).

The pre-school educational grant program was established in the School Code in 1989 (Public Act 86-316), designed to offer the early learning program to all at-risk children in the State. It was significantly expanded in 2006 with the passage of "Pre-school For All" which attempted to go beyond making the opportunity available to at-risk students and expand it to children in families with a household income up to \$80,000. With the large increases in funding for early childhood grants in Fiscal Years 2007,

2008, and 2009, a much greater percentage of the funding started flowing to entities and organizations other than public schools. Pre-school funding has leveled off or decreased over the past three fiscal years.

2.10 MOBILE HOME TAXATION

The Illinois Association of School Boards shall support legislative changes in the calculation and collection of Local Services Tax on Mobile Homes which will more adequately reflect the value of the dwelling and value of services afforded the owners of the dwelling. (Adopted 1978; Amended 1986; Reaffirmed 1988, 1996)

Rationale: Delete. This objective was accomplished with Public Act 96-1477, effective January 1, 2011. The legislation, for manufactured homes purchased and installed after the effective date of this new law, provides that a manufactured home installed on a private property that is not in a mobile home park must be installed in accordance with the manufacturer's instructions and assessed and taxed as real property.

2.11 TRANSPORTATION LEVY (EXCESS COST)

The Illinois Association of School Boards shall support legislation which will permit school districts, which have reached a levy of 12 cents in the transportation fund and which transport children in accordance with the statutes of the state of Illinois, to increase the levy in the transportation fund subject to backdoor referendum, to a figure necessary to compensate for the transportation expenditures which are not covered by the amount of funds obtained from local taxes and the amount of reimbursement received from the state of Illinois. (Adopted 1981)

Rationale: Delete. Transportation reimbursement funding is still a relevant issue, but this position statement addresses gaining access to money in specific school district funds. In the School Code (105 ILCS 5/17-2A), there is a provision that allows a school district to transfer monies freely between the education fund, the operations and maintenance fund, and the transportation fund. Most limits for these transfers have been removed.

2.33 SEPARATE UTILITY ASSESSMENTS

The Illinois Association of School Boards shall support legislation which provides that regulated companies and other taxpayers (including single family dwelling homeowners, farmers, and non-regulated companies) be assessed separately. (Adopted 1982)

Rationale: Delete. The public utility industry has changed dramatically since this position statement was adopted in 1982. 1997 saw the "deregulation" of the utility industry in Illinois. Customers, including school districts, were allowed to shop the open market for the best utility rates. The IASB later joined in the establishment of the Illinois Energy Consortium (IEC), allowing for a mechanism for school districts to join with other school districts and purchase electricity or natural gas at prices below the market rate.

2.59 UTILITY RATE REDUCTION

The Illinois Association of School Boards shall endorse legislation for regulated utility companies (electric, gas, water) to provide service to school districts at cost. (Adopted 1991; Amended 1995)

Rationale: Delete. The public utility industry has changed dramatically since this position statement was adopted in 1982. 1997 saw the “deregulation” of the utility industry in Illinois. Customers, including school districts, were allowed to shop the open market for the best utility rates. The IASB later joined in the establishment of the Illinois Energy Consortium (IEC), allowing for a mechanism for school districts to join with other school districts and purchase electricity or natural gas at prices below the market rate.

4.02 READING LOCAL RESOLUTIONS

The Illinois Association of School Boards shall endorse an amendment to the state statute to make it absolutely clear that Board resolutions do not have to be read aloud. (Adopted 1992)

Rationale: Delete. Nowhere in statute does it require a school board to read aloud resolutions. IASB publications, such as “Coming to Order”, do not state that it is mandatory to read the resolutions aloud, nor does it specify this practice in the IASB sample policies.

4.05 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. The IASB encourages local boards of education to model continuous improvement by pursuing all professional development and training opportunities. The 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 the IASB as a training provider. (Adopted 2008)

Rationale: Amend. After years of defeating legislation that would require locally elected school board members to receive professional development and/or training, such a provision was part of the Education Reform Act of 2011 (SB 7). The law now requires school board members to receive four hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities of a school board member. IASB is listed as an approved provider of the training. Also in 2011, in HB 1670, it became law for all members of governing boards of units of local government to receive training regarding the Open Meetings Act. Again, IASB is included as a provider of the training.

For this reason, the position statement may need to be amended to strengthen the provision regarding IASB being an approved provider for training.

