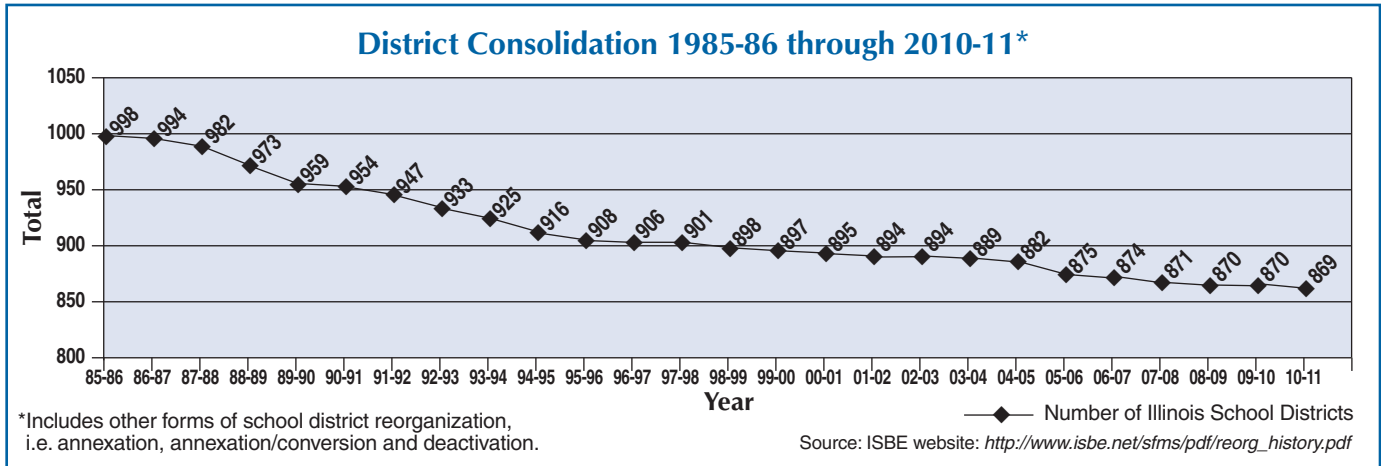


Illinois SCHOOL BOARD Newsbulletin

March 2011 / Issue No. 706



Gov. Quinn unveils consolidation plan aimed at purported savings

Two separate proposals calling for the mandatory consolidation of Illinois school districts are being debated in the state capitol. The Illinois Association of School Boards opposes both of the initiatives, details of which are listed below:

Governor Pat Quinn's consolidation proposal would:

- Reduce the number of school districts in Illinois from 868 to 300
- Draw new school boundaries the same way as the General Assembly draws legislative district boundaries – based on the census
- School districts to each have a pop-

ulation of 30,000-35,000 people

- The governor states that this consolidation proposal will save taxpayers \$100 million based on the elimination of school administrators' salaries
- A commission appointed by the governor will establish the new school districts without input from local school district citizens or from the legislature

The other initiative has been made in HB 1886, sponsored by Rep Robert Rita, D-Blue Island:

- Dissolves all school districts on July

See **CONSOLIDATION** on page 5

Consolidation would increase costs and blight learning: Study

State-imposed school consolidation, such as that proposed recently by Gov. Patrick Quinn, could actually cost taxpayers more money while harming student performance, according to a new National Education Policy Center (NEPC) study released on Feb. 1.

Consolidation will generally not save taxpayer' money, and could actually increase taxpayers' financial burden through added administrative and transportation costs, according to the authors, Craig Howley, Jerry Johnson and Jennifer Petrie.

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AYP hurdles trip up more and more schools each year

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ISBE serving national group

Four Illinois State Board of Education board members have been selected to serve on several National Association of State Boards of Education committees and a study group to assist in steering the development of education policy at the national level. Jesse H. Ruiz, Dr. Christopher J. Ward, Lanita J. Koster and Dr. David L. Fields will work with other state education leaders, federal lawmakers, national policymakers and education reform experts.

ISBE Chairman Jesse H. Ruiz of Chicago was chosen to serve on the NASBE Governmental Affairs Committee. As a member of the committee, Ruiz will help plan for federal education policies. Ruiz was appointed to the Illinois State Board of Education in 2004 and reappointed in 2007. For more information, visit online at <http://www.nasbe.org>.

Census estimates released

The U.S. Department of Education has released the Small Area Income and Poverty Estimates (SAIPE) for income year 2009. These will be used to calculate FY12 Title I Allocations.

Superintendents, business managers and Title I directors should carefully examine the data for their LEA as this will be the first indication as to whether your LEA may be gaining or losing in eligibility for Title I funds in FY11. ISBE neither controls nor generates the data.

A file of 2009 Poverty Data, by Local Education Agency (including school districts), is provided in an alphabetical listing of LEAs, poverty count, ages 5-17 population, poverty percentage and total population at http://www.isbe.net/funding/excel/FY12title_I_prelim_elig.xlsx.



New school food regulations may be adding more fresh fruits and vegetables such as these, but could come at a higher price.

New rules, standards for school meals to focus on nutritious foods

New rules and standards for school meals are open for public comment until April 13, 2011. The proposed federal rules, Nutrition Standards in the National School Lunch and Breakfast Programs, could have far-reaching effects on the way breakfast and lunch are prepared and served at schools.

The changes set maximum sodium limits, designate calorie ranges for meals based on three grade levels (K-5, 6-8 and 9-12) and require that at least half of all grains offered during the week must be "whole grain-rich." In addition, the new rules would limit saturated fats and ban trans fats.

