

# Illinois SCHOOL BOARD Newsbulletin

April 2008 / Issue No. 672

## Metzger elected to NSBA board, Donna Johnson to head national search group

Five hundred and two Illinois school leaders from 135 school districts were in attendance at the National School Boards Association's 2008 Conference, March 29-April 1 in Orlando, Fla. This year's conference featured scores of new board member development sessions and workshops, and during the event IASB president Mark C. Metzger was elected to serve an unexpired one-year term for the Central Region on the NSBA Board of Directors.



Mark C. Metzger

Metzger is president of his local board at **Indian Prairie CUSD 204** and moved into the IASB presidency last November. He will be eligible for reelection to the Central Region post when the term expires in 2009.

"I am sincerely honored by this expression of trust from my fellow school board members around the country. It reflects well on IASB, and I am looking forward to the challenge of serving on the national board," Metzger said.

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More than 30 representatives from Illinois schools presented panel sessions at NSBA. These three presenters hailed from Macomb CUSD185: Ardell Thompson (l.), Dana Isackson, and Maria Dunston (r.). Thompson is the board president.



School leaders from Woodland SD 50 and Grayslake CHSD 127 smiled through the "Walk of Excellence." From left: Supt. Catherine Finger, Grayslake; Jennifer Tempest Bova, staff, and Joy Swoboda, superintendent, both of Woodland SD 50.

## Governor's '09 budget would mean real cuts for schools, says CTBA

Report: inflation costs to take more than \$1.2 billion

Governor Rod Blagojevich's Fiscal Year 2009 budget recommendation would actually mean cuts to public schools after adjusting for inflation. That finding comes from an analysis of the budget produced recently by the public funding watchdog group known as the Center for Tax and Budget Accountability (CTBA).

In its report, the CTBA, a bi-partisan, non-profit research and advocacy think tank that promotes fair, efficient and progressive tax, spending and economic policies, also says revenue is going to be up \$448 million. The bad news is inflation, which is expected to balloon the deficit to \$752 million.

CTBA's report, *Highlights of the Illinois State Budget Proposed for Fiscal Year 2009*, said that just covering the cost of inflation for fiscal year 2008 would require more than \$1.2 billion, assuming state service levels stayed the same in fiscal year 2009. In addition, the Illinois comp-

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## RtI self-assessment tool offered to school districts

After the Illinois State Board of Education (ISBE) developed a Response to Intervention (RtI) plan, the next step was to develop a district self-assessment template to help school districts begin to follow the plan. State education agency leaders have now come up with the tool, which state officials say will help districts assess their initial readiness for implementing RtI.

RtI is an early intervention approach to helping all students with learning disabilities before they fall behind their classmates. Illinois is the only state in the union to mandate the use of RtI for all its public schools. State officials say school districts have until Jan. 1, 2009 to develop their RTI transition plan.

The state's new self-assessment template is now available at [http://www.isbe.net/RtI\\_plan/default.htm](http://www.isbe.net/RtI_plan/default.htm).

## State seeks to implement Anna Plan for RtI training

As a part of ISBE's effort to encourage school districts to incorporate an RtI approach to the teaching of reading, ISBE wants to provide training to teachers in the implementation of the "Anna Plan." The plan is a small-group approach to reading intervention.

For more information about RtI and the Anna Plan, contact Sarah McCusker, ISBE Curriculum & Instruction, at 217/557-7323 or by e-mail at [smccuske@isbe.net](mailto:smccuske@isbe.net).

## Annual State Superintendents' Conference dates: Oct. 23-24

The dates for the Annual Superintendents' Conference have been changed. The event will be held on Oct. 23-24. ISBE changed dates to avoid conflicts with the start of the school year.

# District finances improving statewide, nearly 70 percent now called healthy

An increasing number of schools improved their financial health in the past year, according to the state's annual financial profile released on March 20.

Nearly 70 percent of districts were rated in the highest category for "financial recognition" (up from nearly 60 percent last year), while only 3 percent were on the "financial watch list" (down from 6 percent last year).

For the fifth straight year the number of districts spending more than they take in declined. Four years ago more than three-fourths (76.8 percent) of all districts had deficits. This year, less than one-fourth (23 percent) reported budget deficits.

"There are no easy decisions when it comes to school funding, but this clearly shows that local boards are being good stewards with the resources the governor and lawmakers have been able to provide them," State Superintendent Christopher Koch said in the news release. "It's very promising to see districts making these financial improvements." Over the past four years, state funding for public elementary and secondary education has increased by \$5.9 billion.

The latest financial profile ratings were based on ISBE's analysis of annual financial reports that school districts submitted for the year ending June 30, 2007.

Five indicators are used to determine a school district's financial rating:

- Fund balance-to-revenue ratio
- Expenditures-to-revenues ratio
- Days of cash on hand
- Percentage of short-term borrowing available
- Percentage of long-term debt remaining

Based on this formula, districts are designated in one of the follow-

ing four categories (highest to lowest): Financial Recognition; Financial Review; Financial Early Warning; or Financial Watch.

For the 2008 Financial Profile, the ISBE list shows:

- Financial Recognition: 602 districts, up from 513 in 2007
- Financial Review: 182 districts, down from 193 in 2007
- Financial Early Warning: 59 districts, down from 115 in 2007
- Financial Watch: 30 districts, down from 53 in 2007

To see the entire list, searchable by district name, county or designation, visit ISBE at <http://www.isbe.net/sfms/P/profile.htm>.

