

# Illinois SCHOOL BOARD Newsbulletin

September 2013 / Issue No. 735

## School Board Members Day a chance to say 'thanks for lending a hand'

School board members will be recognized throughout the state on Nov. 15, which is designated as School Board Members Day in Illinois.

This is the fifth year for the recognition, following action by the legislature to designate a specific day of observance in 2008. As in past years IASB will provide a comprehensive package of materials to help districts and their communities recognize board members for the important community service they provide.

The theme for 2013 is "thanks for lending a hand." Materials, including



School Board Members Day 2013

IASB • 1913-2013

logos, a sample proclamation, marquee messages as well as ideas for recognition and a press release, will be posted at <http://www.iasb.com> on Sep. 16.

School districts can download any  
See **DAY** on page 7



Karen Fisher



Phil Pritzker

## Fisher and Pritzker nominated as officers for delegate voting

The IASB Delegate Assembly will elect Association officers on Nov. 23 at the Joint Annual Conference in Chicago. IASB's nominating committee has endorsed the following slate of officers: Karen Fisher, **Ottawa THSD 140**, as president; and Phil Pritzker, **Wheeling CCSD 21**, as vice president.

Fisher, who has served on her local school board since 1979, is seeking her first term as Association president. She represented the Starved Rock division on the Association board of directors from 2007 to 2012. She served on the executive committee in 2009 and 2010, the nominating committee in 2008, and the audit committee in 2009 and 2010. She also served as an alternate delegate to the NSBA Delegate Assembly in 2009 and 2010. She chaired the Resolutions Committee in 2011 and 2012 and she is completing her second year as vice president of the Association.

Vice president candidate Phil Pritzker has represented the North

## New report designed to help school leaders find ways to engage with community

The Illinois Association of School Boards has published a new document that will become the cornerstone of board development efforts designed to assist school boards in the purpose and process of community engagement.

"Connecting with the Commu-

nity: the Purpose and Process of Community Engagement as part of Effective School Board Governance" is the result of a two-year effort to develop new tools and training around this critical work.

See **COMMUNITY** on page 12

See **OFFICERS** on page 7

## Rtl Network conference

Registration is under way for the Illinois Rtl Network's second annual statewide conference, "Integrating Initiatives and Advancing Implementation." The conference is scheduled for Sep. 23-24 at the Crowne Plaza Hotel in Springfield. For more information, visit <http://bit.ly/1dzMQ0y>.

## ILEARN financial data

The Illinois Education Agency Retrieval Network (ILEARN) now includes school district financial data from FY 2012. The database is updated annually. It contains financial, tax and per pupil data from fiscal years 1997 to 2012 and can be used for school district financial comparisons, comparing one district to another, or one year to another year for a specific district. Questions about the ILEARN database may be directed to Toby Turek or Debbie Hemberger in ISBE's School Business Services Division at (217) 785-8779 or [finance1@isbe.net](mailto:finance1@isbe.net).

## New performance ruler

To complement its initiatives promoting college and career readiness, ISBE is implementing the Value Table, a new yardstick to gauge student and school performance over time. This is a "growth model" that tracks student progress over a two year period to allow schools to see the change in student achievement, rather than a one-time snapshot. It has four performance categories and aims to place into context the Adequate Yearly Progress (AYP) performance targets set by the federal NCLB law. To see a fact sheet on this topic, visit: <http://www.isbe.net/GMWG/pdf/gmvt-fact-sheet-0813.pdf>.

# Illinois ACT scores second highest among states testing 100 percent of their students

The Illinois State Board of Education (ISBE) announced Aug. 21 that the graduating Class of 2013 achieved an ACT composite score of 20.6, giving Illinois the second highest score among the nine states that test 100 percent of graduates. Illinois' ACT composite score is just below the national average of 20.9, based mainly on the scores of self-selected college-bound students. The vast majority of states only

test students intending to go to college as opposed to Illinois, where every 11th-grader is required to take the ACT as part of the Prairie State Achievement Examination (PSAE), thus lowering average scores.

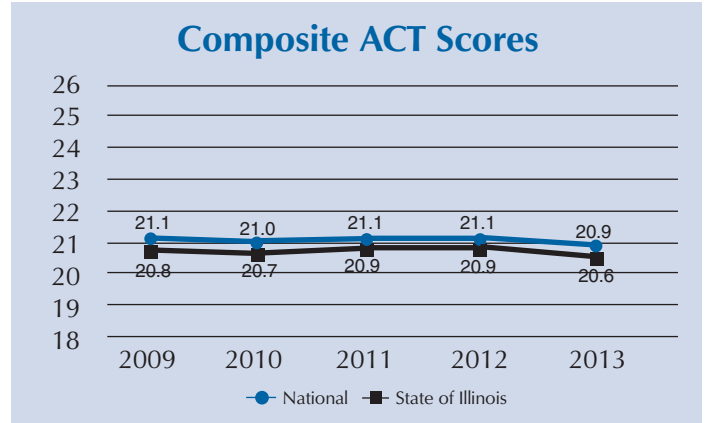
Furthermore, beginning with the graduating Class of 2013, the ACT state reports now include scores from students who were allowed extended time to complete the test. Eligible students may request extended-time accommodations, but ACT did not previously include these students' scores in each state's composite score.

"Illinois has been a leader in promoting college and career readiness since requiring 11th-grade students to take the ACT as part of the PSAE more than 10 years ago," said State Superintendent of Education Christopher A. Koch. "The Class of 2013's composite score reflects a larger pool of students than previous years by including those who require additional time to complete the exam."