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:

- enable the initial placement of employees on the salary schedule without regard to years of experience or graduate credit;
- allow for greater flexibility in staffing patterns to improve efficiency and effectiveness of programs;
- ~~require periodic re-evaluation of tenured faculty in order to maintain tenure status (i.e., every five years);~~
- maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts;
- ~~repeal that portion of Public Act 81-515 which requires that school boards dismiss teachers by order of seniority within the district; and~~
- 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; Reaffirmed 1992, 2011)

Rationale: Amend. The Education Reform Act of 2011 (SB 7) made several significant changes to hiring, dismissing, and laying off teachers. It replaces teacher “seniority” with a process that is based on the consideration of factors including certifications, qualifications, merit and ability (including performance evaluations), and relevant experience. Tenure is only to be granted if the teacher has proficient or excellent evaluations (regardless of how long the teacher has served in the district) and provides accelerated tenure for “excellent” teachers. Tenured teachers can be “Riffed” before newer teachers, depending on performance evaluations.

5.10 PROBATIONARY TEACHER DISMISSAL

The Illinois Association of School Boards shall encourage state legislators to refrain from enacting legislation further restricting a Board of Education from declining to rehire probationary teachers with or without cause. (Adopted 1994)

Rationale: Delete. Enactment of the Education Reform Act of 2011 (SB 7) makes this position statement obsolete.

CURRENT POSITIONS

1.01 EDUCATIONAL PROGRAMS

The Illinois Association of School Boards urges its member districts to develop educational programs so as 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. (Adopted 1981; Amended 1983, 1988, 2001)

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

1.04 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)

1.05 PRESCHOOL PROGRAMS

The Illinois Association of School Boards shall support legislation to fully fund with new monies for both staffing and infrastructure costs associated with early childhood programs for such children as originally defined in PA 84-126, and further addressed in Public Act 94-0506 and Public Act 94-1054. (Adopted 1986; Amended 2001, 2006, 2007)

1.06 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)

1.07 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 "No Child Left Behind" Act. Further the 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; Reaffirmed 2011)

1.08 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)

1.09 NO CHILD LEFT BEHIND

The Illinois Association of School Boards:

- strongly disagrees with the premise that the quality and complexity of teaching and learning can be adequately and solely assessed by one achievement test given once during the school year;
- disagrees with the practice of assessing all schools with inconsistent standards allowed to be used by individual states to determine school accountability and adequate yearly progress;
- believes that the federal government has no constitutional authority to sanction local school districts; and

- believes that the current Adequate Yearly Progress (AYP) accountability model for students with disabilities is not consistent with the goals of the new IDEA (Individuals with Disabilities Education Act), as amended.

Therefore, the IASB shall work with the National School Boards Association and other coalitions to urge Congress and the Illinois General Assembly to:

- amend the provision allowing for one high-stakes test to determine student achievement;
- remove the provisions for local school district sanctions per Section 103 of Public Law 96-88 (20 USC 3401) which created the U.S. Department of Education;
- focus on professional development for teachers and administrators;
- fully fund any requirements placed on local school districts;
- amend the Act to permit alternate assessments and other appropriate measures of achievement for students with disabilities as specifically addressed by the student's Individual Education Program (IEP);
- amend the act to permit alternate assessments and other appropriate measures for English language learners, including but not limited to providing directions and question content in their most fluent language, or to allow removal of individual English language learners from the subgroup when no appropriate test at their language level exists;
- allow academic progress to be charted by comparing performance measures made at periodic intervals within cohorts of students rather than by comparing the grade level group test scores from year to year; and
- reject the adoption of an NCLB requirement that high school students be tested annually as the sole measure of academic achievement. (Adopted 2003; Amended 2005, 2008, 2011)

1.10 NO CHILD LEFT BEHIND – 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 No Child Left Behind 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)

1.11 ADVANCED PLACEMENT FOR STUDENTS

The Illinois Association of School Boards shall offer and support legislation guaranteeing that the graduates of Illinois public high schools who achieve the following scores on Advanced Placement examinations shall be accorded, at minimum, the following benefits by all Illinois public colleges and universities:

For scores of 3, 4 or 5, full credit for completion of the college or university course corresponding to the Advanced

Placement exam, including the award of the semester or credit hours (or their equivalent) which would have been earned if the student had successfully completed the coursework and any predecessor coursework at the post-secondary institution.

