

Illinois SCHOOL BOARD Newsbulletin

January/February 2011 / Issue No. 705

FOIA year one: AG's office enforcing issues once ignored

But schools see needless burdens on operations

One year since the state overhauled the Illinois Freedom of Information Act, the Attorney General's Office says it has made rapid strides enforcing issues that the state had largely ignored previously.

The office took over enforcement of FOI requests when the fundamentally revised law took effect Jan. 1, 2010.

In 2010, there were 5,242 new matters before the Attorney General's Public Access Counselor. The overhauled law continues to be used most by the general public rather than the media, with 92 percent of "pre-authorization requests" and inquiries being sub-



Cara Smith

mitted by members of the public.

Pre-authorization requests are from public bodies to the Attorney General's Office seeking authority to refuse to divulge requested information, which is expressed in the law as an assertion of one of two exemptions.

Public bodies, such as school districts, have to get the new office's approval to assert that exemption, which is a new and different practice under the law, Public Access Counselor Cara Smith said.

See **FOIA** on page 5

States obtain \$67 million bid-rigging settlement with Bank of America

The Illinois Attorney General recently joined 19 other states to announce a \$67 million settlement with Bank of America for its involvement in a nationwide scheme to rig bids and engage in other anticompetitive practices that defrauded school districts, and many others, in purchasing municipal bond derivatives.

On Dec. 7, the AG's office announced that more than \$2 million in restitution will be awarded from the settlement to Illinois public schools, municipalities, local government agencies and nonprofits harmed by these

practices.

Some of the Illinois school districts that will be eligible to receive restitution as part of this settlement include: **Alton CUSD 11, Antioch CHSD 117, Chicago District 299, Lake Zurich CUSD 95 and Oak Park District 97.**

This multi-state settlement is part of a larger \$137 million settlement with Bank of America by the Securities and Exchange Commission and the Internal Revenue Service, among others, that resulted from a criminal and civil investigation by those agencies and the U.S. Department of Justice along with the states' probe

into the bank.

The investigation found Bank of America, other major financial institutions and certain brokers, conspired to prevent competitive bidding in the selling of so-called municipal deriva-

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Combined issue

Because of weather-related office closings arising from the worst Illinois weather in many years, the January and February issues of the Newsbulletin have been combined.

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Districts
earn bronze
Baldrige award

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New teacher training

Illinois ranked third nationally for the number of teachers who achieved National Board Certification in 2010 and sixth in the nation for the cumulative total, 4,692 teachers. The National Board for Professional Teaching Standards (NBPTS) released the findings on Dec. 15. It was the fifth year in a row that Illinois ranked among the top 10 states for the number of new teachers achieving the profession's highest credential. More information is available at <http://www.nbpts.org>. To search for National Board Certified teachers by district, visit <http://www.nbpts.org/resources/nbct-directory>.

Bullying prevention panel

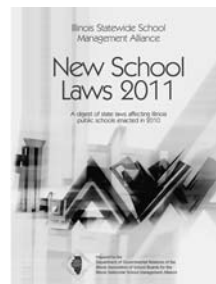
The School Bullying Prevention Task Force is charged with exploring the causes and consequences of bullying in schools, identifying promising practices and evaluating the effectiveness of schools' current policies and bullying prevention programs. A report on the task force findings is due to the governor and legislature on or before March 1. The next and final meeting of the task force was to be held on Feb. 14. Relevant materials are posted on the Task Force website at <http://www.isbe.net/SBPTF/default.htm>.

Reorganization funding

ISBE is accepting agreements for the FY 2011 School District Reorganization Feasibility Studies. To receive study funds in FY 2011, agreements must be approved by both the ROE and ISBE, and studies must be completed and approved for payment no later than June 30, 2011. Procedures, funding allotment and sample forms are now available at <http://www.isbe.net/sfms/html/feasibility.htm>.

New law would limit 'sexting,' permit non-felony prosecutions

House Bill 4583, now PA 96-1087, targets the growing social issue of "sexting," a trend where explicit photos or video are sent via cell phone or e-mail to someone else. The bill is aimed at individuals younger than 18, because "sexting" has become increasingly problematic among young people in recent years.



Currently, there is little that can be done to address "sexting" aside from pursuing felony child pornography charges — which prosecutors are reluctant to do.

HB 4583 seeks to create a middle ground by stipulating that a minor who electronically sends an indecent image of another minor can be brought into juvenile court for a proceeding to determine if they are a minor in need of supervision. If the young person is found to be in need of supervision, he or she could be ordered into counseling or other supportive services. They may also be ordered to complete community service.

Other bills that became law on Jan. 1 include:

Administration Certification (SB 2537/PA 96-0982): Makes changes to how prospective school administrators can earn necessary endorsements/certification by adding "chief school business official" to the list of types of experience which makes a prospective administrator eligible to earn the superintendent endorsement, and for the "chief school business official" endorsement, adds an internship of six semester hours to the requirements of the MBA path.

AED (HB 5838/PA 96-1268): Eliminates the requirement that a supervisor of an outdoor physical fitness facility be responsible for ensuring

that an automated external defibrillator (AED) is available during the time that an event or activity at the facility is being conducted.

Chicago Public Schools Violence Hotline (HB 4647/PA 96-1425): Requires the Chicago Board of Education to establish a telephone hotline for anonymous calls that may prevent violence in Chicago Public Schools.

Finally, a bill was passed in the second week of January on **Pension Borrowing**, (SB 3514/PA 96-1497). It finally passed the legislature in January after it was previously considered in early November by the Senate but fell short of the necessary super-majority votes to pass. The bill will authorize borrowing approximately \$3.7 billion to make the state's annual pension payment. Governor Quinn signed the bill on Jan. 14.

