

Illinois SCHOOL BOARD *Newsbulletin*

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Court rules that Freeport district abused tort fund

Appeal likely, rebate at stake if ruling stands; other cases pending

In a case that may be appealed all the way to the Illinois Supreme Court because of its major statewide ramifications, a circuit court ruled Aug. 15 that at least one school district and two other taxing bodies have abused their tort immunity funds.

Judge Val Gunnarsson ruled in favor of tax objectors on 5 of the 6 issues before the circuit court in a law-



Robert Slattery

suit that claimed Freeport District 145 in Stephenson County improperly spent \$130,000 of tort immunity fund tax dollars for employee salaries, instead of legal and insurance expenses. The decision is important because a large number of Illinois school districts use the tort funds in diverse ways, and this is the first time a judge

has ruled on such usage.

“School districts need to follow the law and get their legal counsel’s and business office’s advice in using tort immunity funds,” said Melinda Selbee, IASB’s general counsel. “Secondly, it is important to ensure that anyone who is using tort funds is really using it entirely for tort fund purposes, and leaving a paper trail,” Selbee added.

State law permits school districts to “levy an annual tax upon the val-

See **TORT RULING** on page 6

Illinois ACT scores hold steady at 20.3 as state prepares tougher curricula

Illinois ACT scores held steady in 2005, with results that are nearly identical to last year’s. The state is one of only two in the U.S. that require all juniors to take the test. Illinois ranked 17th, with an average overall score of 20.3. Colorado, the only other state that mandates the test, had a score of 20.2, ranking it 19th.

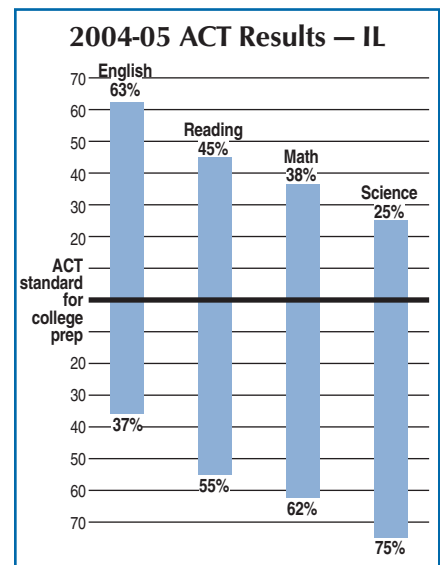
The ACT basically tests 11th graders’ educational development in English, mathematics, reading and science reasoning on a scale of 1 to

36. The overall score is the average of test results in those four subjects.

Illinois students scored 19.9 in English, 20.2 in math, 20.3 in reading and 20.4 in science. The English and science scores were both up 0.2 from last year, while reading was down 0.2 and math was unchanged.

Looking at the nationwide scores, ACT analysts found no improvement in students’ readiness for college.

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Unfunded mandates draw NCLB lawsuit
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Final allocations for Title I funding available online

ISBE recently completed the final FY 06 Title I Allocations for all local school districts, and the dollar figures can be accessed on the state board's Web site.

Funding is based upon eligibility for the four statutory formulas — Basic, Concentration, Targeted and Education Finance Incentive Grants; and upon a variable hold harmless.

"To access any increases in funds, a school district must submit a Title I amendment to ISBE before obligating or expending the additional funds," said State Superintendent Randy Dunn. "Information on final allocations for Titles IIA, IID, IV and V will be forthcoming."

The final allocations can be accessed at: http://www.isbe.net/excel/06_nclb_proj_alloc.xls

Federal breakfast program expanded to more schools

This past winter, the Childhood Hunger Relief Act was signed requiring more Illinois schools to implement a breakfast program. It stipulates that schools in which at least 40 percent of the students are eligible for free or reduced-price lunches must also provide a breakfast meal.

To determine which schools/sites are mandated to operate the School Breakfast Program, go to http://www.isbe.net/nutrition/pdf/schools_mandated_operate_sbp.pdf

To view the full text of the legislation, go to <http://www.ilga.gov/legislation/93/hb/09300hb0756lv.htm>

Illinois schools begin enrolling relocated Katrina students

The Illinois State Board of Education (ISBE) has ordered every effort be made to assist school districts in serving students relocated from affected states due to Hurricane Katrina. "Because of the extent of the damage in portions of our Gulf states, many school-age children may be present in Illinois for a significant period of time and may seek to enroll in Illinois schools," ISBE said.