Included is a searchable five-year profile analysis of districts, showing each school district's total profile score and every key indicator.


For questions regarding the school district financial profile phone Ken Wargo or Lou Ferratier of ISBE at 217/785-8779 or email [kwargo@isbe.net](mailto:kwargo@isbe.net), or [lferrati@isbe.net](mailto:lferrati@isbe.net).

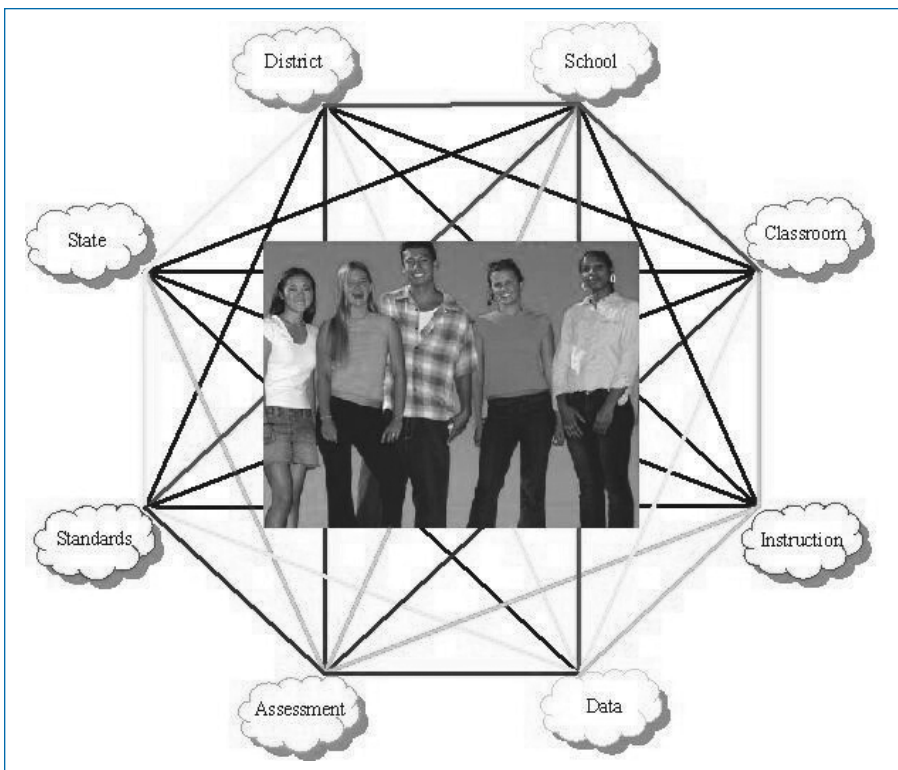
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**Illinois Association  
of School Boards**

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**James Russell, Director of Publications**  
**Gary Adkins, Editor**  
2921 Baker Drive  
Springfield, Illinois 62703-5929  
(217) 528-9688  
One Imperial Place  
1 East 22nd Street, Suite 20  
Lombard, Illinois 60148-6120  
(630) 629-3776  
[www.iasb.com](http://www.iasb.com)

  
**ILLINOIS ASSOCIATION  
OF SCHOOL BOARDS**



## 3rd annual High School Challenge set for June 16-17 in Bloomington

The Illinois State Board of Education is asking high school educational leaders to mark their calendars to plan to attend this year's High School Challenge, June 16 and 17, at the Doubletree Hotel in Bloomington. The conference is intended to create awareness of the changing global economy and the need to prepare Illinois students for the world in which they will live and work.

The conference is designed for all those involved with and interested in the work of Illinois high schools, including: superintendents, school administrators, teachers, school board members, etc. School leaders are encouraged to bring a leadership team from their district.

The theme for this year, the third consecutive year for the conference, is "Leadership and Learning: Connecting the Dots."

This event is co-sponsored by IASB, along with 20 other member organizations in the Coalition for Illinois High Schools. Besides IASB, the Coalition includes: ACT Midwest Region, High School District Orga-

nization, Illinois Alliance of Administrators of Special Education, Illinois Association of School Administrators, Illinois Association of Regional Superintendents of Schools, Illinois Association for Supervision and Curriculum Development, Illinois Board of Higher Education, Illinois Business Roundtable, Illinois Education Association, Illinois Federation of Teachers, Illinois High School Association, Illinois Interactive Report Card, Illinois North Central Association, Illinois Principals Association, Illinois State Board of Education, Large Unit District Association, West 40 Intermediate Service Center 2, Regional Systems of Support, Illinois Virtual High School, and the Illinois Community College Board.

More information, including registration materials and fees, can be found online at [http://www.isbe.net/curriculum/pdf/hsc\\_leadership\\_conf08.pdf](http://www.isbe.net/curriculum/pdf/hsc_leadership_conf08.pdf).

For questions, call the Illinois Principals Association at 217/391-0848 or e-mail the IPA at [sos@ilprincipals.org](mailto:sos@ilprincipals.org).

## NCLB opinion polls: Americans unhappy with act, penalties

Two recent public opinion polls have shown the federal No Child Left Behind law is increasingly on the mind of the American public, and it is not thought of in a positive light. The first, from Phi Delta Kappa/Gallup, notes that the more the public learns about No Child Left Behind, the less most people like it.

