

# Illinois SCHOOL BOARD *Newsbulletin*

May 2012 / Issue No. 719



## NSBA delegates

Several Illinois school board members took part in the NSBA Delegate Assembly on April 20 in Boston, including IASB directors, from left: Jesse Ruiz, Phil Pritzker, President Carolyne Brooks and Vice President Karen Fisher. See story on page 7.

## Annual conference registration, housing to go online June 11

Registration and housing forms for the 2012 Joint Annual Conference will be available online beginning on June 11. This year's event, set for Nov. 16-18 in Chicago, will be the 98th annual conference of the Illinois Association of School Boards and the 80th joint annual conference with the Illinois Association of School Administrators and Illinois Association of School Business Officials.

The forms may be filled out online, but the appropriate number of copies

See **CONFERENCE** on page 5

## Deadline nears to seek waivers on many School Code mandates

Applications for waivers from Illinois School Code mandates – such as modifications to school calendar mandates or administrative rules – to be decided this fall must be postmarked and mailed to the state by Aug. 17.

Applications must be sent to the Illinois State Board of Education in order to be included in the fall 2012 Waiver Report, which will be submitted to the General Assembly by Oct. 1.

Also see *No waivers needed for most holiday changes*, page 12

A school district may request a waiver or modification of the mandates of state laws or regulations when the district demonstrates it can meet the intent in a “more effective, efficient, or economical manner or when necessary to stimulate or improve student performance.” If the state board fails to disapprove a request, that

request is deemed granted. But even requests that are turned down may be appealed to the legislature, which sometimes reverses the state's administrative rulings.

More than 5,500 waiver requests have been approved since the waiver law went into effect in March 1995. More than 100 new waiver requests from school districts are approved

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Investigate, respond, document any abuse, bullying or harassment charges

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## Nutrition workshops

ISBE's Nutrition Programs Division is offering a USDA meal pattern and menu planning workshop for schools in the federal National School Lunch Program. The workshop will offer hands-on training for menu planners and assist them in the development of menus that meet the new USDA meal pattern requirements and nutrition standards that go into effect for school year 2012-13. Dates and locations include: May 10, Quincy; May 15, Springfield; June 5, Freeport; June 6, Chicago Heights; June 7, Lombard; June 20, Centralia; and June 21, Edwardsville. Check the website at <http://www.isbe.net/nutrition/default.htm>, under the Upcoming Workshops heading, for any updates to locations and dates. Space is limited so limit registration to two staff persons per district. Register now at <http://webprod1.isbe.net/cnscaledar/asp/eventlist.asp>. For questions, contact the Nutrition Programs Division at 800/545-7892.

## Stop Bullying website

The U.S. Departments of Education and Health and Human Services recently revived and updated a website to fight bullying, according to ISBE. The Stop Bullying website includes a map with detailed information on state laws and policies, interactive items and videos. Materials on the site cover strategies for schools and communities to ensure safe environments, suggestions on how parents can talk about this sensitive subject with their children, and more. The site also explores the dangers of cyberbullying, including tips on preventing and reporting it. In addition, a Get Help Now link provides guidance, which includes the National Suicide Prevention Lifeline, 800/273-TALK (8255). Visit the website at <http://www.stopbullying.gov>.

## House plan would chop \$258 million from FY2013 schools budget, deeper cuts eyed

The Illinois House of Representatives has approved resolutions that would set the Fiscal Year 2013 budget level, cutting K-12 education funding \$258 million below current funding. It is unclear whether the Senate plans to go along with this spending level.

The House spending total is predicated on the fact that the legislature will cut \$2.7 billion out of Medicaid payments. If the full amount of Medicaid cuts is not achieved, deeper cuts

to the education budget could result, according to education lobbyists.

*"At this moment, the final budget does not look pretty."*

*— Ben Schwarm,  
IASB Associate  
Executive Director*

to the education budget could result, according to education lobbyists.

Lobbyists say there are several key points to consider when anticipating the final level of the FY 2013 state budget:

- In the current fiscal year, FY 2012, General State Aid (GSA) will be prorated at 95%, likely resulting in the loss of the final state aid payment to school districts
- Education funding has declined by nearly \$660 million since FY 2009, as calculated by the State Superintendent of Education
- The current statutory GSA foundation level is \$6,119 per pupil; but the current year's actual level would be \$5,953 per pupil, and with an additional \$250 million spending cut as proposed, the FY 2013 foundation level is estimated to fall to \$5,631 per pupil
- Because the current funding formula is based on local property tax wealth, the drop in the GSA foun-

- If further education cuts are made to protect Medicaid spending, the \$205 million earmarked for transportation reimbursement could be targeted for elimination

All of the budget numbers remain in flux, of course, but the House's "handwriting on the wall" is not favorable, school supporters say:

"We need grassroots involvement from our school leaders, working with and through the Statewide School Management Alliance, in order to have any chance to limit further cuts to school funding," said IASB Associate Executive Director Ben Schwarm. "At this moment, the final budget does not look pretty," he added.

Schwarm said the deadline to get involved is fast approaching. To pass the state budget, both chambers must approve the same legislation that contains the appropriations for next year, he said. Usually this occurs in the last week of May.


The scheduled adjournment day for the spring session is May 31.