Nearly two weeks after Katrina ripped the Gulf coast on Aug. 29, more than 400 children have enrolled in 46 school districts across Illinois. That number is expected to increase.

"Please remember that a child whose family has temporarily relocated to Illinois because of Hurricane Katrina will generally meet the definition of 'homeless' under the federal McKinney-Vento Act," state superintendent Randy Dunn said in a Sept. 1 memo. Such students need not document residency, and the usual medical and immunization records requirements have been waived.

Students staying in shelters or

with friends or relatives due to the hurricane should be presumed to qualify for enrollment, Dunn said. Such students are to be eligible for transportation, compensatory education, bilingual, and special ed services, as well as school meals programs, and they may participate in extracurricular activities and any other school programs.

Students enrolling in a school district this year as a result of the hurricane will not be counted for purposes of Adequate Yearly Progress under the No Child Left Behind Act (NCLB), Dunn added.

Questions about relevant homeless laws should be directed to Rich Dehart of ISBE at 217/782-2948. ISBE also has developed a Web page with resources for schools enrolling children displaced by Hurricane Katrina. The site, <http://www.isbe.net/katrina/default.htm>, highlights the hotlines in place to help hurricane victims and lists resources available to schools and people who want to help by purchasing Hurricane Relief Student Supply Kits and Hurricane Relief Teacher Supply Kits.

More planning, more fire drills in schools required

Governor Rod Blagojevich signed HB 2693 on August 16 to require additional emergency drills in schools and to require that local emergency agencies participate in the drills in the school buildings. The law requires school districts to complete an additional fire drill each year (bringing the total to three).

The new law is Public Act 94-0600, and became effective June 1. Text of the legislation is available online at: www.ilga.gov, enter "hb2693" in the box on the left-hand side.

Illinois SCHOOL BOARD Newsbulletin

Illinois Association of School Boards

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Board turnover rate in April matches 10-year state average

The turnover rate of Illinois school board members in the April 2005 election was 23 percent, or virtually the same rate as seen in the past 10 biennial elections.

Recently compiled IASB membership records indicate that 1,369 new members filled board seats in April 2005 out of 5,964 total school board members. That compares to the 1,464 new members elected in 2003, of 6,050 total members, for a turnover rate of 24.1 percent.

(The newly compiled numbers are available from the IASB home page at <http://www.iasb.com>. Look under the heading Directories & Other Data and click on the link Board Member Turnover.)

Turnover rates among Illinois school board members over the past 10 elections have ranged from a low of 22 percent in 1999, when 1,335 new members were elected among the total of 6,076, to a high of 30.4 percent in 1989, when 1,852 new members among the 6,093 total were elected.

A significant source of the turnover that does occur comes from incumbents who decide not to run again.

According to an IASB survey of school board members in 2003, 14.5 percent of the respondents whose office term was set to expire in 2005

were not running for re-election. Another 18 percent were undecided at the time the survey was taken.

The primary reason for not running was: time to step aside (17.8 percent); spending more time with family or job (10.5 percent); excessive demands on schools and lack of funding (8.9 percent); their own children had graduated (3.5 percent); or lack of community support (1.8 percent).

The motivation for seeking the board seat also varied widely. Many of those Illinois board members polled in 2003 said they ran because they valued public education (39.1 percent); or were seeking specific improvements (19.7 percent).

Regardless of their reason in running for or leaving office, more than two-thirds believed that they achieved the goals they set out to accomplish (63.7 percent), compared to just 6.2 percent who said they had failed to meet those goals.

A separate study by the National School Boards Association in 2002 found that only 15.5 percent of board elections were considered to be "very competitive," compared to elections that were somewhat competitive (27.9 percent); occasionally competitive (46.7 percent); and not competitive (9.9 percent). The most competitive elections were in large districts.

New survey of teens shows that drug use follows drug presence in schools

More drugs are in schools today, according to a Columbia University survey of teens, and those with access to drugs are more likely to try them.