All new laws are available at: <http://www.ilga.gov/legislation/default.asp>. More targeted information for school leaders is now available online in a new IASB publication called *New School Laws* at <http://www.iasb.com/govrel/newlaws.cfm>.

Illinois
SCHOOL BOARD
Newsbulletin

**Illinois Association
of School Boards**

This newsletter is published monthly by the Illinois Association of School Boards for member boards of education and their superintendents. The Illinois Association of School Boards, an Illinois not-for-profit corporation, is a voluntary association of local boards of education and is not affiliated with any branch of government.

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**ILLINOIS ASSOCIATION
OF SCHOOL BOARDS**

Income tax hike should bring budget stability, debt payments

\$7 billion per year in increased funds

Governor Pat Quinn, House Speaker Michael Madigan and Senate President John Cullerton announced on Jan. 6 that they had reached an agreement on a proposal to increase the state's income tax rates. That plan, approved on the final day of the legislative session, will temporarily increase the state income tax rate for individuals from 3% to 5% and increase the rate for corporations from 4.8% to 7%.

The rate increase, which would mostly expire in four years, is expected to bring in nearly \$7 billion per year to the state. After four years, part of the increase – .75% – will remain permanent, setting the individual income tax rate at 3.75% and the corporate rate at 5.25%. In 2025, the rates drop to 3.25% for individuals and 4.8% for corporations.

The income tax bill, SB 2505 (Cullerton, D-Chicago), needed a simple majority vote for passage. It received the minimum number of votes necessary in the House, passing 60-57, with all of the Republicans and 10 Democrats voting “no.” The Senate approved the tax increase bill on a vote of 30-29.

School management groups, including IASB, had more or less endorsed the plan and insiders said it is very beneficial to school districts.

The Illinois Statewide School Management Alliance, for example, supported the bill. According to the Alliance's Ben Schwarm, IASB associate executive director for governmental relations:

“It will stabilize the state budget and allow the state to begin paying off its old debts, including the over \$1 billion owed to local school districts for Fiscal Year 2012,” Schwarm said. “The bulk of the receipts from the tax rate increases in the first four years will be earmarked for bill paying – chipping away at the \$15 billion state

debt. After that, education will be the primary recipient of the tax increase funds,” he added.

The plan, known as the Taxpayer Accountability and Budget Stabilization Act, contains the following provisions:

- Creates the Fund for Advancement of Education to “provide financial assistance for educational programs”
- Creates the Commitment to Human Services Fund to provide “financial assistance to community-based human services providers”
- Allows the governor to reduce appropriations for mandated programs if necessary
- Increases the individual income tax rate from 3% to 5% from 2011-2015; reduces the rate to 3.75% from 2015-2025; reduces the rate to 3.25% thereafter
- Increases the corporate income tax rate from 4.8% to 7% from 2011-2015; reduces the rate to 5.25% from 2015-2025; reduces the rate to 4.8% thereafter
- New state revenue from the income tax rate increases would total approximately \$7 billion
- Sets state spending limits for the legislature at 2% increase per year through 2015. This includes mak-

ing the required pension payments. The Auditor General determines if the limit is adhered to. If it is not, the income tax rate increase is void. The governor, with the concurrence of the comptroller and treasurer, may declare a fiscal emergency to override the spending limitations.

- Allows municipalities to continue to receive the 10% of individual income tax receipts based on a 3% tax rate and the corporate tax receipts based on a 4.8% tax rate as spelled out in the Local Government Distributive Fund (LGDF). However, municipalities will not receive any additional funds through the LGDF based on the higher 5% individual income tax rate or the 7% corporate income tax rate.
- Monthly deposits from the new income tax receipts into the Fund for Advancement of Education would be as follows: 1/30 in the years 2015-2025 and 1/26 thereafter – estimated to be over \$400 million per year.
- Monthly deposits from the new income tax receipts into the Commitment to Human Services Fund would be as follows: 1/30 in the years 2015-2025 and 1/26 thereafter.

Illinois lawmakers hear teacher tenure and strike power restraint arguments

Educational reform groups called for significant changes in the tenure law, making it easier to dismiss poor teachers and reducing the number of teachers' strikes, in four hours of state legislative hearings held in Springfield on Jan. 3.

The demands came in an Illinois Senate committee meeting. The Senate panel is gathering differing opinions on how to reform public education.

IASB lobbyists, representing the School Management Alliance, testified before the committee, as did school

management groups such as the Illinois State Board of Education, local school leaders and teachers unions.

Democratic Senator Kimberly Lightford of Maywood presided over the special committee set up by Senate Democrats. She says it is important that all sides participate in making schools better and she hopes a compromise can be reached.

A similar meeting took place on Dec. 16-17 in Aurora when the House Special Committee on Education Reform met for over eight hours.

SETTLEMENT *from page 1*

tive investments to school districts, municipalities, local and state government agencies and charitable organizations that issued municipal bonds to fund projects.

“Bank of America’s conduct defrauded municipalities, schools and nonprofits across this state of funds they could have used to improve services in their communities,” said Madigan.

The settlement agreement alleges that Bank of America and its marketers profited by rigging bids and receiving “last looks” for Municipal Bond Derivatives, a practice prohibited under U.S. Treasury regulations. As a result of their secret arrangements, bank marketers were able to win more business in the municipal derivatives industry and to obtain that

business at artificially determined price levels.