*Illinois*  
**SCHOOL BOARD**  
*Newsbulletin*

**Illinois Association  
of School Boards**

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**ILLINOIS ASSOCIATION  
OF SCHOOL BOARDS**

**Summary of Waiver/Modification Requests**  
(March 1995 through October 2011; last revised April 12, 2012)

Topic	Code Citation	# of Requests	Approved – ISBE	Approved – GA	Denied – ISBE	Denied – GA	Returned
Administrative Expenditure Limits	117-1.5	330	0	259	0	29	42
Driver Education	/27-24.2, 24.3, rules	470	52	391	0	5	22
Holidays	/24-2	3,348	3,128	6	0	2	212
Inservice Training	/18-8.05	209	20	172	0	1	16
Physical Education	/27-6	703	158	506	0	7	32
Tuition	/10-20.12a	150	0	137	0	1	12
Other	—	1,085	230	540	6	105	204
<b>TOTALS</b>		<b>6,295</b>	<b>3,588</b>	<b>2,011</b>	<b>6</b>	<b>150</b>	<b>540</b>

Source: ISBE

**WAIVERS** *from page 1*

each year, including 134 in 2011.

Requests approved in the past year included: 35 waivers on driver education, 29 on physical education, 25 on tuition limits, 16 on administrative expenditure limits, and 29 on various other topics.

Under the law, waivers cannot be allowed from laws, rules and regulations regarding special education, eligibility of voters in school elections or teacher tenure, certification or seniority. Nor can waivers be granted under the waivers law to school districts for requirements of the federal No Child Left Behind law.

If school leaders are applying for a modification of School Code mandates (such as legal school holidays), or a waiver or a modification of administrative rules, there is no postmark deadline. But approval must be granted before the modification can be implemented.

The process of applying for a modification of the School Code or a waiver or modification of state board rules is the same as the process used in applying for a waiver of a School Code mandate.

Applicants are encouraged to submit any petitions that address calendar issues to the state board before the calendars affected by the requests are submitted for review. Schools need to submit an amended calendar to

their Regional Office of Education and have it approved before any calendar modification can be implemented.

State law also limits the term of physical education waivers. This law provides that an approved physical education waiver or modification may remain in effect for a period not to exceed two school years and may be renewed no more than two times.

Before the 2008 passage of this revision of the waiver law, P.E. applications could be requested for a maximum of five years and for an unlimited number of times. The law's intent is that an applicant will be limited to a total of six years in which to hold an approved waiver for physical education. The six-year total applies to the district and not to individual waivers; in other words, if an applicant holds more than one physical education waiver (for different grades and purposes), each application will count towards the six-year limit.

School districts and other organizations eligible to apply for waivers should assume that any applications for waivers from physical education requirements submitted to ISBE are subject to the provisions of this newer law.

The revision in the law governing P.E. waivers did not change the public hearing requirements for P.E. waivers. Applicants for such waivers or modi-

fications must continue to hold the public hearing to consider the request on a day other than one on which a regular board meeting is held.

The Illinois Statewide School Management Alliance played a key role in pushing for passage of the state waiver law, which took effect in 1995.

The waiver law requires an applicant with a governing board, such as a school district, to hold the public hearing on a day other than the day of a regular board meeting. Applicants must provide written notification about the hearing to their state legislators as well as to their affected exclusive collective bargaining agent(s) and must publish a notice in a newspaper of general circulation. The public hearing held to consider waiver applications must conform to the requirements of the Open Meetings Act (5 ILCS 120/1).

Before beginning the waiver process, experts suggest that each applicant carefully review requirements outlined in the "Overview for Waiver Process" found online at <http://www.isbe.state.il.us/isbe-waivers/html/overviewwqa.htm#2>.

Application forms and instructions for waivers and modifications are provided by the state board, and these can be downloaded at <http://www.isbe.state.il.us/isbe-waivers/html/application.htm>.

# 31 panel ideas chosen for 'Share the Success' presentations

Thirty-one panels were chosen from 100 proposals submitted by school districts and related organizations for "Share the Success" presentations at the 2012 Joint Annual Conference. (See the accompanying list of panels to be presented at the 2012 conference.)

The winners have been invited by mail to present their proposed 90-minute panel sessions at the IASB/IASA/IASBO conference, to be held Nov. 16-18 in Chicago. Such ses-

sions are presented by the board members, administrators and other school or community members who were involved in the programs showcased.

Proposals were evaluated March 2 by a committee of association members in both the Lombard and Springfield IASB offices on key points, including: 1) interest or relevance for today's leaders; 2) clarity and conciseness of the proposed presentation; 3) clarity of the objectives and whether they are realistic to present in a 90-

minute session; 4) evidence regarding whether the presentation will address the appropriate board role on the topic; and 5) evidence of creativity and an innovative approach to the issue or topic.

Those who submitted proposals not selected for presentations in the 90-minute panel sessions may still be offered an opportunity to present on their chosen topic during the con-