Twenty-eight percent of middle-school-student respondents reported that drugs are used, kept or sold at their schools, a 47 percent jump since 2002, according to the 10th annual teen sur-

vey by Columbia's National Center on Addiction and Substance Abuse.

The number of high schoolers saying drugs are at their schools rose 41 percent in the last three years, to 62 percent, said the survey.

For more information visit the Web site of the National Center on Addiction and Substance Abuse: <http://www.casacolumbia.org>.

Magna Awards deadline nears for school boards

Entries are now

being accepted for American School Board Journal's 12th annual Magna Awards, a national contest that honors outstanding programs developed or supported by school boards.



Magna Award winners are publicized in an insert to the American School Board Journal.

Oct. 1 is the entry deadline for the contest, sponsored in cooperation with Sodexo School Services. An independent panel of judges will select up to 24 winners, with cash prizes awarded to grand prize winners in the contest's three enrollment categories (under 5,000; 5,000 to 20,000; and more than 20,000).

All of the winning programs will be featured in a special print supplement to ASBJ next spring. They also will be featured online (www.asbj.com/magna) as well as at the Luncheon for School Leaders, held in conjunction with the National School Boards Association's Annual Conference.

Criteria for the Magna Award-winning districts includes:

- Stated goals and success in meeting them
- Fiscal responsibility
- Effectiveness in advancing student learning
- Applicability to other districts.

All nominations must be post-marked by Oct. 1. For more information call 703/838-6739 or visit the Magna Awards Web site at www.asbj.com/magna.

Six Illinois board members honored in national event

Six Illinois school board members will receive the 2005 National School Boards Association (NSBA) "School Board Member Recognition" Award later this year. The recipients are:

Richard Benson	Mt. Prospect SD 57
Karen Dimond	East Maine SD 63
Barbara Hengels	Schaumburg CCSD 54
Edward Yung	Palatine CCSD 15
Scott McGraw	Ridgeland SD 122
Audrey Manley	Lockport THSD 205

The awards program is designed to recognize individuals across the United States who have demonstrated the highest commitment to public education through proven school board leadership.

The program was designed by NSBA in conjunction with its Federation member Executives Directors' NSBA Liaison Committee. Those school board members who are honored are awarded NSBA's distinguished service certificate and pin. NSBA's requirements for selection are as follows:

- School board members nominated shall have made a significant contribution to the advancement of education as evidenced by their leadership at and beyond the local level.
- School board members nominated shall have had regular attendance at regional, state and national conferences. Regular attendance at the national level shall be defined as attendance at a minimum of three NSBA-sponsored workshops/conferences over a four-year period.
- School board members nominated shall be certified by their respective state school boards association as having met or exceeded eligibility criteria established by that state association.

The awards recognize the fact that school board members give freely of their time to prepare students for life in the 21st century, and deserve recognition.

More schools raising student fees to keep programs solvent

School fee hikes are raising taxpayer concern in a number of districts with increased fees for items ranging from extracurricular activities and athletics to driver education, parking, and technology use.

But as many school districts around the state face major shortfalls in balancing their budgets, the increased fees are seen as one tool for closing budget gaps.

Last May, for example, the board in Indian Prairie District 204, Naperville, agreed to increase the district's driver education fee an additional \$100, taking it to \$250, which is the limit allowed by the state.

Board member Mark C. Metzger said even at \$250, the fee is cheaper than if a student takes driver education from a driving school. The fee also does not come close to what it actually costs to teach driver education, which amounts to several hundred dollars per student, said District 204 Superintendent Howie Crouse.

At the time of the fee hikes, the district was facing a \$3 million shortfall in achieving a balanced budget. But the fee increases were expected to close roughly half of that anticipated budget deficit.

Other fee hikes have been seen recently in District 300, **Carpentersville** and St. **Charles** CUSD 303. In May,

for example, District 300 approved extracurricular activity fee increases expected to generate more than \$300,000 next year. And District 303 recently instituted a technology fee for all students and raised the driver's education fee to \$200.

With most Illinois districts operating in the red, administrators say the fees provide an important revenue stream and support programs that otherwise would be cut.

In 1970 the state Supreme Court upheld school districts' rights to charge for textbooks. In 1973, an appellate court held schools could charge for the use of textbooks and towels. State courts have ruled that schools may charge participation fees so long as they do not charge "tuition."