According to the U.S. Department of Agriculture, the sodium content for school meals would be reduced gradually over the next 10 years in order to ensure student acceptance.

Strong emphasis is being placed on planning meals around foods rather than "a set of nutrients." Vegetables also have been broken into different categories—dark green, orange, legumes, starchy and non-starchy—with specific amounts of each type that should be served per week.

In addition, the new rules would not allow 100% snack-type fruits or vegetables, such as fruit strips and fruit drops.

Kathy Litts, general manager of the St. Charles District 303 food serv-

ice provider Sodexo, said the new guidelines would raise the district's average lunch to about \$2.50. She said the federal government is looking at taking the amount of money free and reduced lunch kids are reimbursed and deducting that from the paid student's lunches.

She said price increases would be made over time to avoid hardship for parents. "In order to compensate for the extra food they're asking to put on the plate, that's the compensation,"

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Illinois
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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**

Illinois State Board of Education

Name (Last, First)	Term Expires	Member Since	Affiliation	First Appointed By	Position	County
Baumann, James	01/09/2013	12/18/2009	Independent	Quinn	Member	At Large
Brown, Andrea	01/12/2011	09/01/2004	Republican	Blagojevich	Member	Williamson
Fields, David	01/12/2011	09/01/2004	Independent	Blagojevich	Member	Vermilion
Gilford, Steven	01/09/2013	12/18/2009	Democrat	Quinn	Member	At Large
Hall, Vinni	01/12/2011	09/01/2004	Democrat	Blagojevich	Member	Cook
Koster, Lanita	01/12/2011	05/01/2008	Democrat	Blagojevich	Member	Cook
LaBarre, Melinda	01/09/2013	12/18/2009	Republican	Quinn	Member	Sangamon
Ruiz, Jesse	01/12/2011	09/01/2004	Democrat	Blagojevich	Chair	At Large
Ward, Christopher	01/14/2009	09/01/2004	Democrat	Blagojevich	Vice Chair	Will

Source: State of Illinois website at <http://appointments.illinois.gov>

Terms of office for six state board of education members have expired

The Illinois State Board of Education has six members whose term of office has expired, although all six remain on the board unless and until a successor is appointed by the governor and confirmed by the Illinois Senate.

The term of five members expired on Jan. 12: Jesse H. Ruiz, board chair, Chicago; Vinni M. Hall, board secretary, Chicago; Andrea S. Brown, Marion; David L. Fields, Danville; and Lanita J. Koster, Chicago. The term for a sixth member, Christopher J. Ward, Vice Chair, Lockport, expired two years ago (see chart above).

Appointments to the nine-member board were last made in December 2009 by Gov. Patrick Quinn. Those three newest members, each serving for four years, are James Baumann of Lake Bluff, Steven Gilford of Evanston and Melinda LaBarre of Springfield.

Members of the state board serve a term of at least four years, commencing from the second Wednesday of January of odd-numbered years until a successor is appointed and qualified. No more than five members may come from one political party, with no more than two at-large mem-

bers allowed.

The membership of the panel is important because the state board sets educational policies and guidelines for public and private schools, preschool through grade 12, as well as vocational education. It analyzes the aims, needs and requirements of education and recommends legislation to the legislature and governor regarding all schools in Illinois.

By law, the state board also determines qualifications and appoints a chief education officer, the State Superintendent of Education, who serves at the pleasure of the board.

LUNCH *from page 2*

Litts said.

The USDA plans to offer training for program operators through the National Food Service Management Institute plus support through its Team Nutrition program and regional offices.

Those wishing to offer comment can do so by going to www.regulations.gov. Select "proposed rule" as the document and check "open for comment." Then type in "FNS-2007-0038" for the keyword.

An official from the Illinois State Board of Education offices said the standards are still being reviewed and officials will keep an eye on the changes.

Final rules should be released in January 2012 and are targeted to go into effect with the 2012-13 school year.

Illinois teacher a finalist for National Teacher of the Year

Illinois 2011 Teacher of the Year Annice Brave, of Alton CUSD 11, was recently nominated as a 2011 finalist for National Teacher of the Year.



Annice Brave

She won the Illinois teaching award earlier this year, which automatically put her in the initial running for the national award.

Brave previously won the NAACP Excellence in Education Award and the ALL award acknowledging vocal leaders. She was once the Newspaper in Education Teacher of the Year, and while she was a student editor for a newspaper in college she won the

Markup Excellence Award as a professional journalist. She is now a National Board Certified Teacher.

In the past 40 years no one in Illinois has been named the National Teacher of the Year. If Brave would win the award it will involve over 150 speaking engagements all over the world. The winner will be chosen in May.

Brave was nominated by District 11. Alton Superintendent David Elson said he has known her since he was a principal and said he has always considered Brave a special person with an enormous amount of potential.

"She just goes out of her way all the time and is so student centered," Elson said.

Gov. Quinn largely spares school operations from FY 2011 budget ax

Transportation cuts, consolidation plan aside

Governor Patrick Quinn delivered his budget address on Feb. 16 before a joint session of the Illinois House and Senate. The message included the governor's spending priorities for Fiscal Year 2012, which called for a Foundation Level increase of \$148 per student over FY 2011 funding, combined with a reduction of \$95 million in the state support for regular school transportation.