Absent the collusive conduct, the business likely would have gone to other providers, or may have been awarded to Bank of America on better terms for issuers. As a result of this misconduct, state, local and not-for-profit entities entered into contracts at suppressed rates of return on investments or paid higher rates on interest-rate hedging instruments than they would have in a competitive market.

Experts say there is a lesson here for school district personnel.

“I think the warning is, make sure you understand any borrowing or investment option before you get into it, and have a financial advisor helping you,” said Steve H. Larson, Executive Vice President, Ehlers &

Associates, Lisle.

Schools, municipalities and other organizations typically issue municipal bonds to fund projects, including financing infrastructure repairs or building schools. Once bonds are issued, the money is typically placed into accounts to spend as the local entity incurs expenses for the project.

Because the money from the bonds does not need to be spent immediately, the municipality or other agency that issued the bonds typically seeks out ways to invest the money and may also use strategies to manage or transfer the interest rate risk they take on in issuing bonds. These “municipal bond derivatives” are provided by large financial institutions, such as Bank of America. Financial institutions compete for this business.

Election issues, processes highlighted in school law book

Q: When does the board secretary certify school board candidates to the election authority?

A: The board secretary must certify candidates to the election authority not less than 61 days before the election, directing the election authority to place the names of candidates on the official ballot in the same manner as presented on the certification.

10 ILCS 5/10-15

Q: What determines the format of the school board election ballot?

A: Ballots for school board elections are prescribed in the School Code, which provides for differing formats that conform to differing residential restrictions on school board membership. Ballot formats include those for boards with members elected entirely at large, as well as for those with restrictions on the number of members that may be elected from less populous congressional townships and unincorporated areas.

105 ILCS 5/9-12 et seq.

105 ILCS 5/9-22

Q: What determines the order of names on a school board election ballot?

A: Candidates’ names appear on the ballot in the order filed with the school board secretary. The secretary must conduct a lottery to establish the order of candidates’ names in the event of simultaneous filings. Simultaneous filings are those petitions filed by persons standing in line at the normal opening hour of the office on the first day for filing and those petitions received in the first mail delivery of the day. Where residency restrictions call for a ballot format that groups candidates by area of residence, the order in which petitions are filed or selected by lottery establishes the order in which candidates groupings appear on the ballot.

105 ILCS 5/9-11.1 et seq.

Q: Are write-in candidates permitted at a school board election?

A: Voters may write in and cast votes for persons not listed on the ballot. However, write-in votes are not counted unless the candidate has filed with the election authority a

declaration of intent to run as a write-in candidate no later than 5:00 p.m. on the Tuesday immediately preceding the election.

10 ILCS 5/17-16.1

10 ILCS 5/18-9.1

Source: *Illinois School Law Survey*, Eleventh Edition, by Brian A. Braun, IASB. Contact IASB at 217/528-9688, ext. 1108, or go online to <http://www.iasb.com/shop> to order this book.



“Because of all the trouble your imaginary friend gets you into, the school board transferred him to another school this year.”

More than 90 percent of the cases from public bodies have been resolved, Smith said, and nearly 70 percent of cases from requesters have been closed. Cases from requesters denied records tend to be more complex, so they generally take longer.

In the new law's first month, the Attorney General's Office received 183 Freedom of Information matters; in August, its highest month, the office received 504 new matters.

"We have had a very busy year," Smith said.

Year's activities and actions:

- New matters before the Public Access Counselor: 5,242;
- Requests to review from those who have been denied records under FOIA or file complaints related to OMA: 37 percent;
- Review requests closed: 1,335; review requests open: 630; closure rate: 68 percent;
- Requests from public bodies for pre-authorization to deny a records request: 63 percent;
- Public body pre-authorization requests closed: 2,992; pre-authorization requests open: 285; closure rate: 91 percent;
- Review requests submitted by the media: 159 requests; and
- Review requests submitted by the public: 1,806.

"When negotiating the bill, there was a lot of pressure and concern to eliminate all of the exemptions," Smith said. "In considering what to do with exemptions, whether it is an execution problem or lack of enforcement, we settled on the pre-authorization, which requires public bodies to seek our approval of their intent to deny."

The public body then is required to explain why an exemption should apply in their case, and the Attorney General's Office demands underlying documents for review.

While public officials have complained about tighter deadlines for providing public records and added financial burdens, Smith said that predicted nightmares have not materi-

alized.

Not everyone sees the results in a purely positive light, however, including many school districts. For example, **Keeneyville SD 20**, which sponsored a resolution approved by the IASB Delegate Assembly in November "to remove unnecessary burdens on units of local government" under FOIA.

The district's rationale for seeking an extension of time limit and delaying response during a published break basically was that, while the education community agrees that the public should have access to public information, business and school office staffs have been drastically reduced due to the lack of state funding. Fulfilling FOIA requests is an additional responsibility and can be burdensome, depending on the amount and type of information requested. Allowing 10 business days for a response to a valid FOIA request is realistic; five days is not, the district said.

The district also sought legislative changes to deny FOIA requests for commercial purposes. School personnel should not be used to provide sales information (i.d., vendor names, addresses, product purchases, etc.) to business entities, sponsors said.

School personnel should be used to support the educational community, while fulfilling FOIA requests for commercial purposes allows businesses to use school personnel to do their sales research and work. This is inappropriate use of school funds, school officials said.

IASB's Resolutions Committee agreed that this was a significant issue that needs to be re-addressed by the legislature. In fact, it was the consensus of the committee that the proposal as originally drafted did not go far enough to address all of the problems with the new FOIA law.