The state's ACT composite score is based on the 160,066 students tested in the graduating Class of 2013, compared to 146,822 counted in last year's report, an increase explained by ACT's new policy. For Illinois, the new policy meant an additional 15,481 students with extended-time scores were includ-

ed in this year's composite score, while about 2,000 fewer students took the test in standard time than last year.

ACT officials note that this change, along with another on the cut scores for the College Readiness Benchmarks,



affect the ability to make direct comparisons with previous years' reports.

"The drop in ACT scores for Illinois students should not be interpreted as a decline in student learning or readiness," said Jon Erickson, ACT president of education. "The state results were impacted by the change in the composition of test takers included in the report. As a result, this year's data should be seen as a new baseline

See **ACT SCORES** on page 12

*Illinois*  
**SCHOOL BOARD**  
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**Illinois Association  
of School Boards**

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**ILLINOIS ASSOCIATION  
OF SCHOOL BOARDS**

# New law may ease consolidation for some districts

A new law signed Aug. 2 should make it easier for some school districts to voluntarily reorganize. House Bill 2267, sponsored by State Representative Jehan Gordon-Booth (D-Peoria) and State Senator Andy Manar (D-Decatur), implements the recommendations of the Classrooms First Commission headed by Lt. Gov. Sheila Simon.

The new law's provisions allow non-contiguous school districts to reorganize and to operate a cooperative high school. Other provisions allow districts with fewer than 750 students to dissolve without a referendum, either through a school board resolution or a petition signed by a majority of the district's registered



Jehan Gordon-Booth



Andy Manar

voters. The law, now Public Act 98-0125, took effect immediately.

But while the law could remove a roadblock and make it easier to consolidate, the decision to reorganize is still a local one and not something mandated by the state.

The measure is designed to reduce barriers for districts to voluntarily

reorganize. For example, as mentioned, districts with fewer than 750 students could be dissolved through a school board resolution or a petition signed by a majority of the district's registered voters, even if the district's population is larger than 5,000 residents. Currently, only school districts serving a population of fewer than 5,000 residents have the option to accelerate the reorganization process by dissolving without a referendum vote.

"There are dozens of low-enrollment schools that didn't qualify under the old criteria, even though it had very few students," said Sen. Manar. "Tying this process to school enrollment is logical and will save districts looking

See **CONSOLIDATION** on page 4

## State funding shortfall again leaves schools hanging on empty promises

School districts will again see about an 11 percent funding shortfall compared to the amount of state aid they were promised by the legislature in its \$6,119 General State Aid foundation level.

That is what is shown in the preliminary Fiscal Year 2014 General State Aid (GSA) entitlement calculations that were recently completed for all school districts. The first FY 2014 GSA payment was set for Aug. 10. The \$6,119 GSA foundation level established by the General Assembly was used in the GSA shortfall calculation based on a total budgeted FY 2014 appropriation of \$4.44 billion.

The preliminary GSA net entitlement is based on local tax revenue and average daily attendance information calculated to \$5 billion, leaving a shortage of \$561 million. This shortage requires a preliminary proration of 88.7 percent, which has been applied toward the gross entitlement for each district. Like last year, the final proration percentage will be proportionally applied over 22 equal payments scheduled from August 2013

through June 2014.

Litchfield CUSD 12 Superintendent John Mullet said this level of underfunding creates problems for many local school districts. Specifically, he told *The Journal-News*, Hillsboro, the proration means his district will continue to deficit spend this year, including an estimated \$260,800 deficit in the education fund and \$120,994 in the operations and maintenance fund: "If the state gives us that [missing] 11 percent, then it eliminates those deficits," he said. "The schools aren't the problem, if they would just give us the money. It's a very bleak picture in the state of Illinois," Mullet told the newspaper in a story published Aug. 22.

Computations and individual claim information for school districts and regional offices can be accessed in General State Aid Inquiry at <http://webprod1.isbe.net/gsa inquiry/default.aspx>. The state agency pledged to calculate final entitlements, proration and payments prior to the Sep. 10 GSA payment. No changes will be made after the statewide file is closed, officials said.

## Still time to submit names for the 2013 Burroughs Award

There is still time to nominate local school board presidents for the Thomas Lay Burroughs Award, which is given annually to the state's outstanding school board president. The deadline for the Illinois State Board of Education to receive nominations is Oct. 18.

Created in 1991 in memory of the late ISBE chairman, the award is presented each November at the Joint Annual Conference. This year's conference will be held Nov. 22-24, and the award will be presented on Sunday, Nov. 24.

Last year's winner was Ronald Moehring, school board president in **Illini Central CUSD 189**, Mason City.

School leaders are being urged to use the online nomination format, available at: [http://www.isbe.net/pdf/burroughs\\_award.pdf](http://www.isbe.net/pdf/burroughs_award.pdf). The email address is: [aelliott@isbe.net](mailto:aelliott@isbe.net). The subject of the email needs to be marked: Burroughs Nomination. For more information, phone Katherine Galloway or Marsha Moffett at 217/557-6626.

## PSAE-related tools to help students get career readiness certificates online soon

The 2013 preliminary results for PSAE, the state standardized test taken in the spring by 11th graders, were recently made available from the Illinois State Board of Education (ISBE) for district review. School administrators have since reviewed and corrected their district data for any errors or omissions.

But some school leaders also have asked when results for the accompanying ACT National Career Readiness Certificate (NCRC) would be available online. ISBE officials say the certificates and certificate-related data should be available for download in the second week of September. Both will be available through the state's Student Information System (information about the SIS itself is available online at <http://www.isbe.state.il.us/sis/>).