In all cases, Illinois public colleges and universities shall be free to award credit or benefits for scores below 3 as they see fit. Similarly, Illinois public colleges and universities shall continue to be free to grant such additional credit and placement in still higher coursework for scores of 4 and 5 as they see fit. (Adopted 2004)

1.12 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)

1.13 IEP OUT-OF-GRADE LEVEL ASSESSMENT

The Illinois Association of School Boards shall advocate for, offer, encourage and support legislative action designed to:

1. Issue findings that No Child Left Behind (NCLB) is in conflict with the Individuals with Disabilities Education Act (IDEA), in particular in reference to the failure of NCLB to permit the use of out-of-grade level assessments to evaluate the achievement of students whose Individualized Educational Plan (IEP) calls for such testing;
2. Call on, petition and recommend that the United States Department of Education clarify the assessment rules of NCLB to permit the use of out-of-grade level assessments to evaluate students whose IEP calls for such testing;
3. Compel the Illinois State Board of Education (ISBE) to take all steps available to it (including, but not limited to, granting such exceptions and flexibility as it is maximally allowed under NCLB and altering its plans for NCLB implementation in Illinois) to permit as much IEP-consistent assessment testing as students' IEPs may dictate in evaluating the progress of students with IEPs;
4. Take such steps as ISBE and the General Assembly may determine are necessary to cause the implementation of NCLB in Illinois to be harmonized with the requirements of IDEA; and
5. Make it clear to all persons that out-of-grade level assessments are not "alternate assessments" for purposes of NCLB. (Adopted 2006; Reaffirmed 2011)

1.14 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)

1.15 PRESCHOOL—PRIORITIZE PUBLIC SCHOOLS

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority. All programs receiving any public monies shall be required to meet all standards and oversight applicable to programs operated by public schools. (Adopted 2007)

1.16 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)

1.17 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)

FINANCING PUBLIC EDUCATION — STATE

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)

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; Amended 1988)

2.03 FUNDING MANDATED PROGRAMS

The Illinois Association of School Boards believes that leg-

islation 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 urge the General Assembly to adopt legislation which would allow school districts greater flexibility in regard to state mandates and the use of grants.

(Adopted 1976; Amended 1988, 1989, 2001, 2005; Reaffirmed 1980, 1991, 1994, 1999, 2002, 2009)

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 leg-

isolation 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 MOBILE HOME TAXATION

The Illinois Association of School Boards shall support legislative changes in the calculation and collection of Local Services Tax on Mobile Homes which will more adequately reflect the value of the dwelling and value of services afforded the owners of the dwelling. (Adopted 1978; Amended 1986; Reaffirmed 1988, 1996)

2.11 TRANSPORTATION LEVY (EXCESS COST)

The Illinois Association of School Boards shall support legislation which will permit school districts, which have reached a levy of 12 cents in the transportation fund and which transport children in accordance with the statutes of the state of Illinois, to increase the levy in the transportation fund subject to backdoor referendum, to a figure necessary to compensate for the transportation expenditures which are not covered by the amount of funds obtained from local taxes and the amount of reimbursement received from the state of Illinois. (Adopted 1981)

2.12 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)

2.13 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; Amended 2011)

2.14 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. The 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)

2.15 HEAT DAYS FUNDING

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

2.16 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)

2.17 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)

2.18 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)

2.19 ALTERNATIVE SCHOOLS

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

2.20 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)

2.21 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 2.34 – School Finance Reform. (Adopted 2004; Amended 2005)

2.22 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. (Adopted 2006)

2.23 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)

2.24 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)

2.25 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)

2.26 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)

2.27 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)

2.28 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)

FINANCING PUBLIC EDUCATION — LOCAL

2.29 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)

2.30 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)

2.31 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, the 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)

2.32 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)

2.33 SEPARATE UTILITY ASSESSMENTS

The Illinois Association of School Boards shall support legislation which provides that regulated companies and other taxpayers (including single family dwelling homeowners, farmers, and non-regulated companies) be assessed separately. (Adopted 1982)

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)

2.38 SCHOOL FINANCE REFORM

The Illinois Association of School Boards shall adopt as a position statement the recommendations contained in the Report of the Finance Initiative Committee of the Illinois Association of School Boards which reads:

"The State of Illinois, having the responsibility of defining

requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development. Such areas include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities to fulfilling the primary purpose of schooling." (The School Code, 105 ILCS 5/27-1)

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.