The committee, along with the submitting district, agreed that there is support by the committee but that the proposal should be re-drafted (with the guidance of IASB staff) to include even more proposed changes to the FOIA law. The changes sought by the

revised FOIA proposal, which was adopted by IASB delegates, would:

- Increase allowable FOIA response time from 5 business days to 10
- 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.

The IASB, along with its partners in the Illinois Statewide School Management Alliance, will be introducing a bill this spring.

Proposals sought for panels at 2011 Joint Annual Conference

The Illinois Association of School Boards is seeking proposals for “Share the Success” panel sessions at the 2011 Joint Annual Conference, and a new electronic RFP form is available to make it easier and faster to submit online. School districts and other organizations are invited to submit specific proposals for these 90-minute panels — presented by the board members, administrators and other school or community members who were involved in the particular programs showcased — based on actual school system experiences.

Presenters give insight and prac-

tical information on how to solve common problems. They share discoveries and innovations from programs succeeding in their school districts. And they provide tips on how school boards can achieve such successes in their own school districts.

IASB seeks specific panel suggestions, to be submitted by filling out forms either online or by mail, in any of the following eight categories:

- Governance/Leadership
- Finance and Funding
- Current Issues
- Community Relations and Com-

munications

- School Law
- Facilities/Transportation/Technology
- Best Practices
- Governmental Relations

The 2011 Joint Annual Conference is set for Nov. 18-20 in Chicago. Proposals for Share the Success panels that are not chosen may be included instead in the “Carousel of Panels” set for Nov. 19.

To obtain detailed information, including selection criteria, and the forms necessary for submitting proposals, visit: <http://www.iasb.com/jac11/rfp.cfm>.

DIVISION MEETINGS *from page 12*

Superintendent Performance-Based Contracts

Illini:

- Freedom of Information Act Update
- The Board’s Role in Approving School Improvement Plans
- TRS/IMRF Changes
- Wind Generators for School Districts

Shawnee:

- Current Legal Issues
- Illinois Open Meetings Act
- Electronic Board Packets
- Four-Day School Week

South Cook:

- Collective Bargaining Matters

West Cook:

- Promoting Transparency and Accountability
- Best Practices for Building Transparency in Your District

Southwestern:

- Working with Traditional and New Media
- Implementation of Project Lead The Way
- One other session

Two Rivers:

- Building Knowledge through Questions- Inquiry Based Learning in the Classroom
- Social Networking, Blogging, Cyber-bullying, and Sexting (this is a legal issues panel)
- One other session

Kaskaskia:

- School Facilities Sales Tax – New Revenues in Hard Times
- Social Networking, Blogging, Cyber-bullying, and Sexting (this is a legal issues panel)
- One other session

Abe Lincoln:

- Working with Traditional and New Media
- Social Networking, Blogging, Cyber-bullying, and Sexting

(this is a legal issues panel)
One other session

Attendance at division meetings earns five credits in IASB’s Master Board Member program. Reservations can be made by mail, fax or online.

For more information on these upcoming division meetings — and others planned for the spring — visit online at: <https://www.iasb.com/calendar/calendar.cfm>.

2011 Spring Division Dinner Meetings

Feb. 22	.....Shawnee	.....Carbondale ESD 95
Feb. 23	.....Southwestern	.....Highland CUSD 5
Feb. 24	.....Illini	.....Oakwood CUSD 76
Feb. 24	.....Two Rivers	.....Griggsville-Perry CUSD 4
March 1	.....Starved Rock	.....Celebrations, Utica
March 1	.....Three Rivers	.....Prairie Bluff Golf Course, Lockport
March 1	.....Wabash Valley	.....East Richland CUSD 1, Olney
March 1	.....Western	.....Illini West HSD 307, Carthage
March 2	.....Central IL Valley	.....Pekin Public SD 108
March 2	.....Kaskaskia	.....Salem SD 111
March 3	.....Abe Lincoln	.....New Berlin CUSD 16
March 3	.....Egyptian	.....Fairfield CHSD 225
March 3	.....Corn Belt	.....Sugar Creek Elem. (Normal) – McLean Co. Unit SD 5
March 3	.....Kishwaukee	.....Geneva CUSD 304
March 10	.....DuPage	.....Naperville Central High School
March 16	.....North Cook	.....Wyndham, Glenview
March 17	.....Lake	.....Adlai E. Stevenson HSD 125
March 21	.....Northwest	.....Candlelight Inn, Sterling
March 22	.....West Cook	.....The Elmcrest, Elmwood Park
March 23	.....Blackhawk	.....Rock Island/Milan SD 41
March 30	.....South Cook	.....Orland Chateau, Orland Park

Members respond to key survey on field services, 14 win free workshop

This past fall, IASB Field Services surveyed school board members and superintendents in IASB member school districts. This survey was designed to provide Association staff with the information needed to assure that the association provides high quality, cost effective services of value to our members.

Association staff attribute in part the outstanding 25% response rate to the ability to distribute this survey to membership electronically via email and for participants to respond to the survey online.

Field services staff members will be reviewing the survey data and considering its impact on Association services early in the coming months.

As an encouragement to participate and a thank you, IASB offered a free in-district workshop to one board and superintendent team in each of its divisions.

For a district to be eligible to win this workshop, the superintendent and at least a majority of board members must have completed and submitted the survey. Winners were encouraged to select and schedule their free workshop by January 31, 2011 and to complete the workshop by June 30, 2011. This workshop, a \$600 value, can be selected from among

the many workshops regularly offered by field services staff members, up to 4 hours in length.