Indeed, school boards have found the line between fees and tuition is murky. Registration fees, for example, are not the same as tuition in Illinois. Neither are fees for such materials as textbooks and science labs or extracurricular activities.

The Illinois School Code allows districts to charge fees for instructional materials, field trips, supplies, uniforms, equipment and extracurricular activities. The state board's more specific, but less official, administrative rules prohibit fees that go toward salaries and benefits, said state board spokeswoman Becky Watts.



"Don't help, darling. I want his first step to prepare him for the real world."

Interesting programs set as fall division meetings continue through October

IASB board members are encouraged to attend one or more of the remaining fall division meetings. In addition to presentations on the topics listed below, IASB LeaderShop and Master Board Member awards will be handed out. Please choose the meeting or meetings you would most like to attend from the following list:

DuPage Division, Sept. 29, Argonne National Laboratory 6:00 p.m. National Laboratory Tours, 7:15 p.m. Dinner

Program: Argonne National Laboratory has invited Division participants to spend an evening exploring the Laboratory and its current work. Tour the Advanced Photon Source (APS) Facility and hear from a high-ranking Argonne scientist. Information about the APS can be found at www.aps.anl.gov or the Argonne Web site at www.anl.gov.

Lake County Division, Sept. 29, 6:30 p.m., Wauconda High School
Program: The 3R's of the Open Meetings Act, Ethics and Gift Ban Act: Rules, Responsibilities and Ramifications

West Cook Division, Sept. 29, 6:30 p.m., Crystal Sky Banquets, McCook

Southwestern Division, Sept. 29, 5:30 p.m., Shiloh Village SD 85
North Cook Division, Sept. 29, 6:00 p.m., Rosewood, Rosemont
Shawnee Division, Oct. 3, Carbondale ESD 95, 6:30 p.m. – Dinner
Egyptian Division, Oct. 4, Benton CCSD 47, 6:30 p.m. – Dinner
Three Rivers Division, Oct. 5, Renaissance Center, Joliet, 6:00 p.m.
Kishwaukee Division, Oct. 5, McHenry, IL, 6:00 p.m.
South Cook Division, Oct. 6, DoubleTree Hotel, Alsip, 6:00 p.m.
Blackhawk Division, Oct. 18, Moline USD 40, 6:00 p.m. – Dinner
Corn Belt Division, Oct. 19, Ridgeview CUSD 19, Colfax, 6:00 p.m. – Dinner
Kaskaskia Division, Oct. 20, Salem SD 111, 6:00 p.m.
Two Rivers Division, Oct. 25, Greenfield CUSD 10, 6:00 p.m.
Western Division, Oct. 25, Dallas City CUSD 336, 6:00 p.m. – Dinner
Central IL Valley Division, Oct. 26, Washington CHSD 308, 6:00 p.m. – Dinner

2005 delegates must register

IASB member boards should now be considering who to designate as district delegate to IASB's Delegate Assembly this November. The assembly will be voting on IASB's next president and vice president, and on resolutions that will set Association policies. Boards need not pre-register a name: simply have the delegate register upon arrival at the annual conference in Chicago. "Please thoughtfully consider your appointment, review the resolutions as a board, and send an informed delegate," said Ben Schwarm, IASB Associate Executive Director of Governmental Relations.

RECENT IASB MAILINGS

IASB regularly sends informational materials to all member districts. Here is a list of such items recently mailed to representatives of your district. For more information about any item, contact your board president or district superintendent or get in touch with IASB.

Targeting Student Learning brochure, 8/3/05 to board presidents and district superintendents.

Professional Advancement Seminar brochure, 8/4/05 to superintendents.

NEWS FROM IASB

Legal dates and deadline calendar available online

The IASB School Calendar of legal dates and deadlines for 2005-2006 is now available on the IASB Web site: <http://www.iasb.com/>. To find it, simply click on "2005-2006 Calendar Updates" under the heading "Services Online."

That's because the calendar won't be distributed in a printed version this year. Putting it on the Web instead makes it available more quickly and allows for revisions to reflect any new legislation enacted or the correction of any errors. Subscribers to IASB's Online Update will be notified of any revisions.