The NCRC is issued to students who score well on the ACT in three disciplines combined, as shown on three of ACT's WorkKeys tests — Reading for Information, Applied Mathematics, and Locating Information. In past years the PSAE included just two of these WorkKeys tests: Reading for Information and Applied Mathematics. For the first time in spring 2013, ISBE arranged for schools to automatically receive materials to administer ACT's test on Locating Information that will enable students to qualify for the certificate of career readiness.

For more information about the NCRC, visit [www.act.org/certificate/about.html](http://www.act.org/certificate/about.html) or contact ACT at 800/967-5539. For more information about the Locating Information test, visit [www.act.org/workkeys/assess/locate/index.html](http://www.act.org/workkeys/assess/locate/index.html).

## Lottery shortfall again triggers fine for private firm conducting games

The state's private lottery manager will miss sales goals for a second year in a row, Illinois Lottery officials said July 16.

State Lottery Superintendent Michael Jones said Northstar Lottery Group will come up short of its sales goals even though a record amount of profits were generated by lottery games during the 2013 fiscal year that ended June 30. Northstar allegedly fell short of its net income target established in the private management agreement between the firm and the state.

Under Northstar's agreement with the state, the company promised \$947

See **LOTTERY** on page 5



Michael Jones

### CONSOLIDATION *from page 3*

to consolidate time and money.”

“My children attend school in a small district. I know how important local control is when it comes to our kids' education,” Manar said in a prepared statement. “Decisions regarding consolidation or dissolution should be made at the local level, not by the General Assembly. This law not only protects our small schools, it also protects local control of our schools.”

According to Simon's office, about 50 of Illinois' 868 school districts would meet the new criteria.

The bill was signed into law two years after Gov. Pat Quinn angered lawmakers and local officials by proposing to consolidate the state's 800-plus school districts into 300 districts. But opponents successfully made the case that this proposal designed to save money would actually cost the state more than a billion dollars.

Then the Classrooms First Commission, tasked with suggesting ways to improve learning opportunities and cut duplicate costs, recommended a

series of less drastic changes.

### Cut in state incentives

The state offers financial incentives for schools to consolidate, but there could be less money available because such funding was cut by 10.9 percent in this year's state budget. In the budget adopted by the legislature in May, funding was chopped from \$2.8 million to \$2.5 million. That's a far cry from the \$3.9 million the Illinois State Board of Education had sought from the legislature to help eight newly consolidated districts.

The State Board shares the concern of critics of the funding cut and will ask lawmakers to approve added funding in the fall veto session.

“We don't want districts that are considering consolidation to be deterred by these cuts. We want to provide them with the resources necessary,” state

superintendent Christopher Koch said.

Superintendents in districts that had already chosen to consolidate say legislators and the governor essentially are breaking a pledge on funding and leaving them in a difficult position with local taxpayers, who may have supported the mergers partially based on promised funding.

“It's a real slap in the face,” said Superintendent Kenny Schwengel of **Atwood-Hammond CUSD 39**.

The reduction in state incentive funds amounts to an estimated \$121,000 cut for District 39.

But state incentives may also come at a cost to local taxpayers: “The biggest, probably most relevant factor is the tax levy,” said Superintendent Andy Richmond of **Carbon Cliff-Barstow SD 36**, Silvis, whose district is looking at consolidating.



Andy Richmond



Kenny Schwengel

# NEWS HEADLINES

**Champaign** (Aug. 13, *The News-Gazette*) The Champaign school board voted Aug. 8 to renew its contract with the school resource officers who serve in several schools. The district will create a committee, however, to look at the program and recommend changes for next year. The district is responsible for paying for two officers' salaries, benefits and expenses. That cost is about \$270,000. The district has five school resource officers, although this year, Edison and Jefferson Middle Schools will share an officer because one officer is injured and can't work.

**Chicago** (Aug. 5, *Chicago Sun-Times*) A clearer picture of the number of teacher pink-slips handed out by Chicago Public Schools this summer is emerging, with reports of almost 19 percent of total teachers cut from subjects such as the arts, gym and library, and another 19 percent from bilingual and special education. Of about 1,700 teacher positions lost, 98 taught visual or performing arts and 61 taught music. P.E. teachers accounted for 75 jobs; librarians, 41; foreign languages, 27, and computerers, 23, according to the teachers' organization. The district laid off a total of 3,168 employees in June as a result of school closings and turn-arounds.

**Chrisman** (Aug. 6, *Paris Beacon News*) The Chrisman school district is waiting on the Illinois State Board of Education to approve an amend-

ed life-health-safety plan filed by Edgar County CUSD 6. The plan identifies work the district's buildings need to reduce risk to students and others. Only the grade school has been approved so far. Unit 6 must sell life safety bonds to fund the work and these cannot be sold until the state issues approval for the entire life-safety amendment.

**Effingham** (Aug. 6, *Effingham Daily News*) A local school superintendent told a group of local business leaders Friday that students and their families will face a period of adjustment while Illinois schools transition into a Common Core curriculum that is billed as a way to help American students better compete in a global economy. But Altamont Unit 10 Jeff Fritchtnitch said at the monthly First Friday luncheon that all will be well — eventually. "For the first few years, we'll be in the tank," Fritchtnitch said. "But once the teachers learn how to teach kids the new standards, we'll be fine." Illinois schools have already been transitioning into the curriculum, with the Illinois Standardized Achievement Test formulating 20 percent of its questions in math and language arts to the new standards.