In a state budget that the governor said will cut about \$1 billion below FY 2011 levels, Gov. Quinn otherwise generally spared education spending but outlined some new spending priorities. The governor recommended that spending for elementary and secondary education be increased by \$225 million above the FY '11 appropriation level.

The governor's spending plan differed markedly from the Illinois State Board of Education's (ISBE) budget recommendation. The state board had sought a \$700 million increase, including a \$300 per pupil increase in the foundation level – twice the level proposed by the governor – and full funding of mandated categorical grants, including transportation.

The state board presented its plan as a budget of what “should be done,” with most members agreeing it is also a budget that is not going to pass as offered. “As advocates for local school districts the members said they felt they needed to present a budget with higher goals,” said Cynthia Woods, director of advocacy at IASB, after observing the state board's meeting on Jan. 13.

ISBE's recommendation of boosting General State Aid from \$6,119 per pupil to \$6,416 per pupil falls far short of the state Education Funding Advisory Board's recommended Foundation Level of \$8,360, but it is \$149 higher than the governor's proposed Foundation Level of \$6,267.

School lobbying groups such as the Illinois Statewide School Management Alliance differed with the governor on the budget.

“The Alliance has consistently, especially in tight fiscal times, urged the governor and legislature to prioritize the school funding formula and the mandated categorical grant programs,” said Alliance representative Ben Schwarm, IASB's associate executive director for advocacy and governmental relations. “This year, the governor's recommendation is to increase the per pupil foundation level – but cut the reimbursement for

student transportation.”

The \$95 million cut in the transportation line item follows a similar cut the state made last year, Schwarm noted. “If this additional cut goes through, school districts would receive transportation reimbursement claims paid at less than 50 cents on the dollar.” In addition to recommending that cut, the governor also proposed eliminating all state subsidies for regional offices of education, a cut of more than \$13 million.

Mandated categorical grants for special education, however, would be fully funded under the governor's plan.

The governor also called for consolidation – possibly forced consolidation – of school districts. (See Consolidation Proposals, page 1.)

Although additional funds are expected to be available in FY '12 because of the recent increase in state income tax rates, legislative leaders have indicated there will be little support for new state programs or increased spending. The first priority will likely be paying down a state deficit of around \$13 billion.

More insight on the governor's budget priorities can be found on the website of the governor's Office of Management and Budget at: <http://www.state.il.us/budget/>.

Court lifts injunction against ‘moment of silence’ requirement for Illinois schools

On Jan. 13, the U.S. District Court for the Northern District of Illinois lifted its injunction in the case of *Sherman v. Koch* that had been in place since 2008. The injunction prohibited Illinois school districts from observing a “brief period of silence” at the beginning of every school day.

Now, all Illinois public school classroom teachers must observe a “brief period of silence” with students at the beginning of every school day. The Silent Reflection and Student Prayer Act defines the time as an opportu-

nity “for silent prayer or for silent reflection on the anticipated activities of the day.” 105 ILCS 20/1.

There are almost an infinite number of ways for public school districts to implement the brief period of silence. In its October 2010 opinion, the Seventh Circuit Court of Appeals approved of one school district's implementation of the statute as follows:

The district made a school-wide morning announcement, “We will now have a brief period of silence.” After fifteen seconds, the announcer began the Pledge of Allegiance. *Sherman v.*

Koch, 623 F.3d 501 (7th Cir. 2010).

The Illinois State Board of Education (ISBE) has announced that while this is not the only way for public schools to implement this mandate, this is one way that works. However, ISBE wants school districts to have the flexibility to implement the brief period of silence in ways that best fit each individual school district.

School boards should contact their attorneys for guidance about how to implement the requirements of the Silent Reflection and Student Prayer Act in their districts.

CONSOLIDATION *from page 1*

1, 2012

- Abolishes all school boards on July 1, 2012
- Establishes county school districts
- Sets a date for a special election for each county to elect members of the new county school board
- Transfers all powers, duties, assets, property and employees from the former school boards to the newly created county school board

IASB position on consolidation

The Illinois Association of School Boards strongly opposes any proposal for mandatory school district consolidation. IASB has clear positions, initiated and approved by Association

members, which state that any school district reorganization must be approved by a majority vote of the districts affected and that no arbitrary pupil enrollment or geographical component be used to force consolidation. IASB Position Statements 7.01 and 7.02 can be reviewed at: <http://www.iasb.com/govrel/positions.cfm>.

School board members are being encouraged by the Alliance to contact their state representative, state senator and the Office of the Governor to voice their opposition to these proposals. A position paper with talking points on consolidation has been posted at: <http://iasb.com/govrel/consolidation2011.pdf>.

STUDY *from page 1*

“While state-level consolidation proposals may serve a public relations purpose in times of crisis, they are unlikely to be a reliable way to obtain substantive fiscal or educational improvement,” the authors state in their report, *Consolidation of Schools and Districts: What the Research Says and What It Means*.

The policy brief was produced by the NEPC, housed at the University of Colorado at Boulder School of Education, with funding from the Great Lakes Center for Education Research and Practice, an Ohio research group that supports public education through dissemination of academic research on education policy and practices.

Larger school districts are more likely to be fiscally inefficient than smaller districts, according to the report. And while some policymakers think school district consolidation will save money through fewer superintendents, they don't take into account all of the added costs involved, the new report states.

Consolidation also has not been shown to improve student achievement, but instead can result in diminished academic and social performance, according to the brief. Studies show that bigger districts and larger schools

are associated with reduced rates of student participation in extracurricular activities, less-safe schools, lower graduation rates, lower achievement levels for poor students, and wider achievement gaps, particularly among low-income and minority populations.