The other poll, conducted by Education Testing Service, shows that once the public learns about the sanctions and penalties heaped on schools deemed "failing," most people support exactly the opposite of what the law requires. Instead of heaping on penalties and stopping funding for the neediest schools, the public believes what is needed is to provide struggling schools with more funding and a local school administrator-driven school improvement plan.

In other words the public wants to let the district and school leaders create the plan to improve student achievement. Most people seem to feel that is the most important role for a school board.

Source: Center for Public Education. See their Web site for more information: [www.centerforpubliceducation.org](http://www.centerforpubliceducation.org).



*"I was so taken with his sudden attentiveness I never noticed."*

Also in Orlando, IASB's Director of Executive Searches Donna Johnson was elected as the new chair for the National Association of Superintendent Searchers. NASS is a collaborative effort that provides a forum for state association search personnel to discuss processes and products unique to their states and to support state search personnel.



Donna Johnson

"It's humbling to be elected by your peers from across the nation to serve in this capacity and especially in the work I love so much," Johnson said.

Meanwhile, IASB Executive Director Michael D. Johnson finished up his term on the NSBA board as chair and a non-voting member of the Federation-member Executive Directors' Liaison Committee. He was succeeded during the conference by Jeannie M. "Sis" Henry, executive director of the Georgia School Boards Association, who has presented referendum workshops at several IASB annual conferences.

### Illinois participation

Eleven districts from Illinois sent representatives to make presentations during the conference in Orlando.

**Woodland SD 50** in Gurnee represented Illinois in the 2008 "Walk of Excellence" with a tabletop display on "The Power of Community Engagement." District representatives were Joy Swoboda, SD 50 superintendent, Jennifer Tempest Bova, SD 50 public information specialist, and Catherine Finger, superintendent at **Grayslake CHSD 127**. The display showed how three districts came together to defeat a proposed Tax Increment Financing district in their area with communications strategies and positive community relations.



The IASB booth at NSBA's conference drew a great deal of interest, particularly as it was the only state association booth in the exhibit hall. Staffers Dana Heckrodt and Judy Niezgodka held down the fort.

Districts presenting panels and their topics were:

- **Matteson ESD 162**, raising student achievement amid changing demographics: Blondean Davis, superintendent; Muriel Cozzi, assistant superintendent, curriculum; Rodger Prietz, technology coordinator; Alicia McCray, board president; and Ronald Bean, board member.
- **Skokie SD 73.5**, strategic planning techniques in a small suburban district: Vicki Gunther, past superintendent; and James McGowan, former board president.
- **SD 45, Villa Park**, keeping ahead of AYP targets in a diverse district: Deborah Sassen, board member; William Schewe, superintendent; and Susan Schwicardi, assistant superintendent, curriculum.
- **Steger SD 194**, a realistic approach to response to intervention: Lisa Harrod, assistant superintendent; Jill Raymond, board secretary; and Jamie Finkelstein, intervention specialist.
- **Marquardt SD 15**, communicating district progress within continuous improvement: Susan Argentine, board president; Loren May, super-

intendent; Bruce Barreras, board member; and Aristides Ioannides, president, Emerald Data Solutions Inc.

- **Northbrook ESD 27**, making the Baldrige framework succeed in a small suburban district: Jennifer Warner, board president; David Kroeze, superintendent; Sally Lane, board vice president; and Edwin Feld, board member.
- **Northbrook ESD 27**, using a research design model for a high-quality science curriculum: Bonnie Wilkerson, assistant superintendent, curriculum, instruction and assessment; David Kroeze, superintendent; Sally Lane, board vice president; and Katharine Olson, math/science coordinator.
- **Macomb CUSD 185**, a model for improving student achievement K-12: Maria Dunstan, assistant superintendent; Ardell Thompson, board president; Dana Isackson, MJHS principal.
- **Glenview CCSD 34**, teachers' contract = partnership agreement: Gerald Hill, superintendent; Beth Primer,

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## BUDGET from page 1

troller has found that the state currently owes \$3.4 billion in unpaid Medicaid bills and the pension contribution increases are scheduled to grow by \$720 million from fiscal year 2008 to fiscal year 2009.

The comptroller's official report from February also noted that the K-12 education funding goals recommended by the Education Funding Advisory Board (EFAB) have gone unmet in recent years. This occurred despite funding increases overall for schools, and the report added: "even with the increases in elementary and secondary education funding, the state in fiscal year 2008 will still fall below the \$6,405 per pupil foundation level recommended by the EFAB for fiscal year 2006. Additionally, although there have been repeated legislative attempts to change the way that the state's schools are funded, the underlying system is unchanged, with persistent disparities in funding across the state's school districts." The comptroller's report called the state budget "persistently out of balance."

To help balance the budget for FY 2009 the governor has proposed a three percent across-the-board reduction in state spending in all areas except healthcare, K-12 education, and public safety. But according to the CTBA, the three percent cut will hit all those programs.

To address potential education cuts the Illinois House is considering a bill that would keep school districts off the state's financial watch list if general state aid payments are late or are cut. House Bill 4225 provides that a school district must not be certified by the Illinois State Board of Educa-

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“...the concern some superintendents are feeling is real because revenue estimates for the year are down from earlier estimates...”

—Mike Smith, D-Canton

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tion to be in financial difficulty because of a failure by the state to disburse funds owed to districts by June 30. If passed, the bill would go into effect on July 1.