**Rantoul City** (Aug. 13, *The News-Gazette*) The Rantoul City school district has to do more with less once again. This time, the state government is withholding more than \$1 million in general state aid that the

district is entitled to receive. Financial secretary Angie Krickovich reported to the RCS board last week that the district is owed \$9,353,702. The state decided to withhold 12 percent (\$1,052,614.82) of that. Krickovich said RCS has about \$2 million in reserves, which pays for two months' payroll and expenditures. The tentative budget for fiscal year 2013-14 was released, showing a possible deficit of \$151,911. Some grant funding is also expected, but if worse comes to worst, the district will use its surplus reserve fund to balance the budget, Krickovich said.

**Rock Island and Henry Counties** (Aug. 7, CBS) Four school districts headquartered in Rock Island County, and an adjacent district in Henry County are eyeing consolidation. The districts, Colona SD 190; Carbon Cliff/Barstow SD 36, in Silvis; East Moline SD 37; Silvis SD 34; and United Township High School District 30, are considering an alteration from five districts, down to one. The news came after the five districts completed a study this summer to see whether merging would be possible, and how. United Township Superintendent Jay Morrow said if the districts were to merge, all elementary schools and high schools would stay the same, but they would reduce from four middle schools to two. Morrow said there would be cuts in administration and the move would save money.

## LOTTERY from page 4

million in net income during fiscal 2013. Lottery officials said the lottery generated \$793.5 million in profits during the year, after generating \$757 million the year before. That enabled \$655 million to be allocated to K-12 schools, funds that unfortunately don't supplement overall school funding, but are instead used to help offset other state sources of school funding.

Still, Northstar brought in nearly \$437 million more in 2013 than in the last year the lottery was administered by the state, good news for state budgeters, if not for local schools.

A Northstar spokesman could not be reached for comment.

Jones said that because of the alleged shortfall, Northstar will once again be subject to penalties for failing to reach

profit goals promised to the state.

In 2012, Northstar also failed to meet its profit goals, and the state said the company owed it \$21 million as a result. Northstar disputed the numbers used by the state, an issue that still is unresolved (the penalty has not been paid).

The latest shortfall could trigger over \$40 million in fines.

## Fall division meetings eye Common Core, financial concerns, much more

A wide range of topics—from school funding to the latest communications ideas—will be covered at division meetings this fall throughout IASB’s 21 divisions.

From Sep. 11 through Oct. 30, IASB’s fall division dinner meetings are a good place to catch up on school leadership developments and board training, and to share ideas and solutions with fellow school leaders and IASB leadership. The complete schedule is available at IASB’s online Events Calendar at: <http://www.iasb.com/calendar/>.

Veteran and newly elected board members alike will find division dinner meetings represent a chance to learn more about schools and school board service. For example, the topic of Common Core Standards is on the agenda for the Sep. 19 fall meeting of the Northwest Division in Lanark.

Besides presentations on hot topics and legislation, recognition awards from IASB’s Master Board Member

Program will be handed out. IASB recognizes and honors board members for the time and effort they devote to self-improvement and leadership activities. Master Board Member activities are a means of achieving the Association’s mission of excellence in local school governance.

IASB offers an online form for board members to use to be recognized for their efforts in Master Board Member activities. Directions on the form include a summary of IASB programs and activities that qualify for credits toward Master status. Points are cumulative from year to year and assigned to professional development, division activities, board development, legislative leadership, and IASB and NSBA leadership. Points range from 5 to 30 and credits are awarded through June 30; 60 to 129 points earn Level I status; 130-199 earn Level II status; and 200-plus points earn Master Board Member distinction.

The fall division dinner meeting

is also a time when school board members and superintendents can learn more about board training opportunities, the upcoming Joint Annual Conference and Delegate Assembly resolutions, hear reports from IASB’s board of directors and division officers, and recognize the work of fellow board members.

Many meetings also will offer a variety of breakout panel sessions similar to the one on the Common Core standards, while others will feature keynote speakers. Presentations will cover many locally determined topics. Some popular topics include finance, common core, collective bargaining and teaching and learning. Other topics include governance, technology, school safety and legislation.

Information is mailed to every school board member and district office in a brochure. More information about the events is available from Field Services staff: <http://www.iasb.com/training/fieldstaff.cfm>.

## Importance of setting district goals focus of assistance available from IASB

The school district governance team is seldom static, according to IASB’s Field Services directors. Election turnover and administration changes can lead to confusion about the direction in which the district is moving.

“As members of the team change, one way to aid in the continuity of purpose is to clearly have that direction articulated. It goes by many names but whether you call it setting district goals and direction, strategic planning, or values and beliefs/mission/vision/goals work, school boards are responsible for clarifying the district purpose and setting the course,” said Larry Dirks, IASB field services director.



Larry Dirks

The school board is like the rudder of an ocean liner, Dirks said. “Even though that ocean liner may have a powerful engine and the best crew, without clear direction from the rudder, the ship will circle and possibly sink,” he said.

Setting district goals and direction solidifies the board-superintendent relationship by clearly stating expectations in areas such as student achievement, programs, finances, facilities, personnel, and community relations, according to Dirks. He says the result is a staff that is empowered to pursue the board’s stated ends unhesitatingly. It also ensures alignment of district operations with community values.

IASB’s Field Services directors have assisted many districts in setting district goals and direction. They stress that they are ready, willing, and able to work with the governance team to help articulate these ever impor-

tant district ends.

Generally the process includes development of a set of values and belief statements, development or review of mission, an analysis of the strengths and weaknesses of the organization, identification of goal areas, the articulation of a set of goals to steer the organization, prioritization of goals, and establishment of action teams to complete the next steps.

This work is usually done in an all-day, Saturday format or spread over several evening meetings, depending on the board’s available time and resources. It can, and often does, include both a staff input component and a community engagement component.