See **SHARE** on page 5

## 2012 Share the Success Panels

Title	District/Organization
21st Century Skills Targeting Higher-Order Thinking	Carrollton CUSD 1
Maximize Benefits, Reduce Cost in PPACA Era	Minooka CCSD 201
Comprehensive Principal Evaluation Using Student Achievement Data	Troy CCSD 30C, Plainfield
Implementing the Common Core State Standards 101 – What the Heck? – Another New Mandate	PORTA CUSD 202, Petersburg
One Page at a Time – Transforming Literacy in the K-12 Classroom	McLean Co. Unit District 5
Rural Partnerships Research – Across Distance and Time	Delavan CUSD 703
Digging Deeper in the Common Core Standards: Beyond Awareness	Bensenville SD 2
PBIS: Practical Strategies for Classrooms and Schools	Woodridge SD 68
School District Consolidation – Not Always the Best Answer	CHSD 94, West Chicago
21st Century Learning in 20th Century Facilities	Glen Ellyn SD 41
Is Your District a Bull Free Zone	Arcola CUSD 306
10 Ways to Implement Technology on a Shoestring	Tuscola CUSD 301
Not Going Quietly: One District's Story of Governmental Relations	CUSD 300, Carpentersville
Maintaining Effective Leadership Through Succession Planning	Sycamore CUSD 427
Grand Times Gets Seniors Involved in Education	THSD 113, Highland Park
Shared Services: Success Stories & Lessons Learned	Fremont SD 79, Mundelein
Board Goals & Directives Can Indeed Drive 21st Century Practice	Libertyville SD 70
Road Trip! Six Districts Working Together Made a Difference for All	Grayslake CHSD 127
Integrating Google Applications into the Classroom	Maine THSD 207, Park Ridge
Rising Star & District Planning – the Board's Role	Skokie SD 69
Changing the Culture by Putting Students First	Evanston/Skokie SD 65
Creating a Culture of Support: Partners in Education	Oregon CUSD 220
Teaching Secondary Literacy across Disciplines	Reavis THSD 220, Burbank
High Schools Who Focus on the Finish: Dual Credit, Escrow, and Remedial Courses	Vienna HSD 13-3
An Rtl Tier 3 Intervention	Streator THSD 40
Creative Small-School Interest-Based Bargaining	Lebanon CUSD 9
Implementing a Successful Rtl/PST Program	Hillside SD 93
District Reorganization: Improving Education While Cutting Costs	Monmouth-Roseville CUSD 238
Mentoring Matters: A Success Story in Building Relationships	Effingham CUSD 40
Online Learning: What School Boards Should Know	Illinois Virtual School
Rachel's Challenge	Rachel's Challenge

## CONFERENCE *from page 1*

of each (registration – two copies; housing – four copies) must be printed out and mailed to IASB, along with the appropriate fees for each form – \$375 per person for each registrant (family members complimentary) and a \$200 nonrefundable deposit for each guestroom requested.

If a district credit card is used, the person filling out the registration must include the name of the card, number, expiration date, and the name of the individual to whom the card is issued. (Note: do *not* list the security code on the credit card, but do check that the daily limit will cover all submitted fees.)

The URL direct link to the registration information and forms will not go live until 12:01 a.m., Monday, June 11. IASB will send an email reminder to all members on that date. Meanwhile, all up-to-date information about the 2012 conference can be found online at: <https://www.iasb.com/jac12/>.

### Conference hotels and rates

Conference block hotels for 2012 and their conference room rates are as follows:

Hyatt Regency Chicago	\$171
Sheraton Chicago Hotel and Towers	\$171
Doubletree	\$161
Embassy Suites	\$182
Fairmont Hotel	\$164
Intercontinental Hotel	\$164
Marriott Chicago Downtown	\$164
Swissotel	\$166
Westin Chicago River North	\$169

Due to a low room pick-up rate at the Palmer House Hotel for the past three years, that hotel has withdrawn from the 2012 housing block. According to the IASB Meetings Management office, IASB has reserved 5,198 rooms for the 2012 conference: “Our count of rooms is only slightly reduced from last year, despite the withdrawal of the Palmer House,” said Sandy Boston, assistant director and exhibit manager for the association.

Boston suggests conference attendees “reserve early, as in the past, if a specific hotel is sought.” Room rates

are not much changed. “Specifically, nearly all of the rooms went up 3 percent over last year,” she said.

For housing to be accepted for placement, the completed official housing form and nonrefundable deposits must be accompanied by the completed conference registration form and fees. Housing requests not accompanied by the registration form, fees and deposits will be held and not processed until all forms and fees are received in the IASB Springfield office, Boston added.

### Hotel assignments

The housing form allows registrants to list all nine choices for their hotel, in descending order of preference. Guestrooms will be assigned daily on a first-received, first-assigned basis. If one of the listed, preferred hotels is available the day the form is received, the first available choice and date assigned will be circled and a copy faxed to the district superintendent.

If none of the listed preferences are available, an alternate hotel placement will be circled, dated and a copy faxed to the district. The district superintendent may then respond by the listed date to reject the placement by fax to the IASB Meetings Management Department at 217/241-2144. If no rejection is received by the listed rejection date, the housing will be assigned to the alternate hotel. If the alternate hotel assignment is rejected by the listed date, IASB will refund the housing deposit to the local district and the district will need to secure its own housing.

Block hotels will only accept conference housing entered by the IASB Meetings Management department, meaning that the conference discount rates are not available through independent travel booking agents or websites.

Questions regarding any conference registration or housing should be directed to IASB Meetings Management at 217/528-9688, ext. 1115 or 1102.

The conference planning process does not end with registration.

Each of the nine conference hotels uses an email confirmation system, which will be activated by mid-September. Upon receipt of hotel confirmation, all further guestroom communications must be directed to the reservations manager of the confirming hotel. (Note: most hotels charge an early departure fee on onsite departure changes.)

### Cancellations, badges

Requests for registration cancellations, less a \$75 service fee per registrant, can be honored only if received, in writing, at IASB Meetings Management by Oct. 19. After Oct. 19, all registrations must be completed onsite at the Conference Registration Desk, Grand Ballroom Foyer, Hyatt Regency Chicago.