Other key findings:

- A century of consolidation has already produced most of the efficiencies obtainable.
- Impoverished places, in particular, often benefit from smaller schools and districts, and can suffer irreversible damage if consolidation occurs.
- Research does not support claims about the widespread benefits of consolidation. The assumptions behind such claims are most often dangerous oversimplifications.

Based on their research, the authors recommend that policymakers approach school consolidation cautiously and make decisions about it on a case-by-case basis, and not through sweeping state policy changes.

The brief is available on the National Education Policy Center website at: <http://nepc.colorado.edu/publication/consolidation-schools-districts>.

Attorney General's office announces interim new Public Access Counselor

Attorney General Lisa Madigan recently appointed Amalia Rioja as Acting Public Access Counselor. She succeeds Cara Smith, who recently



Amalia Rioja

left the AG's office and was named chief of staff for the Illinois Department of Corrections.

As the Acting Public Access Counselor, Rioja will oversee 11 assistant attorneys general and six support staff who work in the Attorney General's Public Access Bureau while the Office of the Attorney General conducts a search for a permanent PAC.

Rioja has served as chief deputy public access counselor since the amended Freedom of Information Act went into effect Jan. 1, 2010. Prior to that she worked as an assistant attorney general on policy issues. Previously, Rioja worked in the Illinois Comptroller's office as deputy general counsel and as its FOIA officer. Rioja also worked for the Mexican American Legal Defense and Educational Fund. She is a graduate of the Medill School of Journalism at Northwestern University and Northwestern University School of Law.

In the year since the new laws went into effect, Madigan said more than 5,200 new matters were submitted to the Public Access Bureau by the public and the media, demonstrating the need for strong, enforceable open government laws. The overwhelming majority of the requests and inquiries came from members of the public, showing that Illinois' sunshine laws continue to be used most by the general public rather than the media.

Further information and educational materials on the Freedom of Information Act and the Open Meetings Act can be found at: www.illinoisattorneygeneral.gov.

Number of schools making ever-higher AYP goals continues to decline

School report cards statewide show an additional 56 Illinois school districts and 211 schools made adequate yearly progress (AYP) in 2010. But the bad news is 51 percent of Illinois schools did not. And that number could increase in 2011, when the performance target for AYP statewide will jump from 77.5 percent to 85 percent.

Despite the improvements many students are making, more schools and districts are falling short of performance targets that rise each year under the federal No Child Left Behind law (NCLB).

Schools are evaluated based on either the Prairie State Achievement Exam (PSAE), the Illinois Standards Achievement Test (ISAT) or the Illinois Alternate Assessment (IAA). The number of students expected to meet or exceed standards on these exams goes up by 7.5 percentage points each year until 2013-14, when 100 percent will be expected to meet state standards in reading, math and science.

According to Mary Fergus, spokesperson for the ISBE, schools failing to make AYP for two consecutive years are required to face “corrective action,” which means offering school choice or tutoring services. After five years, schools falling short of AYP require “restructuring.”

Fergus said Illinois schools “are making progress. They are indeed improving on the ISAT.” The ISAT tests students in reading and math every year from grades 3-8. Students are tested in science in grades 4 and 7.

The number of schools falling short of the ever-rising bar of AYP jumped to 1,999, or 51 percent, in 2010 from 40 percent in 2009. A total of 309 districts made AYP in 2010 while 559 districts, or 64 percent, did not make AYP, an increase from 49 percent of districts in 2009.

“Schools and districts are making improvement, even as the required testing performance benchmark

increased by another 7.5 points since last year,” said Christopher A. Koch, State Superintendent of Education.

Recent state statistics meanwhile show that nearly 88 percent of public school students in Illinois earn their high school diploma. That’s a 5 percent increase since 2001.

“Overall, our statewide averages continue to increase incrementally or hold steady. But the number of schools making AYP continues to decline – now outnumbering those districts that do make AYP. We need to modify No Child Left Behind to take into account student growth and improvements in learning, rather than just penalizing schools for not meeting artificial performance targets.”

“It’s been kind of a public relations nightmare for public education,” agreed Guy Banicki, assistant professor of educational administration and foundations at ISU. Banicki recently made the remark to the *Daily Vidette* newspaper.

“I think it’s unfortunate that we have to evaluate a school system based on one test taken by students on one day every spring. There’s got to be better measures.”

Banicki explained part of the problem is that the school evaluations do not adequately take into account students with special education needs or those who do not speak English.

Under the law, any group of 45 or more students at a school – whether gender, race, or, in this case, in special education – are factored in and must meet AYP as a group or else the school and district will fail to make AYP.

What many school officials argue with is that special education students generally must take the same test and are expected to perform at the same abilities as their peers who do not have any sort of disability.

IDEA, the law that tells us we have to teach special education children differently, basically runs counter to the No Child Left Behind law, educators say.

Local educators’ response

McLean County Unit District 5 superintendent Gary Niehaus said many schools are working to boost scores by giving students more individual attention. Niehaus said potential reforms to the NCLB Act and a new standardized test to be implemented in 2014 also should make a difference to school district ratings.

In June, ISBE adopted the new Illinois Learning Standards in math and English based on the internationally-benchmarked Common Core State Standards. Illinois is a governing member of the 26-state Partnership for Assessment for College and Careers (PARCC) that will develop a new generation of tests aligned to the new standards to measure students’ knowledge and skills. The new state tests are expected to be available by the 2014-15 school year.