Local school calendars adopted by the school board must now be approved by the regional superintendent of schools, as must any changes to the calendar. The change is required by a new state law, Public Act 93-1036, which amended Section 10-19 of The School Code.

IASB expands list of Web links

An expanded list of education-related Web sites has been compiled on the IASB site. The list was expanded to include more sites selected for their relevance to school governance. Check out the new list at <http://www.iasb.com/files/links.htm>.

Board of directors meetings

The IASB Board of Directors met on August 26-27 in Oak Brook for its quarterly meeting and annual retreat.

The board approved minutes of the May 14, 2005, meeting. In addition, it received 2005 final membership report and reports concerning the clean audit.

The next meeting of the board will be on November 17 at the Hyatt Regency Chicago.

TORT RULING *from page 1*

ue of the taxable property within its territory as equalized or assessed by the Department of Revenue at a rate that will produce a sum sufficient to pay the cost of settlements or judgments,” as well as costs of liability and property insurance premiums and risk management programs.

The practice of using tort funds to help defray the cost of district risk management plans was specifically approved by law (745 ILCS 10/9 -107). But there are limits to what is lawful, according to the circuit court.

“The General Assembly specifically did not intend that the Tort Immunity levy be used to pay expenses which are more properly charged to general funds,” said Judge Gunnarsson’s written decision. “Taxing districts have available to them levies for all of their usual functions, such as the maintenance of its buildings and grounds, transportation of students, and the payment of wages and salaries of personnel.”

The judge agreed with much of the reasoning behind the lawsuit filed by Freeport attorney Robert Slattery, which claimed that the Freeport school district, Highland Community College and the Freeport Park District illegally diverted tort tax monies in 2000.

The court ruling means that the tax objectors may eventually be entitled to a refund of 15 to 20 percent of more than \$1 million in property tax revenue.

The ruling, however, cleared a fourth co-defendant, Stephenson County’s Pearl City CUSD 200, because the judge found the district did a better job of controlling and accounting for tort fund expenditures.

Unlike the Freeport district, the Pearl City school district set up a formal process to identify distinct duties associated with risk management in order to justify the use of tort dollars to pay for them. Consequently, Judge Gunnarsson ruled against taxpayer objections to the general use of tort money for staff salaries in the Pearl City district.

State notches best-ever SAT math score; others also improve

The high school class of 2005 earned the highest-ever marks on the math portion of the SAT, while scores on the verbal section remained unchanged on the country’s most popular standardized college entrance exam.

Illinois seniors scored the second-highest average in the nation.

Significant gaps between racial groups remain, however; and while the modest change in math scores continues a steady 25-year trend of improvement, officials said they are troubled by the comparative lack of

progress in verbal scores.

Last year’s seniors averaged 520 out of a possible 800 on the math portion, 2 points higher than the class of 2004. Average scores on the verbal section remained at 508, according to results released on Aug. 30 by the nonprofit College Board, which owns the SAT.

In Illinois, seniors averaged scores of 606 on the math portion and 594 on the verbal. That’s an improvement over the class of 2004, which averaged 597 in math and 585 in verbal.

ACT SCORES *from page 1*

“We need to identify students at much earlier grades — eighth grade and earlier — and make sure they have a solid foundation of basic skills needed for rigorous high-school-level courses. Only then will it be possible to graduate students who are all ready for college or job training,” said Richard Ferguson, ACT’s chief executive.

Of the 136,000 Illinois students who took the ACT in 2005, 25 percent earned a composite score in science good enough to indicate they are prepared to pass a freshman science course in college. Thirty-eight percent did so in math, and about half (48 percent) met the standard in reading.

Those results essentially mirror the scores of students nationwide, where 20 percent of 1.2 million test takers met all the benchmarks in science, math, reading and English. Just 20 percent of students in Illinois met all four benchmarks.

Testing officials and some national education experts trace the lack of college readiness to the declining percentage of students enrolled in college prep classes.

In Illinois, 41 percent of all the ACT test takers were enrolled in a core curricula in 2005.

“Somehow the message is not getting through to students that they will have to work in high school and take some of these core courses,” Ferguson said.

In an effort to force more students into tougher course loads, 12 states, including Illinois, have boosted graduation requirements. That means every student must take four years of English, two years of science and three years of math, including Algebra I and a course that must “include geometry content.”