Conference badges for all individuals listed on the district registration form received by Oct. 19 will be mailed to the district superintendent on Nov. 2. Badge holders may be picked up onsite at the Conference Registration Desk, Hyatt Regency East Tower. Badge holders will also be available Friday at the Hyatt Regency West Tower, Sheraton Chicago Towers and Swissotel, for those attending IASB workshops, Illinois ASBO seminars, IASB secretaries programs, or the Illinois Council of School Attorneys’ seminar.

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### SHARE *from page 4*

ference. IASB will again be featuring many sessions in a Carousel of Panels, on the afternoon of Nov. 17.

“This year’s Share the Success proposals are among the best we have ever seen,” said Nesa Brauer, IASB Board Development consultant, who organized the member volunteers that helped to choose panel presentations from among 100 submitted by member districts.

A description of all the chosen panels that appear on the accompanying list of topics will be included in the conference preview, to be posted online by the middle of September.

## School design contest entries sought by July 20 in 'EEE' program

Is your district particularly proud of a new building or renovation? Then why not help the architect or other design professional responsible for it earn recognition and awards in the 2012 Exhibition of Educational Environments (EEE) program?

The annual EEE awards program is sponsored by IASB Service Associates, a special arm of the Association comprised of private firms that have demonstrated an exemplary record of providing quality products and services to schools.

The juried competition is open to firms engaged in any aspect of designing public school facilities. The facilities may be intended for instructional, recreational, administrative or other use, but construction must be completed in time for occupancy with the start of school in the fall of 2012.

Entries are due in IASB offices by July 20, and must be made by — or with the written permission of — the author/owner of the project design documents. Each entrant is limited to no more than two project entries per year, and no project may be entered more than once. There is a \$250 fee for each entry (maximum of two entries).

Twenty-six projects were chosen



Winners in the 2011 Invitational Exhibition of Educational Environments (EEE) received awards at last year's conference in Chicago.

for the competition last year and were placed on display during the Joint Annual Conference. A description of the 2011 winners can be viewed at: <http://www.iasb.com/jac11/eeewinners.cfm>.

Plans call for preliminary materials to be submitted by Sep. 10 and evaluated on Sep. 13. The judging will be done in Springfield on a blind basis by a jury of three school board members or administrators and three architects.

Since the first Exhibition of Educational Environments was held in 1994, 445 school design projects have been displayed at the Joint Annual Conference. And nearly all of the projects have been captured in a database

in the IASB Resource Center for use by member school districts.

This School Design Data File is easily searchable to identify school designs that meet specified criteria, including type, size and cost as well as numerous other educational and design features.

Criteria for EEE award submissions include suitability for stated program requirements, functional relationships, aesthetics, grade level or departmental organization, flexibility, expansibility, compatibility with external environment, uses of new technology, barrier free accessibility, energy efficiency, environmental controls, site adaptation, vehicular and pedestrian circulation, activity area groupings, security and building orientation.

All awards will be announced at the conference, with awards of distinction to be featured and presented at the first general session. All entries chosen by the jury will be displayed all three days of the conference, Nov. 16-18, next to the conference bookstore.

Entry flyers for the competition will be mailed in May. For more information, contact IASB's Dana Heckrodt, ext. 1131.

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## Delegate Assembly resolutions invited from member districts through June 20

There is still time for local school boards to submit resolutions for the 2012 Delegate Assembly.

IASB's annual Delegate Assembly serves as the major policy-setting mechanism of the Association. Each year's assembly consists of delegates chosen by IASB member boards to represent them, with each board entitled to send one delegate. Delegates gather at the Conference to vote on resolutions submitted by member districts to establish policy for IASB.

Proposals from active member boards may be submitted for: new IASB resolutions, amendments to

existing position statements, reaffirmations of existing position statements, or for belief statements.

The deadline to submit resolutions is June 20. Information and resolution forms were mailed to district superintendents and board presidents in early April.

Once IASB has received all the resolutions, a committee consisting of one elected member from each of the 21 IASB divisions will meet to review resolution proposals. The committee is empowered to recommend the approval or disapproval of proposed resolutions, and to determine which ones are presented.

Appeals to Resolutions Committee decisions are allowed when submitted in writing at least eight days before the Delegate Assembly, which will be held on Saturday, Nov. 17.

For information about this process, contact division representatives to the Resolutions Committee listed in the April 3 mailing, or phone IASB at ext. 1132. This year's committee is chaired by IASB Vice President Karen Fisher.

Resolution forms are also available by calling the Association or by downloading the form online at: [http://iasb.com/govrel/2012\\_Resolution%20form.pdf](http://iasb.com/govrel/2012_Resolution%20form.pdf).

# Over 500 Illinois school districts represented at NSBA conference

More than 500 Illinois school districts were represented by school leaders April 20-23 at the National School Boards Association's 72nd Annual Conference in Boston.

IASB staff presenters included IASB Associate Executive Director Ben Schwarm, who presented a session April 21 on the "School Boards' Last Stand: Local Control in an Age of Uniformity," Executive Searches Consultant Thomas Leahy, who presented a session April 22 on "Successful Superintendent Searches," and Director of Field Services Jeffery Cohn, who presented on "Practicing Good Governance" on April 22 with IASB member **Proviso THSD 209**. Barbara Toney facilitated round-table discussions at the NSBA New Board Member Boot Camp.