Plans call for the new state assessment to be given three times a year, so it would be more like a probe, and some say it would probably be fairer than the one-time test.

Many administrators say test results currently are unfair and misleading. **Lemont Township High School District 210** superintendent Sandra Doeberl said that despite not making AYP this year, Lemont High School has shown remarkable progress in several areas. The Class of 2010 posted an average composite ACT score of 22.7 – the highest in school history. The mark was a full 2.0 points higher than the state average.

The school’s overall PSAE performance was much higher than the state average. In 2010, 69.2 percent of Lemont students met or exceeded standards in math, reading and science (which is not used to measure AYP), while the state’s average was 53 percent.

What is more, fifteen Lemont High School students were named Prairie State Scholars in 2010, an honor earned when students exceed standards in

See AYP on page 7

all subtests of the exam. Only two students earned the same recognition in 2009. Administrators remain optimistic about student progress, yet under NCLB the school might be labeled a failure by critics for falling short of AYP.

“The PSAE is a ‘snapshot’ and not the totality of the work that our students, faculty and staff put in on a daily basis,” Doebert wrote recently in the *Lemont Patch* website.

“We firmly believe that the systemic approach the school has implemented for curriculum, instruction, assessment, intervention, and professional development has led, and will continue to lead, to improving student achievement.”

But meeting AYP standards is not going to get any easier. The standards for schools to make AYP have increased significantly since 2003, when only 40 percent of Illinois students were required to meet or exceed in math and reading. The standard will be 92.5 percent in 2012 and 2013, and 100 percent in 2014.

Experts point out that No Child Left Behind measures progress between successive classes, rather than students’ personal growth over time. The group of students who graduated from high school in 2010 took AYP tests last year as juniors. Current data reflects the performance of students on track to graduate in 2011.

In 2009 Lemont High School ranked in Illinois’ top six percent of high schools on the PSAE. With 73.8 percent of students meeting or exceeding standards, it ranked 41st out of 656 high schools in the state.

In 2010, despite the tested group of students falling short of AYP for the first time, the school still ranked in the state’s top ten percent of high schools on the PSAE.

“As the target gets higher we will see more and more districts added to the watch list,” said **Pekin District 137** superintendent Andrew Brooks.

Brooks, whose district fell short of AYP for the first time this year after

missing the mark in reading by .1 percent, said teachers work hard but they don’t have control over some issues related to the success of the district on the state test.

Students might not be in the frame of mind to do well on the day of the test, or too many of them might be absent. He notes there is little built-in incentive for students to perform well on the test. And some students struggle with the test because of disabilities that limit their learning capabilities.

“Some of them break down and are so frustrated that they don’t want to take part,” said Brooks. “We try to build them up, and our teachers are good at that, but eventually they shut down during the test, or what they write is not legible,” Brooks told GateHouse News Service on Nov. 30.

Additional help for districts

Brooks said his district is taking the issue very seriously by hiring educational consultant Gretchen Courtney and Associates Ltd. from St. Charles to analyze the data and determine the best possible way to improve all student scores. A series of workshops has already been launched.

This year’s professional development in Pekin is geared toward reading. Educators are learning things through workshops on reading comprehension, summarizing and connecting.

The cost of the consulting firm is \$11,000, but it is being shared with nearby **Deer Creek-Mackinaw District 701**, **Rankin District 98** and **Spring Lake District 606**.

It ordinarily costs \$199 per teacher to send instructors to workshops, but Brooks said the district opened the new workshop up to neighboring districts at \$50 per teacher. All of the teachers from Rankin and Spring Lake are attending them. Deer-Creek-Mackinaw is also sending 10 teachers. Opening it up to outside teachers helped spread out the cost, said Brooks.

In addition, the Pekin district con-

tinues to offer free tutoring for students in the fifth- through eighth-grade after school. The district was allotted an extra \$50,000 from the state in reading grants this year.

Many school administrators agree that NCLB has jump-started achievement gains, prompted schools to make changes and to push for higher expectations – in many cases achieving those. But some also note the system is not flexible, does not adequately assess student learning and generally leaves a lot riding on a series of tests all administered within one week’s time.

As many school officials describe, it is high-stakes testing, and the rising bar of expectations means all schools will eventually fall short. Achieving AYP has progressed from a difficult task to one that annually looks more like an impossible task, school officials say.

“Early on, we had just a handful of schools that weren’t making AYP. But as those thresholds have increased – and I would say that every single one of our schools is performing at significantly higher levels than they were in 2003 – the kind of growth schools are making does not match the AYP thresholds that are out there,” Bryan Chumbley, director of research for **Peoria District 150**, told the *Peoria Journal-Star* last year.

That view echoes among school leaders around the state. For schools and districts that do not meet AYP, even in one small subgroup, there are mandates or consequences.

State Superintendent Koch has said these are flaws that need to be addressed.

“A school district with a subgroup of students with disabilities can show progress, yet still not be proficient and still fail in terms of AYP,” Koch said, noting the law has become somewhat ‘punitive’ to school districts. “It’s a flaw in how the current law is constructed and something we need to fix as we look at re-authorization (of NCLB).”

Post-election duties include electing officers, seating members

The following dates and duties are worth noting for this year's April 5 board elections:

Tuesday, April 26, 2011 – Last day for canvassing of votes and proclamation of results by proper election authority (county clerk or election commission). School boards are no longer required to canvass the election results.