The number of students taking the ACT has jumped 20 percent over the past decade, to roughly 1.2 million, in large part because Illinois and Colorado began requiring all juniors to take the exam.

According to a spokesman for the ACT, a chunk of these new test takers were lower-achieving students who had no plans to continue their education after high school. That was reflected in the 2002 test results, which fell to their lowest level in seven years. But scores have since rebounded: by 2004 students posted marks that were marginally better than students’ performance in 1994 (20.9 out of the 1-36 scale, compared to 20.8 a decade earlier).

Membership benefits highlighted by new ads in rural radio network

A commercial extolling the benefits of IASB board member training programs will soon air on radio stations in rural Illinois.

To hear the commercial, you can visit the IASB Web site (www.iasb.com/radio1/). Or you can listen to any of the radio stations listed below any weekday between Oct. 10 and 21.

“We want people to know that their school boards are working hard to make their schools better and to protect their tax dollars,” said Michael Johnson, IASB executive director.

The LeaderShop commercial will air twice each weekday on all of these stations. The stations, part of the rural Brownfield radio network that offers air time to organizations like IASB, are:

WRMJ-FM	Aledo
WRMS-FM	Beardstown
WLMD-FM	Bushnell
WBYS-AM	Canton
WCXO-FM	Carlyle
WROY-AM	Carmi
WCAZ-AM	Carthage
WHOW-AM	Clinton
WDAN-AM	Danville
WLBK-AM	DeKalb
WRCV-FM	Dixon
WDQN-AM	DuQuoin
WFIW-AM	Fairfield
WAIK-AM	Galesburg
WJRE-FM	Galva
WGEN-AM	Geneseo
WEBQ-AM	Harrisburg
WDUK-FM	Havana
WJIL-AM	Jacksonville
WJVO-FM	Jacksonville
WJBM-AM	Jerseyville
WLRB-AM	Macomb
WRAM-AM	Monmouth
WVMC-AM	Mount Carmel
WXFM-FM	Mount Zion
WINI-AM	Murphysboro
WSEI-FM	Olney
WVLN-AM	Olney
WPXN-FM	Paxton
WBBA-FM	Pittsfield
WTRH-FM	Ramsey
WTAY-AM	Robinson
WTYE-FM	Robinson
WLUV-AM	Rockford
WJBD-AM	Salem
WCCI-FM	Savanna

WRAN-FM Shelbyville
WHCO-AM Sparta
WTIM-FM Taylorville

Leadership nominees

The IASB Nominating Committee conducted interviews with candidates for President of the Association on Aug. 26, and interviewed candidates for Vice President on Aug. 27. The committee, chaired by past president Christy M. Coleman (board member, Geneseo CU 228), plans to announce an IASB leadership slate by Oct. 5. The slate selected will be included in the Resolutions Committee Report to the Membership.



Christy Coleman

Treasurer selection

The IASB executive committee recently approved a new selection method for the office of treasurer of the Association.

The post will continue to be filled for a two-year term by a vote of the Board of Directors on Sunday at the Joint Annual Conference. That is a stipulation of IASB by-laws.

But the new approach requires members of IASB's board seeking the office to submit to the IASB President in August a one-page paper indicating their interest and qualifications, and the reasons why they want to be considered.

IASB's board voted in May to appoint Joe Alesandrini, president of the Pekin CHSD 303 school board and Director of the Central Illinois Valley Division of IASB, to serve as interim treasurer until the board's next election of a treasurer in November. At that time the board will elect one of its members to serve the two-year term.

The duties of the treasurer include keeping account of all monies received and disbursed by the Association.

NEWS HEADLINES

Chicago (September 1, *The Associated Press*) Reversing field, the federal government will again provide Chicago District 299 with funds to operate the district's after-school tutoring program, a flexibility that could be expanded to other districts, U.S. Education Secretary Margaret Spellings has stated.

Elgin (August 17, *Arlington Heights Daily Herald*) Elgin District U-46 is making information on avoiding military recruiters more available for high school students to enable them to avoid unwanted calls, officials say.