Presentations were made by school leaders from 10 Illinois districts. There were also several panel presentations made by vendors based in Illinois. The presenting districts and their panel topics were:

- **THSD 214**, Arlington Heights, Learning with Social Networking
- **Proviso THSD 209**, Practicing Good Governance; and Accelerating School Improvement
- **Aptakisic-Tripp CCSD 102**, Buffalo Grove, Strategic Planning That Gathers No Dust
- **Maine THSD 207**, Park Ridge, The Google Apps for Education Experience
- **Yorkville CUSD 115**, The Importance of Creating a Culture of Student Engagement
- **Stevenson HSD 125**, Lincolnshire, Save through a LEED EB Cost/Benefit Process
- **Northbrook ESD 27**, Creating and Sustaining Dynamic Digital Learning Environments
- **Arlington Heights SD 25**, Global Citizenship in the 21st Century
- **Evanston-Skokie District 65**, Stu-

dent Achievement and Teacher Appraisal

- **Niles THSD 219**, Skokie, Growth Models
- **Aurora West USD 129**, Aurora, Control the Rising Cost of Health Care

Panel topic tracks included accountability, collaboration, community engagement, continuous improvement, and technology.

In addition, hot issues were hashed out in NSBA's Delegate Assembly in a day-long meeting on April 20. The 150-member assembly is the official policy-making body of NSBA, charged with adopting resolutions and policy amendments and electing NSBA officers and directors.

Delegates from Illinois included IASB President Carolyne Brooks, Vice President Karen Fisher, and Past President Joseph Alesandrini, along with minority delegate Jesse Ruiz, the Chicago school board representative to the IASB Board of Directors. Alternate delegates were division directors Dale Hansen of Grant Park (Three Rivers Division), and Phil Pritzker of Arlington Heights (Cook North). They voted on topics ranging from federal funding allocations to vouchers.

Three Illinois school board members received awards at the national conference. Darlene Gray Everett, board president in **Dolton East School District 149**, Calumet City, and Terri Sharpp, board president, and Penny Williams Wolford, board secretary, both of **Lindop School District 92**, Broadview, were recognized for their outstanding commitment to public education through proven school board leadership and service.

To be considered for the honor, board members must be certified by their state association, must have had regular attendance at regional and



Darlene Everett



Penny Wolford



Terri Sharp

state meetings and must have attended at least three national conferences over the past four years. State associations are allowed to nominate up to 10 individuals or 1 percent of their membership (whichever is greater) each year. Those honored receive a certificate and a pin from NSBA.

In other news from the national conference, NSBA's Exhibition of School Architecture featured four Illinois school design projects:

- Booker T. Washington STEM Academy, **Champaign CUSD 4**, by Cannon Design, Chicago
- Lincoln Middle School, **Schiller Park SD 81**, by STR Partners LLC, Chicago
- A.E. Stevenson High School Information and Learning Center, **A.E. Stevenson HSD 125**, Lincolnshire, by Cannon Design, Chicago
- Thornton Township High School, **Thornton THSD 205**, Harvey, by Tria Architecture, Burr Ridge

The schools in Champaign and Schiller Park were award winners in IASB's Exhibition of Educational Environments competition last November.

Another Illinois architectural firm, Perkins + Will, Chicago, was in the exhibition for a project completed in British Columbia, Canada.

Also during the NSBA event, visiting Illinois school board members and guests were feted at a reception hosted by IASB on April 19.

Next year's NSBA conference is scheduled for April 13-15, 2013, in San Diego, California.

# Consolidation commission finds favor with sharing services

## No forced mergers would loom under panel's plan

School districts can save funds by sharing their services instead of consolidating, a state education commission says in its draft report approved April 17.

Districts with declining student populations could consider two options: consolidation or sharing services with neighboring districts to save money and enhance learning, according to the state's so-called Classrooms First Commission. Lt. Gov. Sheila Simon heads the commission, known as the School District Realignment and Consolidation Commission.

No school districts would be forced to consolidate under the draft plan, but the state would require counties with small and declining school-age populations to study whether county-wide consolidation or sharing of services would save money and boost learning. The commission is looking into how to help fund the studies if necessary.

Simon said money saved from "voluntary and virtual consolidations" could be directed to public-school classrooms. She explained "virtual consolidation" means having districts with similar needs share resources, often through the Internet.

The Illinois Association of School Boards is represented on the commission by Executive Director Emeritus Michael D. Johnson, who is a voting member of the panel.

"IASB has long supported requiring voter approval in each of the affected local school districts before allowing any proposed consolidation or reorganization of school districts to proceed," Johnson said. "The commission's draft proposal does not conflict with that approach," he said.

Gov. Pat Quinn last year floated a plan to merge the state's 868 school districts into 300 districts, saying it could save millions of dollars in administrative costs, and Quinn later signed the law creating the consolidation

study commission.

Quinn spokeswoman Brooke Anderson, on the day the resulting commission's draft report was released, said the governor understands consolidations are not "one size fits all," and he will look into the various recommendations put forth by the commission.

The commission, which includes legislators, educators, union leaders and others, came up with nearly 30 recommendations to help reduce duplicative education spending in Illinois' school districts.

The draft report also recommends:

- allowing compact but not contiguous districts to consolidate; currently districts must be compact and contiguous
- expanding the regional board of school trustees dissolution authority, by allowing local districts with under 750 enrollment to seek dissolution with or without a referendum; currently this is an option for districts serving communities with fewer than 5,000 people
- piloting a new capital project list that targets school construction money at districts willing to consolidate and that are in need of new buildings, additions, and/or building renovations

- phasing in lower local tax rates for new unit districts; currently, elementary and high school districts become a lower, unit taxing district immediately after consolidating
- requiring counties with small and declining school-age populations to conduct efficiency studies that could lead to shared services, district mergers, or even county-wide districts; 12 counties currently have county-wide districts and another 16 counties have small and declining student populations, according to state and federal population projections through 2030
- authorizing the Illinois State Board of Education to provide a web-based resource management program to districts to help them identify up to \$1 billion in instruction, transportation, food services, administration and facility maintenance savings

The commission also held four more public hearings in late April to gather public feedback on its recommendations. Public comments about the draft report will be used to produce a final report by July 1.