“Setting district goals and direction is the essence of board work and it is foundational to effective governance,” Dirks said.

More information is available from any Field Services director by calling IASB.

# Member districts invited to send videos offering centennial greetings

IASB will celebrate its 100th anniversary this fall. This milestone event would not be possible without the support of local member school districts. That's why the Association is inviting each member district to submit a short videotaped greeting that will be posted on IASB's YouTube page and featured at the 2013 Joint Annual Conference.

This greeting is not only an opportunity to recognize the Association's centennial; it also will recognize local board members and the history of their local district.

The content should be simple and straightforward: the message should introduce each board member and the superintendent (seated or standing; in the board room, in front of a landmark school building, or district mascot or sign, etc.), the name/number of the district, and the date or year it was chartered.

Districts can use video cameras, flip cams or smart phones to record the message in a standard video file that can be saved and sent electron-

ically to a secure IASB file sharing link. Or they can be recorded on DVD or CD and mailed to the Association office in Springfield. IASB will begin to post these video greetings as soon as they are received and all of them will be on display in a continually running "loop" at the conference.

"We think this is an easy and fun way for local board members to participate in the centennial," said James Russell, IASB associate executive director for communications and production. "It is significant that the Association will reach its 100th anniversary this year. But school districts were here first, and in 1913 decided that their common interests could be better served through an association of school boards. Our history is their history."

Other opportunities for local districts to participate in the centennial will be announced in the near future, Russell added.

Additional instructions and sample district video greetings are available by visiting the IASB centennial website at: <http://www.iasb.com/centennial/>.

## OFFICERS *from page 1*

Cook Division on the Association board of directors since 2010. He previously served as division chairman and has recently served on the Association's executive committee. Pritzker began his local school board service in 1989.

The nominating committee, which met in late August to interview candidates, is chaired by past president Joseph Alesandrini and includes directors Roger Pfister, Simon Kampwerth, Mary Stith, and Rosemary Swanson.

In addition, Lisa Weitzel and Rob Luttrell serve as alternates.

The Association leaders elected by school board delegates will assume office at the close of the annual meeting of IASB's Delegate Assembly. The next meeting of the board of directors will be on Thursday, Nov. 21, at the Hyatt Regency Chicago.

## DAY *from page 1*

of the materials and use them without any additional permissions because they were created by IASB staff for that purpose.

Web statistics from 2012 show that the school Board Members Day materials were downloaded 2,771 times with the fillable certificate leading those numbers at 588 downloads.

Once downloaded, the certificates can be personalized with a school board member's name and then presented, either at a board meeting or a recognition ceremony of the community's choice.

School board members represent the ideals of grassroots democracy by voluntarily giving of their time, so it seems only fitting for community members to thank them at least once a year for their efforts on behalf of children.

## NEWS FROM IASB

### Another district joins IASB

**St. Libory Cons SD 30** located in the association's Southwestern Division has rejoined IASB. The district was last a member in 2009. This brings the count of member districts to 852 out of a total of 859 school districts in Illinois. That means 99 percent of all school districts are members of their Association, the highest level of membership in the association's 100-year history. St. Libory is served by Field Services Director Larry Dirks.

### Another new IASB officer

The August *Newsbulletin* mentioned the recent election of several new division officers. The choice of Mark Christ as the Vice Chair for the Southwestern Division was mentioned, but the division's newly elected Chair was omitted. He is Leroy Elleby, Jr, of **Pontiac William-Holiday Dist. 105**, Fairview Heights, and he replaces Rob Luttrell as the division chairman. Luttrell, a board member in **Triad CUSD 2**, Troy, was chosen the new division director.

### Conference deadlines loom

The following list of dates represent just some of the key deadlines ahead for the 2013 Joint Annual Conference. More information about the deadlines listed below can be found on the conference web page at: <http://iasb.com/jac13/>.

- Sep. 27 – Nominations due for the Holly Jack Outstanding Service award
- Oct. 1 – Exhibitors to be included in Conference program
- Oct. 25 – Advance registration at \$390 per person rate
- Oct. 25 – Written refund requests, minus \$75 per person fee
- Oct. 26 – Individual badge requests for registered exhibitors

# Be careful with FOIA requests for investigations and adjudications



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

## DEVELOPMENTS IN SCHOOL LAW

Your district has had a challenging spring. A teacher was accused of hosting a party at his home where several students engaged in underage drinking. You investigated the incident. The teacher was dismissed. The local news media sends a Freedom of Information Act (FOIA) request to your district for “the superintendent’s investigatory records and findings.” Should the records be released?

There is no yes-or-no-answer. The best answer is to contact the board attorney to assist with the complex analysis of whether the records relate to an *investigation* or *adjudication*.

A record is exempt from disclosure if it is part of an adjudication of an employee grievance or disciplinary case under section 7(1)(n) of FOIA. An adjudication requires a formal hearing, presentation of formal charges, and evidence to be presented.

When a record is not part of an adjudication, it is likely part of some type of internal investigation. An investigation is more of an informal inquiry into an issue. The final decision resulting from an investigation generally involves only conversations (as opposed to formal charges).

When records relate to an investigation, the FOIA Officer and the board attorney will likely help the FOIA Officer decide if the district should ask for an *in camera* (private) review. This review is done by a judge or the Ill. attorney general’s public access counselor (PAC). An *in camera* review would weigh the public’s right to know what is in the

records against an individual’s personal privacy interest.

This is where exemptions under FOIA get very complex. Recently, Illinois has had two opinions that discuss the complexity of responding to these requests.