Rep. Mike Smith, D-Canton, said on March 12 that he is concerned with this year's budget as proposed. He said any cut in state aid is just a rumor at this point, but the concern some superintendents are feeling is real because revenue estimates for the year are down from earlier projections.

“I think education funding is held

pretty sacred,” said Smith, who serves as chairman of the House Elementary and Secondary Education Committee.

Smith notes that school districts did not get FY '08 budgeted increases or the last two months of payments from FY '07 appropriations until January, which means the districts lost several months of interest on that money.

A bill also is pending in the House that would reduce the number of payments districts receive a year from 24 to 22. Districts would get the same amount of money promised by the state each year, but it would be divided into 22 payments so that the final payments are guaranteed to come in the fiscal year for which the appropriation was made. The state's fiscal year runs from July 1 to June 30.

In addition, some state legislators are concerned that this year's budget process will be as contentious as last year's. Smith said tensions still run high between the governor and legislature from protracted budget disputes last year.

“The budget session this year will definitely be contentious,” said Smith. “We have even a bigger hole to fill this year.”

Faced with a burgeoning deficit and the prospect of slowing revenue, the Illinois House hosted a series of 19 regional budget hearings in March.

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board member; Sue Ellen Bohac-Galligan, board member; and Bonnie Buehler, union president.

Mary Lou Sender, administrative assistant to the superintendent in **Wheaton-Warrenville CUSD 200**, might have been the busiest Illinois presenter at the conference. She participated in four different sessions.

Meanwhile, school leaders from **Fenton High District 200**, Bensenville, received a Magna Award for a Spanish-speaking parent outreach program in the district.

IASB board development consultants Nesa Brauer and Sandra Kwasa presented a pre-conference workshop, as well, on making meetings matter.

Deb Larson and Barbara Toney, consultants with IASB's Targeting Achievement through Governance programs, presented a “Meet the Experts” session on “The School Board's Role in Approving School and District Improvement Plans” and a “Board Member Boot Camp” session on “Targeting Student Learning — The Key Work of School Boards.”

Dawn Miller, IASB field services director for the Lake, Kishwaukee and Northwest divisions, participated in a “Meet the Experts” session on the superintendent search process, “It Ain't Over Till It's Over,” and a board support professionals' workshop. Melinda Selbee, IASB's General Counsel, spoke at the State Association Counsel meeting.

Four IASB staff participated in the Executive Job Fair held at the conference: Donna Johnson, Doug Blair, Dave Love and Dawn Miller.

# State moves to expand Preschool for All program

## Seeks proposals from skilled service providers

The Illinois State Board of Education (ISBE) is moving forward with the state's "Preschool for All" program expansion by accepting proposals from potential providers for the 2008-2009 school year. Public and private entities with experience in providing preschool educational, health, social and/or child development services are encouraged to submit proposals.

The program expansion will allow preschool offerings in a variety of settings, including public and private schools, childcare centers, licensed family childcare homes, private preschools, park districts, faith-based organizations and other community-based agencies. It requires that preschools be staffed by experienced teachers who hold bachelor's degrees and specialized training in early education and provide at least two and a half hours per day of high-quality programming designed to foster all of the skills – social, emotional, physical and cognitive – that young children need.

### State lauded for preschool approach

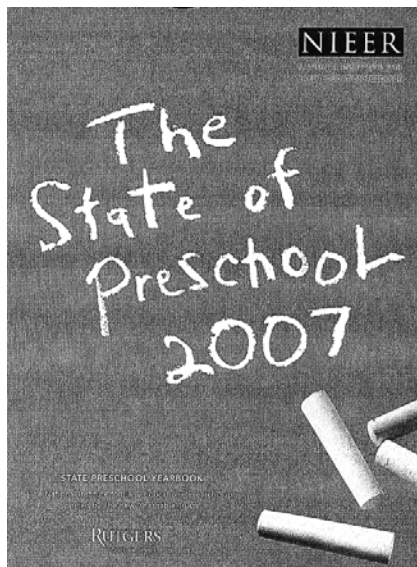
As the state considers expanding its preschool services, Illinois has been recognized for being the first state committed to serving all three-year-olds with quality preschool, according to a report published by the National Institute for Early Education Research of Rutgers University.

"We know that success later in life starts at a very early age. 'Preschool for All' ensures that all children are well prepared to succeed in school and in life," said Christopher A. Koch State superintendent of education. "We want to give all of our students every opportunity to be successful in life," he added.

Illinois' state-funded pre-kindergarten program was ranked first nation-



The state says preschools must be staffed by veteran teachers with bachelor's degrees and with specialized training in early childhood education. The state's preschool program expansion will allow preschools in public schools and other settings.



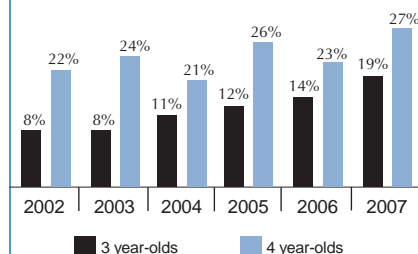
ally for enrolling 19 percent of the state's three-year-olds, according to *The State of Preschool 2007: State Preschool Yearbook*. Nationwide, enrollment of three-year-olds was up 10 percent, mostly due to the increases in enrollment in Illinois, which became the first state to commit to serving all three-year-olds.