Information about the commission and updates to its findings can be found online at: <http://www.illinois.gov/ltgov/>.

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## Open Meetings Act training to be given online

By mid-September, IASB will begin to offer Open Meetings Act (OMA) training online. The course will fulfill the state's mandatory training requirement for school board members.

Board members who were in office on Jan. 1, 2012 have one year to complete the training (Dec. 31, 2012). Any board member seated after Jan. 1, 2012 must complete the training within 90 days of taking the oath of office.

This course, an online version of the IASB's OMA training offered over

the past several months at the Joint Annual Conference and in each of its 21 divisions, is tailored specifically for school board members and board meetings.

Tuition for the course will be \$30.

Upon completion of the course, participants will receive the required Certificate of Completion, which is to be filed with their local school board.

More information regarding this course can be found by calling IASB Administrative Assistant for Board Development Judy Williams at ext. 1103.



# Districts can plan for April 2013 election: recruit candidates, sign up board secretaries

Local school districts will soon need to prepare for next year's Consolidated Election to be held on April 9, 2013, which features the election of school board members.

The season is approaching for petition filing (both candidates and referenda), withdrawals, filling vacancies, objections, ballot certification, and the like. The Illinois State Board of Elections will publish an official calendar of those dates and deadlines this fall.

IASB annually publishes its own calendar, as well, and links to essential election material and information online at: <http://www.iasb.com/elections/>.

Materials and announcements related to the 2013 school board elections will be mailed this September to all IASB member school districts. Included will be a letter from IASB, as well as:

- a school board election calendar,
- checklist of election duties of the board secretary,
- an article about the board's gatekeeper responsibilities,
- sample news release about the filing period,
- sample letter to prospective candidates,
- district secretary election workshops brochure, and
- order form to purchase candidates' kits.

Meanwhile, it is not too early to be thinking about recruiting interested and qualified candidates to run for the 2013 election.

IASB has developed a publication, "Recruiting School Board Candidates," to help recruit prospective school board candidates. This material is intended to support an ongoing process of identifying, recruiting and mentoring future school board candidates, whether at the next election or during an appointment process.

Information in the packet includes:

- School Board Member Job Description
- Why School Board Members Serve
- Characteristics of an Effective School Board Member
- How to and Where to Find Qualified Candidates
- Talking with Potential Candidates
- School Board Election Timetable
- Additional Resources

This extensive packet of information is available free of charge to member districts and can be ordered by calling Tammy Call at 217/528-9688, ext. 1108. In addition, IASB field services directors are available to present this information to local boards and/or communities.

Information about the recruiting materials is available at: <http://www.iasb.com/training/recruiting.cfm>.

## Election workshops

In addition, IASB has scheduled seven district secretary workshops to help school districts prepare for the 2013 election. Board Secretary Workshops for the 2013 School Board Election are scheduled in Algonquin on July 17, in Crest Hill on July 18, in Lombard on July 26, in Rock Falls on July 27, in Mt. Vernon on July 30, in Springfield on July 31, and in Normal on Aug. 3.

Anna Lovern, Director, Policy Services, will present at the Springfield, Rock Falls, Normal, and Mt. Vernon locations.

Alan M. Mullins, an attorney with Scariano, Himes and Petrarca will present at the Algonquin, Crest Hill, and Lombard locations. The workshops cover the duties of the Board Secretary as the local election official in school district elections. Registration for these workshops is available online and has already begun via the IASB calendar page at: <http://www.iasb.com/calendar/calendar.cfm>.

Click on the "register online" link for the specific workshop date and location you choose.

### Nominations sought

The nominating committee of the Illinois Association of School Boards is currently seeking candidates for the offices of Association president and vice president.

The following criteria will be used by the committee in considering nominees:

- leadership experience and general participation in IASB activities
- leadership experience on the local school board
- involvement with other education-related associations or organizations
- other leadership experiences
- special talent or interests of benefit to the Association as currently constituted

Nominating forms are due to be submitted by early August and candidates will be interviewed that same month. A slate of candidates will be presented to the Delegate Assembly meeting in Chicago at the 2012 Joint Annual Conference in November.

To request necessary forms, interested candidates should write: IASB, 2921 Baker Drive, Springfield, IL 62703, or call IASB at 217/528-9688, ext. 1102.

### Governance meetings listed

IASB division governing meetings are listed on the calendar page on the Association's website at <http://www.iasb.com/calendar/>. These meetings, which began April 24 and will conclude June 20, are intended to maintain the governance of each division and consider possible board development programming topics for the fall 2012 and spring 2013 division dinner meetings.

# Investigate, document, respond to abuse, bullying, harassment



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

Title IX of the Education Amendments of 1972 ("Title IX") is not just for athletics.

Since 1972, it has prohibited sex discrimination in all federally funded education programs and has promised gender equity in education, including protection for students (male and female) from sexual harassment. It is one of the nation's most successful civil rights laws and affects all areas of education. The Obama administration, through the DOJ's Office of Civil Rights (OCR), has increased its focus toward Title IX protections for victims of bullying and harassment in schools that receive federal funding. The following discussion focuses on the Title IX portion of a familiar lawsuit here in Illinois.