Winners of the free in-district workshops were:

- Abe Lincoln Division
Cerro Gordo CUSD 100
- Blackhawk Division
Bradford CUSD 1
- Central IL Valley Division
Fieldcrest CUSD 6, Minonk
- Corn Belt Division
Flanagan-Cornell Unit District 74
- DuPage Division
Darien SD 61
- Kaskaskia Division
Bond County CUSD 2, Greenville
- Kishwaukee Division
Harrison SD 36, Wonder Lake
- Lake Division
Oak Grove SD 68, Bartonville
- Northwest Division
Durand CUSD 322
- South Cook Division
Cook County SD 130, Blue Island
- Southwestern Division
Triad CUSD 2, Troy
- Wabash Valley Division
Jasper County CUSD 1, Newton
- West Cook Division
Mannheim SD 83, Franklin Park
- Western Division
R.O.W.V.A. CUSD 208, Oneida

Association welcomes nominations for major awards for excellence, great service to schools

IASB annually recognizes people and organizations who have contributed to excellence in education statewide. Recognition is provided through the Harold P. Seamon Award for Distinguished Service to public education. Nominations are sought from now through April 15.

Recipients must have done one or more of the following: displayed exceptional service and commitment; provided innovative approaches to meeting school challenges; or enhanced local governance by boards.

In addition, IASB Honorary Mem-

berships for Exceptional Service are awarded for rendering great service to IASB or to public education.

Finally, there is the IASB Service Award for 25 years of service producing a positive impact through a close affiliation with and direct service to schools, either as an employee or volunteer. Current board members and IASB staff are not eligible recipients.

Submit nominations to: IASB Awards Committee Liaison, 2921 Baker Drive, Springfield, IL 62703-5929, phone IASB, ext. 1139, or fax 217/753-2485.

NEWS FROM IASB

2010 indexes online for Journal and Newsbulletin

IASB's Communications Department has completed online indexes for two Association periodicals issued through 2010, namely *The Illinois School Board Journal*, and the *Illinois School Board Newsbulletin*. The *Journal* can be searched through either of two indexes: one by subject and one index by author. Indices for both publications are also available for 2008 and 2009.

IASB directors chosen for committee assignments

The IASB Board of Directors at their organizational meeting on Nov. 21, 2010 voted to elect four current directors to the executive committee for the coming year. Elected were: Ben Andersen, **East Dubuque Unit SD 119**; Karen Fisher, **Ottawa THSD 140**; Tom Neeley, **Morton CUSD 709**; and Roger Pfister, **Carbondale ESD 95**. These members are in addition to IASB officers who automatically serve as committee members, namely President Joseph Alesandrini, Vice President Carlyne Brooks, Immediate Past President Mark C. Metzger and Treasurer Dane Tippett.

The next meeting of the IASB Board of Directors was scheduled for Feb. 12 in Chicago.

Online Learning Center introduces new course

A new course is now available in the LeaderShop Online Learning Center. This new offering for board member development is called Introduction to Parliamentary Procedure. Also offered are: School District Labor Relations: What Illinois Law Requires, Superintendent Evaluation, and Media Relations.

For information or to register visit: http://iasb.com/training/online-learning_courses.cfm.

NSBA to feature Condoleezza Rice, tech track with low-cost ideas

Former U.S. Secretary of State Condoleezza Rice, bestselling author Daniel Pink, and former faculty member at Harvard Business School Juan Enriquez are scheduled to address the National School Boards Association's Annual Conference on April 9-11 in San Francisco. The event is one of the largest gatherings of public officials in the nation. It showcases national leaders who offer encouragement and insights to school leaders.

Rice, who was Secretary of State from 2005 to 2009 under former President George W. Bush, is currently a professor of business and political science at Stanford University, an author and education advocate.

Pink has authored books on the changing world of work, education, performance and motivation in today's society. His articles have appeared in *The New York Times*, *Harvard Busi-*



ness Review, and many other publications, and he has provided analysis of business trends on CNN.

Enriquez is an authority on the dynamics of the knowledge economy and the economic and political impacts of the life sciences. At the Harvard Business School, he founded and directed its Life Science Project. Learn how genomics and technology are affecting society and education.

In addition to these speakers, the conference will also host youth advocate, business leader and author Wes Moore during the popular Fellowship session. Moore is an Army combat veteran who served in Afghanistan. A White House Fellow from 2006-2007,

he served as Special Assistant to Secretary of State Condoleezza Rice. Moore is passionate about supporting U.S. veterans and exploring the roles education, mentoring, and public service play in the lives of American youth.

The conference will also feature current national topics affecting education leaders in their local districts and one of the largest expositions of education products and services in the country. Several sessions have just been added to the technology track, covering topics such as STEM, Web 2.0 and social networking, 21st century skills, and effective — and cost-efficient — technology integration. For more information or to register, visit the online registration at https://secure.nsba.org/register/annual/2011/acreg_welcome.cfm.

Housing registration for the conference is now open.

FRN lobbies to seek NCLB repair, adoption of board 'agenda'

This year's National School Boards Association's Federal Relations Network (FRN) lobbying effort by school board leaders, known as the 38th Annual FRN Conference, was held in Washington, D.C., on Feb. 6-8.

Conference participants joined with colleagues from across the nation to seek practical solutions to school concerns, and strengthening public education for all students. The event culminated in a lobbying blitz on Capitol Hill where participants take the school board message directly to their members of Congress.

Key aims for FRN this year included:

- Urging Congress to reauthorize ESEA, including NCLB, in order to fix the problems with it and commit to a school board agenda before new legislation is drafted.
- Addressing the rising challenges to local school board governance.
- Urging federal help with funding issues, including the effect of the funding drop that some districts

may experience when stimulus funds end.