- A signed copy or original duplicate of the completed abstract of votes is transmitted to the school board secretary and to the State Board of Elections.
- The county clerk will make out a certificate of election to each person declared elected to an office and transmit it to the person elect-

ed, upon his or her application.

Tuesday, May 3, 2011 – Last day for school board to reorganize. During the organizational meeting, the following must occur:

- Before taking their seats on the board, each successful candidate must take the oath of office in substantially the same form as prescribed in 105 ILCS 5/10-16.7.
- The school board must elect its officers who assume office immediately upon their election (see the IASB website under the publications heading for a free publication that suggests some procedures).
- The school board must fix a time and date for its regular meetings. Boards should review their local board

policy concerning the organizational meeting.

IASB offers a free publication on its website that provides information about election of officers and holding the organizational meeting. The publication, called "The School Board in Action: Seating New Board Members & Organizing the Board," is available at: <http://iasb.com/pdf/OrganizingBoard.pdf>.

For more information about these and other key election deadlines, download a complete list, including legal citations to pertinent Illinois laws, at: <http://www.iasb.com/pdf/ElectionCalendar2011.pdf>.

For additional information see: <http://www.iasb.com/elections/>.

Correction noted on write-ins, ballot certification

IASB editors deeply regret two significant errors regarding write-in school board candidates and certification of the ballot. The errors occurred on Page 4 in the January-February issue of the *School Board Newsbulletin*, involving questions and answers taken from *The Illinois School Law Survey*.

The first question was: When does the board secretary certify school board candidates to the election authority?

The *correct answer* is: The board secretary must certify the candidates to the election authority *not less than 68 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.

The answer cited a statute that was changed after the Law Survey was published. The old law required the secretary to certify candidates no less than 61 days before the election.

The last day to certify candidates for the April 5, 2011 board election was Jan. 27.

Another question was: Are write-in candidates permitted at a school

board election?

The *correct answer* is: 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 notarized declaration of intent to run as a write-in candidate *no later than 61 days prior to the election*.

The last day to file an intent to run as a write-in for the April 5, 2011 board election was Feb. 3.

Further, when an objection to a candidate's nominating papers is sustained under section 10-10 of the Election Code after the 61st day before the election, then write-in votes shall be counted for that candidate if he or she has filed a notarized declaration of intent to be a write-in candidate for that office with the election authority not later than seven days prior to the election.

The answer cited a law that had been changed prior to the publication of the Law Survey. The old law gave write-in candidates up until 7 days prior to the election to file a declaration of intent to run.

New board member packets will be mailed out as names come in

School board members elected in April 2011 will receive a packet of helpful information from IASB to help them hit the ground running. Once the consolidated general election is over on April 5, the packets will begin to go out as member districts let the Association know who the new board members are.

The list of items the packet will contain includes: Memo from IASB Executive Director Emeritus Dr. Michael Johnson; memo to new member's family; flyer announcing IASB's New Board Member Workshops; brochure: The Effective School Board Member; division meetings information; IASB Members-Only website flyer; Field Services Division map; conference flyer; IASB's Publications flyer; article: "Protect Your Good Name."

For more information about submitting needed names and contact information, phone IASB's Janice Kidd at ext. 1142.

School board lobbying group asks Congress to improve NCLB, preserve essential programs

The 2011 Federal Relations Network Conference was held in Washington, D.C., Feb. 6-8. The Illinois delegation included six school board members: Joe Alessandrini (IASB President, **Pekin CHSD 303**), John Jekot (**East Main S.D. 63**), Carolynne Brooks (Vice President, **West Richland CUSD 2**), Mike Kelly (**Plainfield S.D. 202**), Mark C. Metzger (Past President, **Indian Prairie CUSD 204**, Naperville), and Michelle Skinlo (**Mattoon CUSD 2**).

Delegates attended two days of informational sessions on a wide variety of national education issues, and then had a long and productive day lobbying on Capitol Hill.

On Feb. 8, FRN delegates visited their congressional offices to discuss reauthorizing the Elementary and Secondary Education Act (ESEA)



Diane Ravitch blasted NCLB.

which includes the No Child Left Behind (NCLB) Act, protecting funding for Title I and IDEA, and local control. The Illinois FRN delegates met with Senator Durbin and Congressmen Biggert, Hultgren, Schock, and Shimkus. They also met with the offices of Senator Kirk and Congressmen Johnson, Kinzinger, and Schakowsky.

“Both parties recognize that NCLB unfairly penalizes good schools based on poor performance by subgroups,” said Susan Hilton, IASB assistant director, governmental relations, who attended the meetings with lawmakers. Hilton said all of the legislators contacted seemed to agree that ESEA must be reauthorized as soon as possible, but very few legislators think it will happen by this summer for it to be effective for next school year.

On the funding issue, legislators expressed the general idea that schools



U.S. Secretary of Education Arne Duncan defended the administration's competitive grants program.

most likely will see cuts, but the hope is that Title I and IDEA will be spared as much as possible.

On Feb. 7, U.S. Secretary of Education Arne Duncan spoke to the group about the desire of the Obama administration to reauthorize ESEA/NCLB by this summer in time so it would be in effect for next school year.

When questioned about the competitive grants the administration has pushed and how they essentially make children in some states winners and children in other states losers; he indicated he feels the innovation and reform that has resulted is worth the cost. It was evident that most school board members in attendance disagreed with that belief.

The conference officially began on Feb. 6. Diane Ravitch, a college professor and a senior fellow with the Brookings Institute, who is a former supporter and developer of NCLB, expressed deep concerns over the ongoing federal intrusion into local control.