Frankfort (August 5, *Suburban Chicago Newspapers*) Lincoln-Way CHSD 210 could be forced to implement a split-shift schedule, with some students attending in the morning and others in the afternoon, area residents were told on August 4.

Huntley (August 30, *Northwest Herald*) District 158's top financial officer reports a mistake has been found in data sent in for state aid calculations. Stanley Hall says two schools submitted overstated attendance numbers in May 2004 after a school calendar change.

Kaneville Township (September 1, *Kane County Chronicle*) More than 50 students were taken to a hospital for observation in Geneva after a Kaneland school bus and a sports utility vehicle collided on the morning of September 1. The bus was carrying students to Kaneland High School and Kaneland Middle School in Maple Park, in southwest Kane County.

Lisle (August 24, *Arlington Heights Daily Herald*) Lisle District 202 is still seeking a state waiver to avoid potential NCLB trouble after completed state test forms were lost en route to Iowa in the spring.

Connecticut sues feds over unfunded mandates in NCLB

But Illinois districts' lawsuit is dismissed

Connecticut sued the federal Education Department on Aug. 22, alleging it has imposed \$41.6 million in unfunded costs on the state with No Child Left Behind Act (NCLB) testing requirements. The lawsuit calls for the feds to either withdraw the mandate for annual tests in grades three through eight or provide the additional funds to pay for them.

"Hundreds of millions of dollars are at stake," Connecticut Attorney General Richard Blumenthal said.

The NCLB act requires schools to test students and show appropriate improvement throughout school districts. The state does not disagree with the idea of the law itself, but with the "one-size-fits-all" method of testing and evaluating its mandates.

Connecticut students have been tested in grades four, six, eight and ten for 20 years. State officials contend their accountability program is working.

NCLB requires them to test in grades three, five, and seven. According to a cost analysis, the state of Connecticut found that by 2008 an additional \$41.6 million will be required at the state level — and many millions more at the local level — to implement the

new federally required tests.

Connecticut education leaders also say that NCLB tests do not measure how much each grade of students has learned because it compares fourth graders, or sixth graders from different years instead of comparing how proficient fourth graders are when they reach the sixth grade.

Illinois case dismissed

A similar lawsuit filed by four Illinois school districts against state and federal education agencies was dismissed on Aug. 9. The judge said the districts had failed to sufficiently establish an injury to the disabled students who were parties to the complaint.

The lawsuit, filed on Feb. 3 in federal court in Chicago, sought clarification on conflicts between NCLB and the Individuals with Disabilities in Education Act (IDEA). The suit, filed by Ottawa THSD 140, and joined by Ottawa Elementary District 141, Streator Elementary District 44, and Queen Bee District 16 in Glendale Heights, was among the first major challenges to NCLB.

Although the suit was dismissed, it may not be dead yet.

CALENDAR OF EVENTS

October 18 – Blackhawk Division Fall Dinner Meeting, Moline USD 40, 6 p.m. Dinner

October 19 – Corn Belt Division Fall Dinner Meeting, Ridgeview CUSD 19, Colfax, IL, 6 p.m. Dinner

October 20 – Kaskaskia Division Fall Dinner Meeting, Salem SD 111, 6 p.m. Dinner

October 25 – Two Rivers Division Fall Dinner Meeting, Greenfield CUSD 10, 6 p.m. Dinner

October 25 – Western Division Fall Dinner Meeting, Dallas City CUSD 336, 6 p.m. Dinner

October 26 – Central IL Valley Division Fall Dinner Meeting, Washington CHSD 308, 6 p.m. Dinner

November 11 – Veteran's Day

November 17 – IASB Board of Directors Meeting, Hyatt Regency, Chicago

November 18 – Pre-Conference Workshops, Sheraton, Chicago, 9 a.m.-3 p.m.

November 18 – ICSA Nineteenth Annual Seminar on School Law, Hyatt Regency, Chicago, For attorneys only. Fee required.

November 18 – Chicago Schools Tour, Hyatt Regency, Chicago, Advance registration and fee required.

November 18-20 – Joint Annual Conference, IASB, IASA, IASBO, Chicago,

November 19 – DuPage Division Lunch at Annual Conference, Hyatt Regency, Chicago

November 20 – IASB Board of Directors Meeting, Hyatt Regency, Chicago



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