- Helping attendees to become a resource on federal programs.
- Helping attendees become a resource to new and returning members of Congress in order to influence the education agenda for this year.
- Taking participant advocacy skills to the next level and putting key strategies and tactics to work in face-to-face meetings with members of Congress on a "Day on the Hill" on Feb. 8, 2011.
- Urging Congress to support initiatives for 21st century learning and skills, such as expanding the E-Rate program to support education technology, strengthening investments in pre-k education and supporting innovative programs for+ college and career readiness.

Attending the conference this year from Illinois were three IASB officers and two other school board members, plus three Association staff members: IASB President Joe Alesandrini, of

Pekin CHSD 303; IASB Vice President Carolyne Brooks, of **West Richland CUSD 2**, Noble; IASB Past President Mark Metzger, **Indian Prairie CUSD 204**, Naperville; board member Michelle Skinlo, of **Mattoon CUSD 2**; plus **East Maine District 63** Board Vice President John C. Jekot; as well as IASB Executive Director Emeritus Dr. Michael D. Johnson; plus Deputy Executive Director Michael Bartlett; and Assistant Director of Governmental Relations Susan Hilton.

FRN annually involves school board members from every congressional district in grassroots advocacy in support of public education. FRN organizers say the meeting gives local school leaders an opportunity to make a difference in the education of the nation's public school children, and the ultimate goal of FRN advocacy is to make public education a top priority of the federal government.

For more information about the FRN event, visit: <http://schoolboard-news.nsba.org>.

Baldrige awards honor districts for programs, operations

North Palos School District 117, Palos Hills, and Township High School District 214, Arlington Heights, have each received the 2010 Lincoln Bronze Award for “Commitment to Excellence” for their efforts to adopt and apply continuous improvement principles.

Awarded by the Lincoln Foundation for Performance Excellence, the annual award recognizes Illinois organizations identified as leaders contributing to the economic development and ethical competitiveness in the state. It is based on a three-tiered award level modeled after the Malcolm Baldrige National Quality Criteria.

“The Illinois Baldrige Quality Award is huge,” said District 214 Board of Education President Bill Dussling. “Receiving the 2010 Lincoln Bronze Award demonstrates that District 214’s programs and operations are of the highest caliber, the people administering those activities are extremely knowledgeable and capable, and our continuous improvement efforts are sound.”

Likewise, District 117 leaders were proud of the district excellence that the award represents: “Our goal has always been to be a beacon of



Bill Dussling



Ken Sorrick

excellence,” district superintendent Ken Sorrick said.

District 214 is only the second high school district to be recognized by the Lincoln Foundation.

Shortly after arriving at District 117 in 2003 as superintendent, Sorrick began using the Malcolm Baldrige criteria and core values management processes for strategic planning, systems deployment and integration.

At the time, the district’s student achievement scores were average in reading and math, with poor progress by subgroups and increasing numbers of English Language Learner students, students with Individual Education Plans and those qualifying for Free and Reduced Lunch programs.

Additionally, stakeholder satisfaction was at 71 percent, and the district was facing a significant challenge in terms of financial resources because of 13 consecutive years of failed ref-

erendum attempts.

An integrated management system combined with a focused continuous improvement process led to positive results in these areas.

“The Lincoln Bronze Award is an excellent acknowledgement of our commitment to continuous improvement,” agreed District 214 Superintendent David R. Schuler. “It takes years for most organizations to receive this recognition. For us to attain this award so soon after beginning the application process is an affirmation of the great work being done in our school district.”

The Lincoln Foundation is a not-for-profit 501 (c) (3) organization dedicated to promoting, enabling and directing organizational growth and continuous performance improvement for all varieties of organizations within their respective states. The framework follows the prestigious Baldrige Performance Excellence Program.

For information about how to put your school district on the path to performance excellence, and perhaps eventually apply for an award, download the brochure at: http://www.lincolnbard.org/Documents/Ctrl_Hyperlink/TLF_Brochure_uid6252009252322.pdf.

Annual Conference photos offered to members to browse, purchase online

Over the holiday, photos taken at the Joint Annual Conference were posted online.

Nearly 400 photos – from Friday morning’s pre-conference workshops to the final general session on Sunday – have been posted on a secured third party website.

The website address is <http://momentshare.com/levyphoto/>. A valid email address, user name (iasb2010) and password (chicago) are required to log on to the site.

The images will appear in a low-

resolution, “thumbnail” format. Visitors will be able click on any photo to see a larger image, or use the slide show button that automatically scrolls through the entire gallery. View images in color, black and white or sepia.

Prints can be ordered, too. They are ideal for use in school board or district newsletters, websites, or for personal keepsakes.

Photo reprints can be ordered in a variety of sizes, from wallets to 11 by 14 inches. All major credit cards can be used for payment.

Federal tax deduction applicable for service

School board members are allowed a deduction on their federal income tax returns for non-reimbursed expenses arising out of board service.

Board members must itemize deductions and file Form 1040 to qualify. For further information contact the IRS or see IRS Publication 526, “Charitable Contributions.” Free copies of that publication are available from the IRS and may be obtained via fax or mail by calling 1-800/829-3676.

Board member sues peers over alleged ethical and financial lapses

Two lawsuits alleging financial mismanagement and concealment thereof were filed on Dec. 17 against current and former school leaders of **Lemont-Bromberek CSD 113A**.

Filed by the Center for Open Government at IIT Chicago-Kent College of Law, the lawsuits claim District 113A school board members, for example, “engaged or aided in illegal spending, and then took steps to conceal expenditures by draining funds legally appropriated for other purposes, all in violation of Illinois law.” This allegedly resulted in the loss of \$12 million in taxpayer money, the complaint stated.