Illinois was ranked 12th for having 27 percent of four-year-olds enrolled. The state's pre-kindergarten initiatives also meet nine of 10 quality benchmarks cited by the report.

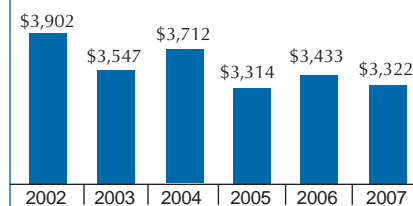
The full yearbook is available at <http://www.nieer.org>.

## Illinois

### Percent of state population enrolled in preschool



### State spending per child enrolled (2007 dollars)



Source: NIEER yearbook

# ISBE's 'junk food' rules aim to limit school menus

## Plan gives more choices to students in grades 6-8

The Illinois State Board of Education wants to again revise rules governing the kind of food that may be sold in elementary and middle schools.

The proposal builds on the ban approved in 2006 against certain foods sold or served at school. That measure, spurred by rising rates of childhood obesity, barred K-8 schools from selling candy and soda during the entire school day.

"I think this keeps that commitment to the healthy lifestyle, healthy eating ... that we want to instill in our youth, beginning at a young age," said state board spokesman Matt Vanover.

The plan makes a distinction between what is nutritionally appropriate for kids in kindergarten through fifth grade, as compared with students in sixth through eighth grade. It does not apply to high school students.

Students in grades six, seven and eight would be allowed larger portion sizes and more calories under the plan. The older students also would be given a wider range of options. For instance, they would be permitted to buy flavored water, as long as the serving size does not exceed 25 calories. They also would be allowed to

buy "fruit smoothies."

Another aspect of the proposed state rules revision deals with portion sizes and calorie restrictions on "a la carte" items, such as salad bars and additional entrees.

One example is described in an ISBE memo: If a school serves pizza on a particular day as part of the national school lunch program, it also may separately sell a single slice of pizza a la carte. But the portion sizes must be the same for the a la carte slice and the school lunch-program slice.

In addition, if a school wants to sell individual slices of pizza a la carte on a day when the national school lunch program offering doesn't include pizza, it may do so. But each serving must be 400 calories or less for students in fifth grade or below, and 450 calories or less for students in sixth through eighth grades.

The board's memo acknowledges, however, that IASB has expressed concern that schools would find it difficult to follow two sets of rules – one for students up to fifth grade and another for students in grades six through eight.

The recommended regulatory revisions are the result of a series of meetings that ISBE officials held last fall with school superintendents, dieti-

tians and other experts, Vanover said.

The board voted on March 20 to approve the proposal for "initial review" and conduct a 45-day public comment period. Board member Dean Clark abstained from the vote, saying the so-called "junk food" rule has little to do with junk food and is an issue best left to local school boards, rather than the state.

The state board is expected to discuss the proposed rules changes again in June and could make modifications based on public comments. The next step would be to go to the Joint Committee on Administrative Rules (JCAR), a bipartisan panel of the legislature that reviews administrative regulations put forth by state agencies.

The proposed rules will be published in the *Illinois Register* soon. But school advocates stress that it is not too late to seek changes. Comments about the proposed amendments should be submitted by e-mail to [rules@isbe.com](mailto:rules@isbe.com) or by regular mail to Sally Vogl, Agency Rules Coordinator, 100 North First Street, S-493, Springfield, IL 62777-0001. Please check the Illinois State Board of Education's (ISBE's) website at <http://www.isbe.net/rules/proposed/default.htm> for further information.

## Hardin County CUSD 1 strike settlement rescues ISAT testing

Throughout the middle of March this year, most 3rd through 8th grade students across Illinois took the Illinois Standards Achievement Test (ISAT), the test used to measure student and school performance against NCLB standards. During the initial ISAT testing window, however, **Hardin County CUSD 1** students were out of class because of a teachers' strike that lasted 13 days.

Had the two parties not reached

a deal as quickly as they did, they could have missed the deadline for taking the ISAT during the second window of opportunity that began on March 24. The strike settlement on March 20 allowed the district to conduct ISAT tests from March 24 through 28, according to Superintendent Ernie Fowler.

While Hardin County schools have been designated over the past four years as "Spotlight Schools" for being a high-poverty district that per-

forms above average academically, school district leaders feared the current school year might become a different story.

Fortunately, Superintendent Fowler said, the district was able to exercise the option to complete ISAT testing within the second window of opportunity. Fowler said the state board of education may not have had an answer for the school and students had the strike continued past March 21.

# Prepare for 2008 Joint Annual Conference in Chicago

## Resolutions due by June 25 on proposals to guide IASB

It may still be spring, but it's not too early to be thinking about late fall in Chicago. That's because June 6 is the target mailing date for the Conference registration packet, including hotel accommodations and registration information for the 2008 Joint Annual Conference to be held Nov. 21-23 in Chicago.

Conference goers must register by Oct. 14 in order to get the lowest registration rate of \$330; after that date the cost will go up to \$355 per person. IASB will mail out official badges to conference registrants on approximately Nov. 7. Note: no refunds will be issued after Nov. 1 on registration cancellations. Requests for registration refunds will require a \$75 service fee per registrant, just like last year.