She labeled NCLB as a timetable for the destruction of public education and said that children are being used as experimental lab rats. She ended her presentation saying that the Obama administration wants to “change the name, but not the game” of NCLB.

Later, political analyst Norman Ornstein talked about the new wave of bipartisanship and civility that has resulted from the tragedy in Arizona, but he predicted that it will not last long.

More information from the Federal Relations Network event can be found at <http://schoolboardnews.nsba.org/category/frn-conference-11/>.

NEWS FROM IASB

Student talent sought

The IASB/IASA/IASBO Joint Annual Conference is looking for high schools and middle schools that want to showcase their talented fine arts students at the 2011 Conference, whether in music, art, drama, or a compilation of programs. Submissions from one high school and one middle school will be selected and can be either a single performance or an arts program overview in a DVD. Submit district entries to IASB, 2921 Baker Drive, Springfield, IL 62703, ATT: Dawson/Arts DVD, postmarked no later than June 6, 2011, for review by IASB staff. Districts will be notified by Sep. 15 if selected. For more information visit: http://iasb.com/jac11/dvd_criteria.cfm.

New member district

Lostant CUSD 425 recently joined the Association, bringing the membership count to 852 school districts. There are currently just 14 non-member districts. Lostant is located in the Starved Rock Division, where John Cassel serves as field services director.

Mandate waiver report

A total of 82 mandate waiver requests have been filed so far this year through a process IASB was instrumental in creating. Most are for driver's ed requirement waivers, followed by physical ed waivers. Before starting the waiver process, future applicant districts must carefully review the requirements outlined in the “Overview for Waiver Process” found at <http://www.isbe.net/isbe-waivers/html/overview.htm>. If ISBE fails to disapprove a request, it is deemed granted. Waiver application forms and instructions are provided by ISBE at <http://www.isbe.net/isbe-waivers/html/application.htm>.

Schools must implement new requirements for SSNs



Melinda Selbee is IASB's general counsel

DEVELOPMENTS IN SCHOOL LAW

The Social Security Number (SSN) was created in 1936 by the Secretary of Health and Human Services to track workers' earnings. Its unique and permanent features made it a valuable tool for many public and private sector entities to identify and verify individuals. Today, it's also a valuable tool for identity thieves.

Illinois, like many states, has adopted legislative protections for SSNs. Local government agencies, including school districts, have new responsibilities under the Identity Protection Act, 5 ILCS 179/, added by P.A. 96-874. The Act's focus is on protecting SSNs from unauthorized disclosure. While the Act applies to all Illinois local government agencies, this arti-

cle refers only to school districts.

The Identity Protection Act contains a lengthy list of prohibited activities for school districts and their employees. Many of the prohibitions limit the display and posting of SSNs. For example, the Act prohibits printing an individual's SSN on a card required for him or her to access products or services. Thus, school ID cards may not use SSNs.

The Act prohibits school districts and their employees from collecting, using, or disclosing SSNs unless authorized by the Act. Districts may collect, use, or disclose a SSN if required to do so under State or federal law or the collection, use, or disclosure of the SSN is otherwise necessary for the district to perform its responsibilities. In these situations, the need and purpose for the SSN must be documented before its collection and the SSN collected must be relevant to the doc-

umented need and purpose.

School districts are authorized to use or disclose SSNs in specified circumstances without documenting the need or purpose, such as, to:

1. Disclose SSNs to another governmental entity if the disclosure is necessary for the entity to perform its duties and responsibilities;
2. Disclose a SSN pursuant to a court order, warrant, or subpoena; and
3. Collect or use SSNs to investigate or prevent fraud, to conduct background checks, to collect a debt, or to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act.

Each school board must adopt an identity protection policy. The policy must, among other things, require that all employees having access to

See **SSN** on page 11

Council offers free legal guidance on 'Care of Students with Diabetes Act'

IASB has received numerous calls from school districts looking for guidance on procedures to implement Public Act 096-1485 – the Care of Students with Diabetes Act (effective 12/1/2010). Members of the Illinois Council of School Attorneys have drafted guidance for districts on this problematic new state law. The guidance is now available on IASB's website, at <http://iasb.com/law/diabmats.cfm>, and is likely to be welcomed by schools because the new Act is unclear, and conflicts with other laws.

The Act contains many new requirements for Illinois schools. IASB helped prepare the following documents to help districts and cooperatives comply with the Act:

- Answers to FAQs on: Process for selecting a Delegated Care Aide; Training; Developing a diabetes care plan; Classroom management; and Sample Authorization, Release, and Acknowledgement
- Sample procedures for the care of students with diabetes
- Letter to ISBE and other state agencies requesting guidance
- Letter to the U.S. Dept. of Education

"This material provides a starting place for school districts and cooperatives to develop their own procedures. Districts should review their plans and procedures with their own attorneys," said IASB's General

Counsel, Melinda L. Selbee.

On a separate webpage at the IASB site, there is also a new sample procedure for Section 504 of the U.S. Rehabilitation Act of 1973, as applicable to students. Section 504 protects qualified individuals from discrimination based on their disability. Those looking for guidance will find it online at <http://iasb.com/law/sec504.cfm>.

All documents may be downloaded free of charge because the participating attorneys donated their time and IASB covered all other costs. The names of the participating ICOSA attorneys who offered their time and expertise in developing the materials are listed with the web documents.