According to the lawsuits, the alleged misconduct took place from 2007 to 2010.

One lawsuit was filed on behalf of Lemont residents Duane Bradley, Louis Emery and Laura Reigle; the other was filed on behalf of current school board member Janet Hughes. Bradley, Emery and Reigle filed candidate petitions recently for the four open District 113A board seats in the April 5 consolidated election.

Named as defendants in the suit are: Superintendent Tim Ricker; Assistant Superintendent Mary Gricus; former Business Manager Robert Beckwith;

current Board President Lisa Wright; current Board Vice President Kevin Doherty; current Board Members John Wood and Sue Murphy; and former Board Members David Leahy, Gwen O’Malley and Al Albrecht.

According to the court documents, the plaintiffs are alleging that District 113A board members and employees “repeatedly caused monies from the district’s working cash fund to be diverted or otherwise used in violation of law and without proper notice having been given to District 113A taxpayers.”

The lawsuits claim that the district’s financial statements from 2007 to 2009 show the district spent over \$3 million more than was authorized in the board-approved budgets.

Named as defendants, as well, are Lloyds Illinois Inc., an insurance brokerage firm that entered into a school treasurer’s bond arrangement with the district’s business manager, and Knutte Associates, an accounting firm. The latter firm was responsible for the district’s financial audits from 2007 to 2010. According to the complaint, defendants also include “other persons whose names are not known.”

District 113A has been reliant on short-term borrowing to pay its operational expenses since depleting its

cash reserves in June 2009.

Facing delayed property tax revenue from Cook County – bills were not sent out until Nov. 10 – the District 113A Board of Education agreed to move forward with another round of Tax Anticipation Warrants (TAWs) in the fall in order to pay teacher salaries in the coming months.

Just before Thanksgiving, advisers from PMA Financial Network suggested an intergovernmental agreement between Lemont’s two school districts that would allow the high school to purchase the TAWs instead.

The District 113A board approved the plan to borrow \$5.5 million in Tax Anticipation Warrants from Lemont High School District 210 on Jan. 10, and the District 210 Board of Education voted to approve the TAW during their Jan. 10 meeting as well. Though PMA had worked with districts in Wisconsin on a similar transaction, the situation allegedly would be a first for the state of Illinois.

The strategy of going to the high school for aid was seen as a last-ditch effort before the state comes in with a financial oversight panel.

The state is continuing to monitor District 113A, which was placed on its financial difficulty list in Dec. 2009.

Just two districts met with strikes last year; two more face pending notices this year

Just two school districts had pending strike notices as of Feb. 7.

Strike notices were filed on Dec. 1, 2010, in **Pinckneyville CCSD 204**, and on Oct. 22, 2010, in **Granite City District 9**. The Pinckneyville labor action involves 21 certified and non-certified teachers. The Granite City district action involves 33 non-certified secretarial employees.

As of early January, no strikes were in progress. Two districts experienced strikes in 2010: **Danville District 118** (launched on Sep. 13 and settled on Sep. 16), and **Mahomet-Seymour CUSD 3** (began on Aug. 19 and settled on Aug. 20).

Ten districts settled contract disputes in 2010:

- **Brussels CUSD 42:** 15 IEA/NEA certified personnel and nurse. Notice filed Dec 1; settled Dec. 13.
- **Cahokia Unit SD 187:** 600 teachers, plus service workers and section 3 contractors. Notice filed Aug. 6; settled Oct. 1.
- **Evergreen Park Elementary District 124:** 205 IFT/AFT teachers, social workers, speech aides and aides. Notice filed Sep. 17; settled Sep. 27.
- **Harmony Emge SD 175:** 54 IFT/AFT certified teachers. Notice filed Aug. 20; settled Sep. 1.

- **Illini Bluffs CUSD 327:** 65 IFT/AFT full and part time faculty. Notice filed Aug 2; settled Aug. 10.
- **North Mac District 34:** 169 IEA/NEA certified and non-certified. Notice filed Sep. 22; settled Oct. 3.
- **Tri-City CUSD 1:** 40 IEA/NEA certified personnel. Notice filed Nov. 5; recently settled.
- **Waukegan District 60:** 1,250 IFT/AFT certified staff employees. Notice filed June 21; settled Sep. 9.

Source: Illinois Association of School Administrators: <http://www.iasaedu.org/>.

NEWS HEADLINES

Bloomington (Jan. 18, *The Pantagraph*) The higher state income tax provides a glimmer of hope for school districts owed money as the state remains months behind on its payments. In December, Illinois finished paying districts what was owed way back on June 30. Illinois already owes millions for the current fiscal year. “As I understand it, the state intends to use all new funds (from the income tax increase) to pay their bill backlog. This will help us with an infusion of cash for back payments, but it will not restore programs they have already cut, forestall future cuts, or allow for increases to existing programs or new programs,” said David Wood, chief financial and legal officer for Bloomington District 87. Normal-based Unit 5 business manager Erik Bush notes that 19 percent of the district’s revenue comes from the state, and “as of Jan. 13, the state owes us \$5.8 million,” said Bush.

Elmhurst (Jan. 19, *Chicago Tribune*) Elmhurst CUSD 205 students will no longer need to sweat out a physical fitness assessment measure that had some parents fuming — one aimed at determining whether their children were too hefty. A child’s “body mass index,” a computation of body fat based on height and weight, was used at Hawthorne Elementary School to determine the physical fitness grade on a student’s progress report. But that practice ended abruptly on Jan. 18 after about 25 parents met with school officials to express their displeasure with how the information was being used. One mother broke into tears as she described how it affected her fourth-grade daughter. School officials said they would stop using the index as part of a progress report grade. Hawthorne Elementary was the only school among the 13 in Elmhurst Community Unit District 205 to use the BMI that way, officials said.