In *Public Access Opinion (PAO) 13-011*, a city improperly withheld what the PAC called *investigatory* records in response to a local news agency request for “all police reports regarding an incident... involving [an assistant police chief].” The city withheld the records stating that they were exempt as *adjudicatory* records under section 7(1)(n) of FOIA. The

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“The best practice...is for the FOIA Officer to involve the board attorney immediately.

— Kimberly Small

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city asserted that exemption because the records involved employee discipline. However, only an informal inquiry without formal charges or any presentation of evidence occurred. So, the PAC opined that the records were *investigatory* and must be released.

PAO 13-011 did not discuss whether other FOIA exemptions would apply after an *in camera* (private) review (because that type of review was not requested). But, another recent case has. In *The State Journal Register (SJR) v. University of Illinois Springfield (UIS)*, 2013 WL 4027185, the SJR sought to enforce two FOIA requests for information about the resignation of three UIS coaches surrounding sexual misconduct with a student. UIS asked for an *in camera* review. That judge weighed SJR’s right to know what was

in the requested records against the student’s and coaches’ personal privacy interests. Only factual information was directed to be released. Information that (a) was personal and/or (b) would have been an unwarranted invasion of the student’s or other witnesses’ personal privacy was redacted (deleted) before UIS released the records.

Both opinions and the hypothetical above underscore how complex FOIA requests for records that involve adjudications and investigations can be for school officials to manage. In the hypothetical above, there is no information about whether a formal hearing occurred. If the teacher was tenured, it is likely a formal hearing did occur. If not, did a collective bargaining agreement provide for any presentation of formal charges? The best practice when this type of FOIA request arrives is for the FOIA Officer to involve the board attorney immediately. Often, an *in camera* review is the most effective way for a board to ensure that it complies with FOIA while also respecting privacy interests and preventing unwarranted invasions of personal privacy.

### FOIA resources

Be sure to check out these and other FOIA resources at [www.iasb.com](http://www.iasb.com):

- School Board Records: Requirements of the Illinois Freedom of Information Act, [www.iasb.com/law/schboardrecords2010.pdf](http://www.iasb.com/law/schboardrecords2010.pdf)
- Recent Court & Agency Decisions, <http://www.iasb.com/law/courtdecisions.cfm>



# Offering schools assistance with legal calendars

IASB's Annual School Calendar of legal dates and deadlines for 2013-2014 is available on the IASB website as a PDF version that can easily be downloaded.

IASB makes the Annual School Calendar available in order to help school districts prepare their local school calendars. Dates listed comply with all statutory deadlines contained in the Election Code, School Code and selected acts of the state legislature. It does not contain dates imposed by the Illinois State Board of Education (ISBE) or its regulations.

The school calendar is posted online so that it is available more quickly and to allow for revisions to reflect any new legislation enacted, and for the correction of any errors.

Subscribers to IASB's Online Update were notified when the calendar was published, and as any revisions are made.

For more information, visit: <https://www.iasb.com/law/cal1314.cfm> to view the "2013-14 Annual School Calendar."



## New superintendents welcomed

IASB Field Services directors Barbara Toney (top photo at far right) and Larry Dirks (bottom photo at podium) offered a warm welcome to new superintendents at the Lombard (top) and Springfield (bottom photo) luncheon events designed to acquaint new district leaders with IASB services and programs.

## School board secretary training planned for Joint Annual Conference

School board support professionals are being encouraged to join with their peers from other school districts around the state for training on Nov. 22 and 23, at Swissotel, Chicago, during the Joint Annual Conference. The training is offered to enhance the professional skills of the person who performs the duties of the school board secretary.

Registration to the Conference will entitle a board support professional to attend the secretaries' programming. Benefits also include networking with other board secretaries from across the state, and the opportunity to attend the Conference.

The program will open Friday, Nov. 22, at 9:30 a.m., with the presentation of the Holly Jack Outstand-

ing Service Award.

There are two morning sessions focusing on networking and mentoring; one is for large districts and the other for small districts.

Following a lunch break, the afternoon sessions resume at 1:30 p.m., utilizing a "carousel" format on:

- New Statutory Requirements
- Being a Notary Public
- ROE Compliance Visits
- Illinois Employment Information System (EIS) Reporting
- Minutes and Agendas
- Setting Boundaries, Etiquette
- Ways to Use Electronics in Your Job
- Managing Your Records

Educational sessions scheduled

for Saturday, Nov. 23 will be held at 10:30 a.m. and 1:30 p.m. The morning sessions will offer the following options:

- Give Yourself a Hand
- Sunshine Laws (FOIA and OMA):
- BoardBook Live...Agenda Packets

The afternoon sessions include the following:

- Illinois Municipal Retirement Fund: 2013 Pre-Retirement Workshop
- Legal Aspects of E-Communications
- Leveraging Technology to Enhance the Office, the Organization and the Board of Education

For more information see the Conference Preview, to be posted on the IASB website by mid-September.

# New law changes procedures used in board elections

Governor Pat Quinn signed a bill into law on July 29 that will significantly change the procedures used for candidates running for the local school board.

The bill, **HB 2418 (Currie, D-Chicago)** requires school board candidates to file nominating petitions with the county clerk instead of their local school district, and essentially changes the election authority in board elections from school districts to the county clerk.

In addition, the bill provides that objections to school board member petitions would be heard and acted upon by the county officers' electoral board made up of the county clerk, the state's attorney, and the clerk of the circuit court. In counties such as DuPage where there is a county board of election commissioners, this body would hear and act upon the objections.

The county clerk would also be charged with notifying school board candidates of obligations under the Campaign Financing Act, and filing statements of candidacy and receipts for candidates' economic interest statements.