An appropriate education is defined as an education that provides for all students educational opportunities that meet the goals for learning established by the state in the Education Reform Act of 1985 and local community expectations as expressed through local board policy.

The following is criteria by which proposals for school finance reform shall be evaluated:

- 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.
- 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; Reaffirmed 2001)

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 neither 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 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)

FINANCING PUBLIC EDUCATION – FEDERAL

2.51 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)

2.52 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)

FINANCING PUBLIC EDUCATION – OTHER

2.53 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)

2.54 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)

2.55 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)

2.56 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, the 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)

2.57 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)

2.58 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)

2.59 UTILITY RATE REDUCTION

The Illinois Association of School Boards shall endorse legislation for regulated utility companies (electric, gas, water) to provide service to school districts at cost. (Adopted 1991; Amended 1995)

LEGISLATIVE ACTIVITY

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)

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)

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)

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 the 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). (Adopted 2010; Reaffirmed 2011)

3.10 LEGISLATIVE PAY ACCOUNTABILITY

The Illinois Association of School Boards shall support legislation that requires

the Illinois General Assembly to include the salary and benefits of each individual legislator on the Illinois General Assembly website. Benefits include all stipends, bonuses, per diems and other compensation for serving in the General Assembly. (Adopted 2011)

BOARD OPERATIONS AND DUTIES

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, the 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 the ISBE to local school districts. (Adopted 1992)

4.02 READING LOCAL RESOLUTIONS

The Illinois Association of School Boards shall endorse an amendment to the state statute to make it absolutely clear that Board resolutions do not have to be read aloud. (Adopted 1992)

4.03 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)

4.04 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 reim-

bursement would be paid at the federally allowable travel reimbursement rate. (Adopted 2008)

4.05 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. The IASB encourages local boards of education to model continuous improvement by pursuing all professional development and training opportunities. The 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. (Adopted 2008)

BOARD – EMPLOYEE RELATIONS

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) require periodic re-evaluation of tenured faculty in order to maintain tenure status (i.e., every five years);
- (d) maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts;
- (e) repeal that portion of Public Act 81-515 which requires that school boards dismiss teachers by order of seniority within the district; and
- (f) 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; 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)

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)

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)

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)

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)

5.08 WORKERS' COMPENSATION LAW

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

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 PROBATIONARY TEACHER DISMISSAL

The Illinois Association of School Boards shall encourage state legislators to refrain from enacting legislation further restricting a Board of Education from declining to rehire probationary teachers with or without cause. (Adopted 1994)

5.11 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)

5.12 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)

5.13 STAFF DEVELOPMENT ACTIVITIES

The Illinois Association of School Boards shall urge the Illinois State Board of Education to offer alternative times for staff development workshops other than during regular school hours when classes are in session. (Adopted 2000)

5.14 EARLY RETIREMENT-DISTRICT OPTION

The Illinois Association of School Boards shall support legislation which will allow Boards of Education to determine if a teacher may retire exercising the Early Retirement Option (ERO) with the Teachers Retirement System (TRS). (Adopted 2006)

LOCAL - STATE - FEDERAL RELATIONS

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. (Adopted 1976; Reaffirmed 2006)

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 atten-

tion. 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 the 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 STUDENT EXPULSION HEARINGS

The Illinois Association of School Boards shall support legislation and/or encourage the National School Board Association to support legislation that gives local school districts more latitude than the law currently mandated by *Honeig v. Doe*. Particularly, school districts should have more latitude than the 10 day suspension limitation to accommodate the needs of the accused to acquire legal counsel, bring forth evidence, or testimony pertinent to the hearing. (Adopted 2002)

6.17 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)

6.18 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)

6.19 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 marshaling resources for the promotion of a vote in favor of conducting the Constitutional Convention. (Adopted 2005; Reaffirmed 2006, 2007)

6.20 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)

6.21 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 5 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)

DISTRICT ORGANIZATION AND ELECTIONS

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 SCHOOL BOARD ELECTION AT-LARGE

The Illinois Association of School Boards support legislation to repeal the provisions of the School Code that require a school district to have a ballot question approved in each congressional township before the district can move to electing its board members at-large. (Adopted 2009)

7.05 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)

7.06 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)

7.07 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)

7.08 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)

7.09 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)