Heyworth (Jan. 20, *The Pantagraph*) The Heyworth CUSD 4 elementary school will suspend its gifted program for the 2011-12 school year in a cost-cutting move approved on Jan. 19. The program pulls 14 students in third through sixth grade out of the mainstream classroom for special services. Halting the current program will save the district about \$20,000. Gifted education still will be offered within each classroom. “It’s something we hate to give up, but the way the budget is going, it just looks like the best thing to do,” said Jean Schmidt, chairwoman of the board’s curriculum and technology committee. A part-time gifted-education teacher will be moved into a vacant, full-time teaching job in the district.

Oak Park (Jan. 19, *Chicago Tribune*) Illinois has the fourth-highest childhood obesity rate in the country. That is something Dr. Jessica Bartfield of Oak Park is looking to change. Bartfield, a weight loss specialist who works out of the Loyola University Health System, is in the midst of a push to get families in general, and children specifically, to drop some weight. She has visited Oak Park area schools to teach kids good habits at a young age. “The push has been in the recent decade, and hopefully in last five years there has been a stronger push. Levels have started to plateau, but haven’t shown any decrease yet,” she said.

Pontiac (Jan. 16, *Pontiac, Illinois Community Home website*) The Illinois Attorney General’s office has determined that the Pontiac CCSD 429 board violated the state’s Open Meetings Act on Oct. 18, 2010, when it met in closed session to discuss a statement from the teacher’s union president. The Attorney General’s office also found that the board violated the act by discussing the district’s financial condition in the meeting.

Rock Island (Jan. 20, *Quad-City Times*) Cheerleading plus eight athletic teams could be eliminated as Rock Island-Milan District 41 addresses a \$5.1 million deficit. Athletic director Bob Swanson said the district is asking the athletic department to cut its budget by 10 percent, or approximately \$80,000. This means eliminating athletic programs at the junior high and high school level, he said. His proposed cuts recently sent to the school board include cheerleading and both boys’ and girls’ teams in swimming, tennis, cross country and golf. The cuts would affect 203 students. The athletic budget has been trimmed a good deal over the last three years, but the district has avoided eliminating any sports.

Rossville (Jan. 14, *Champaign News Gazette*) Rossville-Alvin CUSD 7 board members have voted to put a question on the April 5 ballot to see if district residents want to reactivate their high school, closed since May 2006. Since then, the district has paid tuition to send students to Bismarck-Henning or Hoopston Area high schools while maintaining its K-8 facilities. An ISBE principal consultant told the board there is no record of any Illinois district reopening a deactivated school in the past 20 years. The district believes enrollment has stabilized and financial conditions have improved enough to consider the reactivation. The district currently pays tuition for 118 students.

Statewide (Jan. 21, *Illinois Times*) Properly educating a schoolchild in Illinois takes upwards of \$2,200 more per pupil than the state currently ensures, according to the latest report from Illinois’ Education Funding Advisory Board. EFAB, which earlier in January issued its first findings since 2005, is charged with recommending to state lawmakers an appropriate “foundation level” — the minimum amount to be spent on each student.

Candidate briefings common feature of upcoming division meetings this spring

Every IASB division will host a candidates' briefing this year in connection with its winter/spring division meeting. Some briefings will be held immediately prior to the regular division meeting and others will be held as one of several breakout sessions after dinner. The candidates' briefings will give potential first-time board members an overview of their roles and responsibilities and an idea of what to expect if they are successful in the April election.

Boards are invited to bring candidates for the whole evening. The dinner program will be very valuable to candidates as well as board members. The superintendent and current board members may choose to attend the briefing with their candidates. The briefing is free, but participants who choose to attend the dinner must register and pay a small registration fee.

Although some of the times and locations have yet to be determined, the first of the division meetings began Feb. 22 and the last scheduled meeting is set for March 30.

The Corn Belt, Egyptian, Shawnee, Illini and Three Rivers divisions will feature legislative updates from a member of the IASB Governmental Relations staff.

Other division dinner meeting speakers, topics and breakout sessions will include:

Western:

IASBO speaker on The State of School Finance
IASB speaker on Board/Superintendent Relationships
Current Issues Roundtable.

Central Illinois Valley:

Response to Intervention,
Impact of National Health Care, and one more unconfirmed session.

Corn Belt:

Attorney presentation on Collective Bargaining

Blackhawk:

Attorney presentation on Collective Bargaining

Starved Rock:

An Evening With Your Legislators

North Cook:

Global Education in the 21st Century

DuPage:

Balancing Community Expectations with Financial Realities

Egyptian:

Four-Day School Week
How to Orientate New Board Members

See **DIVISION MEETINGS** on page 6

CALENDAR OF EVENTS

February 22 – Shawnee Division Spring Dinner Meeting, Carbon-dale ESD 95

February 23 – Southwestern Division Spring Dinner Meeting, Highland CUSD 5

February 24 – Illini Division Spring Dinner Meeting, Oakwood CUSD 76

February 24 – Two Rivers Division Spring Dinner Meeting, Griggsville-Perry CUSD 4

February 26 – Data First for School Governance Workshop, Geneseo Middle School, Geneseo

For more information about coming events, see the IASB website at www.iasb.com/calendar/



"I've never lived my life in quiet desperation. I'm an elementary school teacher."