Association's Executive Director Emeritus receives Shannon Award

NSBA leadership honors IASB chief

Michael D. Johnson, executive director emeritus of the Illinois Association of School Boards, was honored during NSBA's Leadership Conference in Washington, D.C.

Johnson was named this year's recipient of the Thomas A. Shannon Award for Excellence in School Boards Association Leadership.

Johnson was one of 14 executive directors nominated for the award, which was established in 1997 after NSBA's former executive director, Thomas A. Shannon.

The nomination was submitted by Joseph Alesandrini, president of IASB, and the **Pekin CHSD 303** board of education. His nomination stated: Dr. Michael D. Johnson arrived as Executive Director of the Illinois Association of School Boards in 2000 and has been 'a veritable force of nature' ever since.

In his tenure, the Association has seen its staff more than double, its membership increase to all-time highs and the completion of three separate capital construction programs.

The staff size has been continually increased in response to ever-growing demand for the Association's services. That growth, in turn, led to the need for additional space, which in turn created more capacity for services, thus creating a perpetual growth.



IASB Executive Director Emeritus Michael D. Johnson, center, received the Thomas A. Shannon Award on Feb. 5., accompanied by (l-r) Mike Bartlett, Mark C. Metzger, Joseph Alesandrini and Carolyne Brooks.

The first capital project was to replace IASB's headquarters in Springfield. The new building opened in 2003, and was delivered on time and under budget and paid for entirely from cash reserves.

The Springfield headquarters was expanded in 2006 and the Association's suburban Chicago offices were overhauled and expanded in 2007.

IASB's membership has reached all-time highs and currently there are only 14 districts out of 866 that are not members of the Association.

Johnson was also praised for his entrepreneurial fundraising and his ability to find revenue opportunities in nearly every aspect of an Association's operation.

Alesandrini noted that Johnson also has a gift of seeing opportunities for partnerships. In the early 2000s, the IASB board began an effort

to build a web-based tool advocating for public education and serving as a resource for parents and local board members to understand and appreciate the important role of public education.

Because of his credibility with educational leaders in Illinois, Johnson has become the leading advocate for school management issues in the state. As a result, he frequently serves as a sounding board for new state initiatives or regulations. This, in turn, has allowed IASB to assume the role of policy shaper as legislators and regulators consider laws that have an impact on school operations.

"The qualities of leadership, achievement, advocacy, and relationships were the hallmark of Thomas Shannon's leadership. They also belong to Dr. Michael Johnson," Alesandrini concluded.

SSN from page 10

SSNs be trained to protect their confidentiality. It must require that, when collecting a SSN or upon request by an individual, a statement of the purpose(s) for which the district is collecting and using the SSN be provided. The district must inform all employees of this policy's existence and make a copy of it available to each employee and to members of the public, on request.

The February issue of PRESS (Issue 75) contains a sample policy and four

other new pieces of material in response to the Identity Protection Act. The policy contains goals for managing the collection, storage, use, and disclosure of SSNs as well as the Act's mandatory compliance measures. The administrative procedure contains compliance action steps for various personnel. Also included in the February PRESS issue are a sample letter to employees, a statement of purpose for collecting SSNs, and a statement

for an employee manual or district website describing the district's purpose for collecting SSNs.

As to the overriding issue of keeping SSNs confidential, a veteran superintendent suggests...

1. With students...not having the number is the best way to go.
2. With staff...limited access by only those with a need to know and checks in place to assure the same.

Workshops offer 'tech tools' and ideas for district secretaries

Three recent workshops were designed to help district secretaries learn about free, online tools and how to use them more effectively. Topics included current MS Word software techniques and tips, and many other free, online tools that can make the district secretary's job easier and more productive.

Organizers say district secretaries who attended these workshops on Tech Tools for the 21st Century Secretary learned how to best use such tools to raise their level of professionalism.

The half-day workshops were held at three locations. The cost was \$55 per person. The events were held Friday, March 18, at **Mt. Vernon School District 80**, Friday, March 25 at IASB's Springfield office, and Friday, April 1, at **Marquardt School District 15** in Glendale Heights.

For information regarding all such training opportunities, visit the IASB calendar page on the website at: <http://www.iasb.com/calendar>. Online registration is usually available on that same website.

Stepped-up policy outreach underway

IASB Policy Services is offering several opportunities for member districts to develop, update and maintain their policy manuals. Since 1993 more than 500 member districts have developed a policy manual working with IASB staff, but some member districts have never done a policy project.

While many districts have developed a manual with IASB, it may not have been fully maintained. Or, some districts still have up-to-date manuals,

but have expressed a desire to streamline their policy update process.

IASB policy services staff members have reviewed these member needs and are offering significant savings for taking advantage of these additional services between now and June 30, 2011.

Letters have been mailed to board presidents and superintendents with further details. Districts are encouraged to contact IASB Policy Services staff members to discuss their specific needs and opportunities.

CALENDAR OF EVENTS

March 25 – Tech Tools for the 21st Century Secretary: A District Secretary Workshop, IASB headquarters, Springfield

March 26 – Data First for School Governance, Riverside-Brookfield THSD 208, Riverside

March 30 – South Cook Division Spring Dinner Meeting, Orland Chateau, Orland Park

April 1 – Tech Tools for the 21st Century Secretary: A District Secretary Workshop, Marquardt SD 15 Administration Center, Glendale Heights

April 26 – Wabash Valley Division Summer Governing Meeting, The Holiday, Olney

April 28 – Illini Division Summer Governing Meeting, Ristorante Tuscano, Tuscola