Recall *T.E. v. Grindle* [599 F.3rd 583 (7th Cir. 2010)], where nine female at-the-time elementary students alleged that their band teacher sexually abused them. That teacher is now in prison after having pled guilty to several sex offenses. Along with those allegations, their complaint alleged that their building principal (Grindle) violated Title IX because she knew or had reason to know of the teacher's sexual misconduct and failed to take sufficient action to stop it. [Students in the case also alleged due process violations under Section 1983 for which Grindle was also found to have violated and did not receive immunity.]

After trial, the jury found Grindle liable for her failure to prevent the sexual abuse of the students. The jury awarded each of the nine girls an individual amount ranging from \$750,000 to \$100,000. "G.G.", who was a 10-year-old fifth grader at the time of the

## DEVELOPMENTS IN SCHOOL LAW

abuse, was awarded \$250,000. The principal filed a motion arguing the evidence from the trial did not support the jury's award of \$250,000 to G.G, i.e., her award should be less.

The court denied Grindle's motion, and she appealed. In *G. G. v. Grindle*, the Seventh Circuit agreed that Grindle's motion should be denied [665 F.3rd 795 (7th Cir. 2011)]. It held that the award to G.G. was "rationally connected to the evidence" presented at the trial. It compared G.G.'s award to those of the other girls, and found that it fell in the low range of the awards and was reasonable. It also held that the punitive damages for all girls were appropriate because Grindle had knowledge of the abuse, and *she failed to act*.

### What did Grindle know?

May 2001: three classmates wrote a letter to the presenter from a lecture about inappropriate touching given in the school. The letter named the teacher, and detailed inappropriate touching and comments by the teacher. This letter was given to Grindle. She spoke with the girls and their parents, and then she wrote an un-authored and undated incident report about the girls' complaints. These complaints

were referred to as "overreacting" to the inappropriate touching presentation.

January 2002: another complaint about the teacher was received by Grindle, but she did not alert other school personnel and officials to the teacher's ongoing behavior.

April 2002: Grindle received an anonymous phone call from a parent about the teacher. This time, she informed the superintendent about it and the complaints from May 2001; however, she presented them as a "pedagogical issue" rather than potential sexual harassment.

January 2005: another student told her mother that the teacher bound her with duct tape, and her mother reported it to the local police department. This report initiated a criminal investigation which ended with the arrest of the teacher.

### What can school officials learn from this case?

The compensatory and punitive damages against Grindle serve as a reminder it is important for school officials to consult with the district's legal counsel to ensure these measures are in place in their districts:

See **SCHOOL LAW** on page 12

## How peer's bullying, harassment can violate law

**A**noka-Hennepin School District 11, the largest district in Minnesota, recently entered into a consent decree with the Office for Civil Rights (OCR) in the U.S. Department of Justice in a bullying and harassment case. An historic agreement, it was the result of lawsuits filed by six plaintiffs that alleged severe peer-on-peer harassment and discrimination on the basis of sex and sexual orientation in violation of Title IX and other state and federal statutes.

At least four students had com-

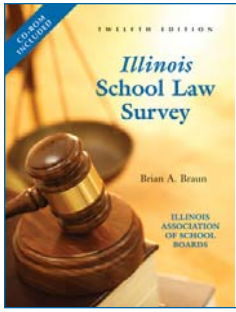
mitted suicide there in recent years, allegedly because of bullying and harassment within the district.

The consent decree's plan includes, among other things: 1) retaining an expert consultant on sex-based harassment to review the district's policies and procedures on harassment, 2) hiring or appointing a Title IX coordinator to ensure proper implementation of such policies and procedures and compliance with Title IX, and 3) improving the training of faculty, staff and students on sex-based harassment.

# Sweeping changes in laws point to value of updated Law Survey book

What's new in the 12th edition of the *Illinois School Law Survey*?

If you have watched developments in the Illinois legislature and case law over the past two years, you know that plenty has changed affecting public education and more change is coming.



When considering whether to buy the newest edition of this invaluable school law reference book, consider some of the changes since the last edition was published in 2010:

- Probationary teachers and how they acquire tenure
- The sequence of dismissals in staff reductions and reduced importance of seniority
- Role of “joint committees” in reducing staff
- Alternate routes to teacher certification
- Revoking a teaching certificate
- Requirements for substitute teachers
- State intervention in low-performing schools
- Training requirements for school board members
- Trespassers in “safe school zones”
- Required care for students with diabetes
- Education of military children
- Dealing with drop-outs and truancy

- Instruction for students hospitalized or ill at home
- Responding to threats over the Internet
- Privacy of individual cell phone records
- Responsibility for slanderous statements
- Sharing services among school districts
- Caps on IMRF pension earnings
- Changes to the Freedom of Information Act

These are in addition to the tidal wave of changes that were swept in with the passage of SB 7, i.e., education reform act.

The *Illinois School Law Survey*, written by attorney Brian A. Braun, is a convenient, all-in-one legal resource written in plain English for answering the legal questions of educators and laymen. A CD ROM version accompanies the book to provide quick access to the laws governing Illinois public schools.

The book, published every other year by IASB, is easy to use, written in a question-and-answer format in 27 chapters on a variety of subjects. Answers are based on state and federal statutes and case law in force and reported as of Jan. 1, 2012, and administrative rules and regulations current as of Dec. 15, 2011.

The 12th edition includes 58 new questions and 95 answers that have been updated and/or expanded and 21 others that have been revised in some fashion. That's in addition to 60 new court decisions that alter the

application of existing laws.