Although room reservations always go quickly, accommodations are plentiful, with conference housing rates ranging from \$147 to \$167. New this year, one venue has been added to the list of available hotels, as the newly renovated Palmer House is back on the list after being removed for many years. In addition to the Palmer House, the Chicago hotels available include: Hyatt Regency Chicago (Conference Headquarters), Sheraton Chicago (Conference Headquarters), Chicago City Centre, Chicago Marriott, Embassy Suites, Fairmont Hotel, Intercontinental Hotel, and Swissotel.

In addition to registration and housing, districts should also be preparing their resolutions. The deadline for member districts to submit IASB resolutions is June 25. The Association sent out submission forms for those resolutions on April 1.

Consideration of the resolutions is a key function of the Delegate Assembly. One voting delegate is invited from each local school district. Resolutions adopted by the delegates become official policy of IASB and

help govern the Association in the coming year.

Preparations are continuing on the lineup of panel sessions for the 2008 conference. All "Share the Success" panel proposals were evaluated in late March, and approximately 30 winning proposals are in the process of being chosen from among the 107 submitted. School districts that made proposals will be notified by mail.

Proposals are graded on a variety of criteria; among them: interest and relevance, achievable objectives, the role of the school board, evidence of innovation, availability of how-to information, evidence of positive results or success, and their ability to create interest and attendance.

Proposals not selected may be eligible to participate in the Carousel of Panels. The Carousel event, which showcases multiple panels in one large room at the Conference, will take place on Saturday, Nov. 22.

The 2008 Joint Annual Conference will be held at the Hyatt Regency Chicago and Sheraton Chicago hotels. This will be the 94th annual conference of IASB and the 76th joint conference with the Illinois Association of School Administrators (IASA) and Illinois ASBO.

There, both first-timers and veterans will find a full agenda designed to meet their needs. The 2008 Conference will offer:

- three general session speakers;
- more than 110 different panel sessions, plus small group discussions in a carousel of panels and Sunday morning Roundtables;
- more than 225 exhibits of school equipment and services;
- an exhibition of recent school construction and renovation projects;
- a bookstore and food fair;
- Friday and Saturday sessions at the Swissotel for board secretaries;
- and numerous other events.

Plus, on Friday morning before the Conference opens, IASB and the other sponsoring organizations will again offer a variety of in-depth workshops and a tour of several Chicago Public Schools.

IASB Co-Chairs for the 2008 Conference are Directors Felton Jose, of **Salem SD 111**; and Joanne Osmond, of **Lake Villa CCSD 41**.

Questions concerning registration procedures for the Conference should be directed to IASB Meetings Management, at ext. 1115 or 1102.



"And the vote to have a unanimous consensus passed five to two."





Job candidates totaled more than 600 on the big day at the 2008 IASB Job Fair in Chicago on Mar. 15.



A total of 43 recruiters were on hand as candidates for teaching and administrative jobs lined up for interviews.

## Over 600 educator candidates attend 13th annual IASB Job Fair

The 13th annual IASB Job Fair for Teachers, Administrators and Education Majors held on March 15 at Saint Xavier University in Chicago was a success, judging by the number of people participating as well as their enthusiasm.

Forty-three recruiters met or spoke with over 600 candidates for current and future teaching and administrative positions. Although advance registration was encouraged, there were 184 onsite registrations.

Organizers got many positive reviews.

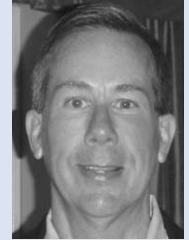
Most participating school district recruiters said they would return again next year to take part in the job fair, and most said they met their objective in coming to the IASB event. "Keep up the good work!" said one recruiter. "This was well planned and I look forward to participating next year," said another.

The next IASB Job Fair is set for Mar. 7, 2009. For more information contact Loretta Cotten at: [lcotten@iasb.com](mailto:lcotten@iasb.com).

## NEWS FROM IASB

### New Service Associates chief to join IASB board

The newest addition to the IASB Board of Directors is Robert J. Bergland, a senior vice president of public finance in the Chicago office of Hutchinson, Shockey, Erley & Co., an IASB Service Associates firm specializing in financial services. Bergland was chosen IASB Service Associates chairman in March, a role that also includes representation on the IASB board.



Robert J. Bergland

Bergland has over 25 years of experience in municipal finance, the last seventeen with HSE.

He is a member of the Finance Committee for the Illinois Association of School Business Officials (IASBO). At the time of his selection as chairman he was already on the Service Associates executive committee for IASB. He is involved in education seminars as a moderator and speaker for both organizations.

### Board decision-making approaches many: Journal

The May-June issue of *The Illinois School Board Journal* will explore the world of board decision making by profiling three pairs of neighboring school districts and how their school boards came to their decisions on whether to offer half-day or all-day kindergarten programs.

Also, the *Journal* presents three slightly different takes on global competition and learning as well as more background on the Response to Intervention information presented in January/February.

In addition to these issues, *The Journal* includes standing features: Ask the staff, Milestones and "Gus" in the Boiler Room.

# Schools have power to limit religious messages in class



Kimberly A. Small is IASB's assistant general counsel.

## DEVELOPMENTS IN SCHOOL LAW

Thousands of reported judicial decisions involving religion, student speech and public schools exist and the numbers continue to grow as our nation's cultural differences continue to clash in our public schools. Some of these cases surprise those involved, and litigating them is always a costly venture both in terms of school funds and agitated community emotions.