The changes to the school board elections were part of a much larger, omnibus elections bill. The school

board election provisions of the bill, now **Public Act 98-0115**, took effect immediately upon signing. The next school board election, however, is not scheduled until April 2015 with petitions to be filed in December 2014. There should be no substantive change in school district procedures before then.

The entire text of the legislation can be found online at: <http://ilga.gov/legislation/98/HB/PDF/09800HB2418lv.pdf>.

IASB will be providing more information on the details of the changes soon and what they mean to school board members, candidates, and school districts. For more information in the meantime, contact the association at 217/ 528-9688, ext. 1132.

## Other Bills Signed

The *Digest of Bills Passed* has been completed, highlighting the education-related legislation approved by the General Assembly this spring. The publication is online and hard copies are available upon request. The governor has already signed into law some of these bills, including:

**HB 3 (Chapa La Via, D-Aurora)** extends the "sunset provision" by three years (from 2013 to 2016) that

allows school districts to transfer monies from one fund to another among the Education Fund, Transportation Fund and Operations and Maintenance Fund. It is now Public Act-98-0026; effective June 21, 2013.

**HB 494 (Chapa La Via)** provides that, from April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than the Chicago school district. The bill is now Public Act 98-0016; effective May 24, 2013.

**HB 2768 (Welch, D-Westchester)** requires school principals to use resources of law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use or possession of weapons, or by illegal gang activity. The bill is now Public Act 98-0059; effective Jan. 1, 2014.

**SB 1625 (Collins, D-Chicago)** requires school districts to hold at least one drill per year in each school that specifically addresses a shooting incident. Local law enforcement must be invited to participate in the drill. The bill is now Public Act 98-0048;

See **BOARD ELECTIONS** on page 11

## IPA to host Illinois principals conference in Peoria, Oct. 20-22

The Illinois Principals Association (IPA) will host the 42nd Annual Principals Professional Conference at the Peoria Civic Center, Oct. 20-22. This year's theme is "Administrators Building Connections to Improve Student Achievement."

The conference will feature scores of small group sessions, plus these keynote speakers: Mark Scharenbroich, an expert on creating connections to improve student achievement; Scott McLeod, a professor of educational leadership for 14 years at the University of Kentucky and an expert in school technology



Mark Scharenbroich Scott McLeod Chris Koch

leadership issues, and State Superintendent Chris Koch.

Among the IPA Conference's many small group sessions, one involves IASB staff participation, namely a panel on Seeking the Superintendency, set for Oct. 21, from 3:20 to 4:15 p.m.

It will feature Brent Clark, Executive Director, Illinois Association of School Administrators, along with IASB Executive Searches Consultant Thomas Leahy. Clark and Leahy will discuss what school boards are seeking in superintendent candidates and the search process in detail.

IASB will also be among the exhibitors at the event.

For more information about the principals' conference visit the IPA conference website: <http://www.ilprincipals.org/professional-development/ipa-conferences/principals-professional-conference>.



### Meetings launched with Congressional delegation 'in district'

The Illinois Statewide School Management Alliance is trying for the first time to set up meetings with the state's Congressional delegation in home district offices. "Going to Washington DC is becoming cost prohibitive for many districts to send a board member, so we're trying to set them up locally," said Susan Hilton, an IASB Director of Governmental Relations. Pictured is the first such meeting, where visitors met with Congressman Rodney Davis. "We talked about federal issues just like we do with them when we are in DC. We talked about reauthorizing ESEA, the need for either more money or less mandates from the federal government and the erosion of local control at the federal and State level," Hilton explained. Pictured clockwise, starting from left: Congressman Davis, IASB division officers Sandy Walden and Howard Phillips, Hilton, Kelsey Brokaw (IASB intern), and IASB division officer Kent Kistler.

## Two districts have settled after intent-to-strike notices filed in 2013-14

Two school districts have received notices of intent to strike so far for the 2013-14 school year, according to the Illinois Educational Labor Relations Board. Those notices were for:

**DeKalb CUSD 428**, with a staff of 402 teachers and assistants; notice filed Aug. 8, settled Aug. 27.

**Harlem SD 122**, with a staff of 534 teachers; notice filed July 23, settled Aug. 19.

The IELRB, as part of its impasse/final offers information website, posted the final offer from the DeKalb CUSD 428 board and the final response from the DeKalb Classroom

Teachers Association.

The purpose of posting this information, experts say, is to add transparency to the bargaining process. The ultimate aim appears to be to leverage the pressure of public opinion by enabling communities to view the facts behind public rhetoric on both sides whenever contract negotiations stall, thus speeding settlements.

The IELRB also notes when impasse cases are settled, although it does not report the details of those settlements. The most recent previous settlement involved the Ottawa THSD 140 board of education and

the Ottawa Township High School Education Association. That case has not been posted as settled; however a tentative agreement was reached Aug. 6.

The IELRB said there can be a lag time of many weeks between the tentative settlement and the posting of information about it.

Note: The August issue of *The Illinois School Board Newsbulletin* incorrectly reported that the OTHS Education Association had filed an intent-to-strike notice. That action did not take place, according to school officials. The Newsbulletin deeply regrets this reporting error.

### BOARD ELECTIONS *from page 10*

effective July 1, 2013.

**SB 1894 ( Hutchinson, D-Chicago Heights)** increases the Senior Citizens Homestead Exemption to \$5,000 in Cook County, \$4,000 for all others, and increases it to \$5,000 permanently after 2013. It also increases the General Homestead Exemption to \$7,000 in Cook County and \$6,000 in all other counties. The bill is now Public Act 98-0007; effective April 23, 2013.