Finding the answers to current and relevant topics is made easy in the *Illinois School Law Survey*. In an addition to its extensive Table of Contents, the book offers two other features that enable the reader to find information quickly:

- A Quick Reference Index provides a detailed listing of topics and sub-topics arranged alphabetically with a list of the questions where the matter is discussed in the book.
- Court cases are compiled in a table in alphabetical order by name of plaintiff. Each court decision is listed in the table with full legal citations and a note as to where the decision is referenced in the book.

The CD runs with any standard Web browser on any PC or Apple Macintosh computer and is designed to provide rapid navigation between entries in the index and relevant material in the text. The CD is licensed for use on one computer workstation. Additional licenses for installation on a local network are available for \$7.

The *Illinois School Law Survey* may be obtained from IASB for \$45 (IASB members pay \$35) plus \$7 per order for shipping.

To place orders, call IASB at 217/528-9688, extension 1108; mail or fax a printed order form; or visit the IASB bookstore and order online at: <http://www.iasb.com/shop/>.

Note: The *Illinois School Law Survey* should be available by late May 2012.

## 2012-2013 Illinois School Code Service expected to be ready to order by early June

The 2012-2013 *Illinois School Code Service* should be available to order by the first week of June. IASB will once again offer the newest edition of the *School Code Service* in a package that includes both the 2012 *Code* and the 2013 *Code Supplement*.

Both the *School Code* and the *Supplement* consist of print versions and CD ROM versions of the entire publication. The *Supplement* will be delivered in May 2013.

IASB will mail one copy per member district as soon as it receives ship-

ment. Word on how to order more copies at \$60 each and an order form will be sent at that time.

More information about the 2012-2013 *School Code Service* will be reported in next month's issue of the *Newsbulletin*.

# No waivers required for making most necessary changes in school holidays

A recent revision to state law removed the requirement for school districts to obtain state waivers in order to make some changes to school holidays.

Specifically, Section 24-2 of the School Code (holidays) was amended in 2009, with passage of Public Act 96-640. As a result, districts may make changes to five of the legal school holidays listed in the School Code through actions taken by a local board of education, and without the need to submit a waiver application to the Illinois State Board of Education (ISBE).

The changes in the law provide that a school board is authorized to: hold school; schedule teachers' institutes; schedule parent-teacher conferences; or schedule staff development activities (including school improvement and in-service training) on the following legal school holidays:

- The birthday of Dr. Martin Luther King, Jr. (third Monday in January);
- The birthday of President Abraham Lincoln (Feb. 12);
- The birthday of Casimir Pulaski (first Monday in March);
- Columbus Day (second Monday in October); and
- Veterans Day (Nov. 11).

Applicants planning to hold any event at a school on Veterans Day must include a moment of silence at the event to recognize veterans of foreign wars (Public Act 96-84, July 2009).

A school board is authorized to take these actions provided that 1) the person/persons honored by the holiday are recognized through instructional activities on that day or, if it is not a student attendance day, on the first school day preceding or following that day; and 2) the school board taking this action first holds a public hearing about the proposal (for a district, the hearing should be held in conjunction with a school board meeting). The school board or other applicant must provide notice preceding the public hearing to both educators and parents, listing the time, date and place of the hearing; describing the proposal for use of holiday(s); and indicating that testimony from educators and parents will be taken on the proposal during the public hearing.

There is no longer any need to submit paperwork from this process to ISBE for approval. Since these actions no longer require a waiver, districts and other applicants do not need to notify their state legislators in advance of their meeting, nor is there a time limit of five years (as there would be using the waiver process).

If the district has a holiday modification approved by ISBE, however, it remains in effect until its expiration date.

Any questions can be directed to the ISBE's Rules and Waivers Division at (217) 782-5270 or [waivers@isbe.net](mailto:waivers@isbe.net).

## Journal looks at math education, asks: 'Are you smarter than an IMSA student?'

Be prepared for a pop quiz when the May/June issue of *The Illinois School Board Journal* looks at math education in the third of a year-long series on the Three Rs and Three Bs of board work. The quiz essentially challenges readers to find out if they are better at mathematics than an Illinois Math

and Science Academy student.

The *Journal* will also feature an explanation of so-called SB 7 statutory requirements for board members.

The May-June issue was mailed to all IASB members in the third week of April. Select articles and archived articles can also be found online at: <https://www.iasb.com/journal/>.

## CALENDAR OF EVENTS

**May 9 – Open Meetings Act Training – Lake Division**, Warren THSD 121 O'Plaine Campus, Gurnee

**May 9 – Shawnee Division Summer Governing Committee Meeting**, Bennie's Italian Foods, Marion

**May 10 – Corn Belt Division Summer Governing Meeting**, Indian Creek Country Club, Fairbury

**May 18-19 – IASB Board of Directors' Meeting**, Crowne Plaza, Springfield

**May 30 – Southwestern Division Summer Governing Committee Meeting**, The Shrine, Belleville

**May 31 – Two Rivers Division Summer Governing Committee Meeting**, Lonzerotti's, Jacksonville

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

### SCHOOL LAW from page 10

- Current policies and administrative procedures that clearly communicate mandatory reporting responsibilities under Ill. law and address harassment and bullying issues (See sidebar about how peer to peer harassment and bullying can also violate Title IX)
- Methods for investigation of every alleged instance of abuse, harassment or bullying, whether or not the alleged acts appear to be an overreaction or outrageous
- Procedures to document and respond to all investigated matters
- A central office or individual that can review all documentation for *trends* and alert the appropriate school officials of any concerns, e.g., Title IX coordinator
- Training for all staff and officials