This article examines the Sixth Circuit's decision in *Curry v. Saginaw City School District*, No. 60-2439 (January 16, 2008), and explains how similar arguments are pending in a case before our Seventh Circuit Court of Appeals. *Curry* affirms that school officials have broad discretion to restrict unsolicited religious messages during instructional time, similar to the principles that our Seventh Circuit follows when assessing student's First Amendment rights.

In *Curry*, what started as an entrepreneurial project for selling items during the Christmas season, ended in controversy when student Joel Curry attached a religious message to the candy cane ornament that he created to sell in the school's curricular lesson titled "Classroom City." Joel was required to give his teachers a preview of his ornament and he did; however, he did not attach the religious message until the Classroom City exercise began. Upon learning of the religious message, the school principal instructed Joel to remove it while she followed the appropriate chain of command to determine whether Joel might sell his candy cane ornaments with the attached religious message.

When the school officials told Joel that he could not sell his candy canes with the religious message attached, Joel and his parents challenged the school officials' right to censor his speech, arguing that school officials violated Joel's right to First Amendment freedom of religion.

The Sixth Circuit's discussion begins with when to use a *Tinker* or a *Hazelwood* analysis. Here, the Court held *Hazelwood* was appropriate because the issue centered on school-sponsored expressive speech not a private expression that just happened to occur at school (*Tinker*). *Hazelwood* allows a school official to restrict a student's speech when it is related to a legitimate pedagogical concern.

Next, the Sixth Circuit's question became whether the principal's decision to restrict Joel's speech was "reasonably related to legitimate pedagogical concerns." Joel admitted his purpose in attaching the message to the candy cane ornament was to promote Jesus to the other students. Determining that the expression attached to the candy cane ornaments was part of curricular assignment designed to encourage creative products to sell in a marketplace and not a solicitation of viewpoints, the Sixth Circuit found Joel's message had no valid educational purpose and affirmed the lower court's finding in favor of the school principal and the district.

What does this mean for school officials? Generally, school officials have broad discretion to restrict unsolicited religious messages during instructional time when the school official bases the restriction upon their district's legitimate pedagogical concerns.

Restricting student speech is a tough call, but professional educators and school officials are best situated, through training and experience, to balance between student speech rights, pedagogical needs and other special

characteristics of the school environment. To that end, IASB, in conjunction with IASA, has filed an amicus curiae ("friend of the court") brief in a case on appeal before the Seventh Circuit Court of Appeals. The brief urges the Seventh Circuit to continue following its precedent affording school officials broad discretion to restrict student speech.

Similar to the discussion above, the brief suggests rationales for restricting student speech consistent with *Hazelwood*, but it also suggests further rationales consistent with *Tinker*. The *Hazelwood* rationale suggests that the Seventh Circuit continue its precedent affording school officials reasonable deference to regulate student expression that detracts from the critical focus on teaching and learning during school; i.e. when the student's message conflicts with pedagogical concerns of the school officials charged with maintaining a safe, secure educational community.

The brief also suggests that school officials act consistently with the First Amendment principles of *Tinker* when they restrict student speech that "interferes with the rights of other students to be secure and to be let alone."

Using the U.S. Supreme Court's newest language from *Morse v. Frederick*, the brief suggests that the "special characteristics of the school environment" create an "important governmental interest" in preventing physical and psychological harm to children in public schools – especially in light of Illinois' recent legislation regarding bullying and bullying prevention education. Bolstering this rationale with Illinois' now-required bullying prevention education, the brief urges that Illinois' recent legislation now makes student speech that "interferes with the rights of other

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students to be secure and to be let alone” (bullying and harassing messages, symbols and the like) a legitimate pedagogical concern that provides school officials even more judicial deference to restrict student speech.

### On Graduation Prayer

While our Illinois spring still looks like candy cane season, graduation prayer season can heat everyone up.

Like it or not, school-sponsored prayers or invocations at athletic events, graduation, and performances do violate the First Amendment to the U.S. Constitution. Communities disliking that will enjoy an Eighth Circuit Court of Appeals decision that held a school board member who recited a prayer at a graduation in contravention of a school board policy did not create liability of the school district for violating the Establishment Clause. Board members here in the Seventh Circuit should not attempt this.

Student-led messages may clear away indications of the district’s sponsorship or control of a prayer during graduation. The U.S. Supreme Court denied review of a Fifth Circuit Court of Appeals decision affirming a board’s policy that allowed nonsectarian and nonproselytizing student-led prayer during graduation. There, high school seniors chose student volunteers to deliver a nonsectarian, nonproselytizing invocation at graduation ceremonies.

[Note: the key points of the policy upheld in this case are listed in the text version of this newsletter online at [iasb.com](http://iasb.com).]

Consult the board’s attorney before adopting any policy similar to this and also obtain his or her advice if your district uses a student-led message to solemnize a school event, especially when the student-led message was historically a prayer or when the purpose is to solemnize an athletic event as opposed to an event like graduation.

## NEWS HEADLINES

**Carpentersville** (Feb. 29, *The Daily Herald*) Cambridge Lakes Charter School officials reportedly asked teachers to denounce efforts to unionize. A federal labor official confirmed that if that allegation is true, the privately operated charter school appears to have broken federal labor laws.

**Chicago** (Mar. 14, *Chicago Tribune*) Chicago District 299 officials are pursuing the concept of public “boarding schools,” where homeless children and those from troubled homes could find the safety and stability to learn. Under the plan, which is still in the earliest stages, the first pilot residential program could open as soon as fall 2009. District officials hope to launch as many as six such schools in subsequent years.