At a June 17 signing ceremony, Governor Quinn also signed House Bill 2869 - sponsored by State Rep. Greg Harris and Senate President John Cullerton - which authorizes the third phase of the state's record Illinois Jobs Now! capital construction program. The bill allows the state to spend the proceeds from recent and upcoming bond sales to finance \$2.7 billion in additional infrastructure improvements.

The \$31 billion Illinois Jobs Now! program supports more than 439,000 jobs over six years. It is the largest capital construction program in Illinois history, and one of the largest in the nation.

For a more detailed summary of recent legislation, please refer to the Alliance *Digest of Bills Passed* for spring 2013, which is now online at: <http://www.iasb.com/govrel/digestof-billspassed2013.pdf>.

## COMMUNITY *from page 1*

While many school districts do very good work around public relations or polling, connecting with the community involves much more than that. Research shows that it requires an ongoing, two-way conversation that enables the school board to hear and understand the community's educational aspirations and desires, to serve effectively as an advocate for district improvement and to accurately inform the community of the district's performance.

The purpose of the report is to help school boards and superintendents understand what community engagement is, why it is critical, what they can expect to accomplish, and how to evaluate the results, according to IASB Executive Director Roger Eddy.

"Why are we doing this? Quite frankly, we are very concerned about what happens when or if school boards don't engage in this vital work," Eddy said in a memo distributed Sep. 1 to all member school board presidents and superintendents. "We believe that this report provides a strong foundation that will begin the process of enabling school boards to take back and retain the control that so many are trying to take away from local school districts and their communities

"Community engagement is not easy work, nor can it be done quickly. In fact, it must be well-planned and nurtured over an extended period of time, so think of it as a process rather than a single event. But is it important? You bet! And the payoff can be tremendous," he said.

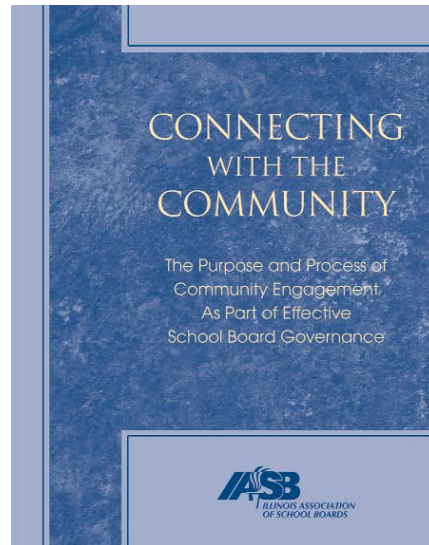
Member districts also received an Executive Summary that highlights the report in 10 parts:

- Preface
- Introduction
- What is Community Engagement?

## ACT SCORES *from page 2*

future years can be compared to."

When not including the scores of those with extended time, Illinois' composite ACT score increases to 21.1, slightly above the national average composite score of 21 for stan-



- The 'Whys' of Community Engagement
- The 'Hows' of Community Engagement
- Basic Principles of Community Engagement
- Best Practices, Strategies and Tactics
- An Evaluation Process for Community Engagement
- Implementing a Community Engagement Process: One Approach
- References

Both the executive summary and full report should be accessible online soon. IASB will also offer a panel session at the 2013 Joint Annual Conference to introduce the report and the work behind it. In-district and regional workshops on the purpose and process of community engagement will be developed in 2014. Regional events will be posted at IASB's online events calendar and will be announced as they are scheduled.

More information on "Connecting with the Community: the Purpose and Process of Community Engagement as part of Effective School Board Governance" is available online at: [www.iasb.com/training/connecting.cfm](http://www.iasb.com/training/connecting.cfm).

dard-time test takers. When counting only standard-time test takers, the percentage of Illinois graduates who met all four of ACT's College Readiness Benchmarks grows to 27 percent, the same as the national average.

## CALENDAR OF EVENTS

**September 19 – Northwest Division Fall Dinner Meeting**, Lake Carroll

**September 24 – Illini Division Fall Dinner Meeting**, Rantoul City SD 137

**September 24 – Western Division Fall Dinner Meeting**, Macomb

**September 26 – Central Illinois Valley Division Fall Dinner Meeting**, Eureka

**September 26 – Wabash Valley Division Fall Dinner Meeting**, Lawrenceville

**September 30 – West Cook Division Fall Dinner Meeting**, Elmwood Park

**October 1 – Blackhawk Division Fall Dinner Meeting**, East Moline

**October 1 – Shawnee Division Fall Dinner Meeting**, Dongola

**October 2 – Southwestern Division Dinner Meeting**, Belleville

**October 3 – Corn Belt Division Fall Dinner Meeting**, Fairbury

**October 3 – Abe Lincoln Division Fall Dinner Meeting**, Rochester

**October 3 – Egyptian Division Fall Dinner Meeting**, Mt. Vernon

**October 3 – Kishwaukee Division Fall Dinner Meeting**, Genoa

**October 16 – Professional Advancement Seminar, Seeking the Superintendency**, Springfield

**October 16 – North Cook Division Dinner Meeting**, Skokie

**October 22 – Professional Advancement Seminar, Seeking the Superintendency**, Downers Grove

**October 23 – Kaskaskia Division Fall Dinner Meeting**, Wesclin

**October 23 – Lake Division Dinner Meeting**, Lake Forest

**October 24 – Two Rivers Division Fall Dinner Meeting**, Jacksonville

**October 29 – DuPage Division Dinner Meeting**, Bensenville

**October 29 – Three Rivers Fall Division Meeting**, Lockport

**October 30 – South Cook Division Meeting**, Orland Park

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