**Chicago** (Mar. 7, *Chicago Tribune*) More than 4,500 cameras in Chicago public schools are being connected to police headquarters and to the city’s 911 center in a technological upgrade designed to improve safety. In an emergency, arriving officers also will be able to view real-time images from the cameras on screens in their squad cars.

**Glenbrook** (Mar. 8, *The Daily Herald*) Glen Ellyn District 41 is suing its former insurance broker, saying the firm cost it more than \$600,000, which allegedly forced the district to abandon its self-insurance program. The lawsuit alleges the firm miscalculated employee premiums and let the stop-loss policy lapse. As a result of a \$600,359 shortfall, District 41 had to give up its self-insured plan and go with more traditional and costly insurance coverage, the suit says. Attorneys for the accused insurance brokerage firm have filed a response denying any errors were made.

**La Salle County** (Mar. 3, *The Times*, Ottawa) The La Salle County Board will decide soon whether

it will endorse state legislation to authorize local governments to charge impact fees on new developments. A committee voted recently to ask the full board to consider a resolution of support for the proposed law. The legislation, S.B. 232, is sponsored by state Sen. Chris Lauzen, R-Aurora. If approved, counties and municipalities would be able to impose, on behalf of themselves or other local governments such as school districts, impact fees on new developments.

**Naperville** (Mar. 20, *The Daily Herald*) Naperville Unit District 203 is considering a change to its curricular code that would subject students to disciplinary measures if they appear on Internet blog sites engaging in inappropriate behavior. The code applies to all students involved in athletics and other school-sponsored clubs and activities. In practice, the district already holds students accountable for such misbehavior, but officials say they want to spell it out more clearly.

**Rockford** (Mar. 10, *Rockford Register Star*) Mayor Larry Morrissey said recently he will direct police officers to start ticketing students who skip class but stay on school grounds, even though district officials say that may break federal law. Rockford School District officials said police officers in schools can only intervene if there’s a fight.

**Rockford** (Mar. 14, *Rockford Register Star*) State lawmakers are advancing a plan to limit the number of charter schools permitted in areas of Illinois other than Chicago. Rockford Mayor Larry Morrissey wrote a letter to the Senate Education Committee in early March opposing the bill. Charters are public schools designed to be more flexible and innovative in their approach to teaching.

# Service on school board requires real sense of humor and tough skin

*The following is excerpted from a letter published in the Rockford Register Star on Mar. 17 in response to a column by Chuck Sweeny. Sweeny's column called for formation of a group to recruit, elect and provide ongoing support for school board candidates who would provide "take charge" leadership. This letter of response was written by Nancy Kalchbrenner, president of the Rockford School Board.*

...I have worked on a job description to help:

1. Must be prepared to 'take charge' but remember that all decisions will be made with six other people who are as passionate and committed as you, but may disagree on priorities and direction...
2. Be prepared for long hours and no pay...
3. Be prepared to weather the criticism that you don't listen when (not if) you make a decision that disagrees with those you listened to.
4. Be prepared for lack of respect from other elected officials and community members as you're the only one who was dumb enough to go for the unpaid elected position.
5. Perfectionists need not apply. Even if you respond to 98 percent of the public and media, you're generally only going to hear about the 2 percent you didn't get back to.
6. Don't forget the requirement of a thick skin. Every decision will make someone unhappy and all will be made and reviewed in public.
7. The good news is that getting on TV will be easier than getting on a reality show...[but you may] get voted off the island.
8. It will help to have a support system (family, employer, friends...) that can also withstand the scrutiny and time commitment.
9. Be prepared to take the criticism of being noncollaborative when you hire a strong willed, take charge agent-of-change superintendent who is required to manage, in a very public way, the biggest budget and most employees in town — in a very restrictive environment in a labor friendly state, for what would be low pay in the private/CEO sector.
10. Will be very helpful if you appreciate and enjoy roller coaster rides...
11. You will be damned if you do and damned if you don't.
12. And finally, it's very helpful to possess and be able to maintain a sense of humor. But be careful, as sarcasm doesn't always transfer well in print.

## CALENDAR OF EVENTS

**May 13 — Corn Belt Division Summer Governing Committee Meeting, McDonald's Restaurant, Fairbury, 6:30 p.m. - Dinner**

**May 14-16 Illinois Association of School Business Officials Annual Conference, Pheasant Run - St. Charles**

**May 16-17 — IASB Board of Directors' Meeting, Crowne Plaza, Springfield**

**May 28 — Southwestern Division Summer Governing Committee Meeting, Rusty's Restaurant, Edwardsville, 6:30 p.m.**

**June 3 — Two Rivers Division Summer Governing Committee Meeting, Red Dome Inn, Pittsfield, 6 p.m. Registration**

**June 21 — IASB LeaderShop Symposium, The Westin, Lombard, 8 a.m. - 3 p.m.**

**August 22-23 — IASB Board of Directors' Retreat, Pheasant Run, St. Charles**

**August 23 — IASB Board of Directors' Meeting, Pheasant Run, St. Charles**

For more information about coming events, see the IASB Web site at [www.iasb.com/calendar/](http://www.iasb.com/calendar/)



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2921 Baker Drive  
Springfield, Illinois 62703-5929

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