

# Illinois SCHOOL BOARD Newsbulletin

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## IASB preps officials for 2009 board elections



Hundreds of board secretaries and other local election officials attended five IASB workshops across the state, including this event at Springfield, on the April 2009 school board elections.

### Provides new workshops, packets on duties, dates

Starting Tuesday, Oct. 28, the first day that prospective school board candidates may circulate nominating petitions for signatures, a number of deadlines will begin marking the progress toward the April 7, 2009 election and beyond. Those deadlines and their related duties were the topic of a series of workshops IASB recently conducted for board secretaries.

The two-hour workshops began Sep. 19 at the IASB office in Springfield; others were held Sep. 26 in Mt. Vernon, Oct. 1 in Park Forest, Oct. 2 in Downers Grove, and Oct. 3 in Morrison. More than 300 people were registered for the workshops.

As the designated "local election official," the board secretary (either employed or elected) has the responsibility of assisting the district and candidates for office to comply with the Illinois Election Code and Illinois School Code.

Anna Lovern, director of policy services, greeted more than 60 secretaries and designated local election officials in Springfield, noting that

## Schools increasingly check for evidence of student residency

Student residency has become a bigger issue lately in many school systems in Illinois, particularly in suburban areas near Chicago, where there have been numerous cases of students found to be illegally enrolled. State law requires public school students to live within the district where they attend school.

So while thousands of students around the state attended new schools in September, school administrators

in many districts immediately began double checking new students' addresses, looking out for people trying to enroll children in school districts where they don't reside.

Last school year, for example, a residency officer in **Warren Township High School District 121** in Gurnee discovered over 100 students erroneously enrolled at the district's two

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More students  
take AP classes

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## New accountability pilot would phase in flexibility

Illinois has been approved to participate in the U.S. Department of Education's Differentiated Accountability pilot. Illinois is one of six states that received additional flexibility under the NCLB Act.

ISBE is phasing in portions of the proposal in the 2008-09 school year. The proposal is posted at: [http://www.isbe.net/nclb/htmls/accountability\\_proposal.htm](http://www.isbe.net/nclb/htmls/accountability_proposal.htm).

Two of the pieces that will be implemented this year include:

1. Optional reversal of the order of Public School Choice (PSC) and Supplemental Educational Services (SES) for schools newly identified for improvement. For instructions on how to apply for the pilot, go to: [http://www.isbe.net/nclb/htmls/differentiated\\_flexibility\\_reverse.htm](http://www.isbe.net/nclb/htmls/differentiated_flexibility_reverse.htm).
2. Waiver of some of the PSC notification requirements under NCLB. For details on the required information, please see: [http://www.isbe.net/nclb/htmls/differentiated\\_flexibility\\_waiver.htm](http://www.isbe.net/nclb/htmls/differentiated_flexibility_waiver.htm).

Contact Melina Wright, ISBE's NCLB Liaison, at 217/782-0354 or by e-mail at [mewright@isbe.net](mailto:mewright@isbe.net) for additional information.

## AYP appeals process is clarified by state agency

The No Child Left Behind (NCLB) law and the state accountability statute and rules allow schools and districts to appeal their AYP status if the district has questions regarding accuracy.

ISBE has developed materials regarding how a school or district appeals its designation.

Direct any questions or concerns to Melina Wright, ISBE's NCLB Liaison, at 217/782-7362; fax: 217/782-5333; or e-mail at: [mewright@isbe.net](mailto:mewright@isbe.net).

# State Board revises agency's mission to lead student preparation for success

At its annual retreat in August, the Illinois State Board of Education tackled its strategic plan, which had not been reviewed since 2005. The decision to review the plan reportedly came as a result of the agency and the board desiring to be proactive during a time of budget uncertainty and increased mandates and regulations.

The board sees this five-year plan as the framework to drive the everyday actions of the agency. As board member Joyce Karon said: "This outcome is recognition of what Superintendent Koch sees the agency accomplishing." To this end they decided to eliminate the vision statement and focus on a revised mission statement. The new mission statement reads:

*The Illinois State Board of Education will provide leadership, assistance, resources and advocacy so that every student is prepared to succeed in careers and postsecondary education and share accountability for doing so with districts and schools.*

The board also developed three broad goals to support the new mission statement and the work of the

agency. Although they are not totally different from the original goals, they are an evolution of the prior goals. They are:

- Every student will demonstrate academic achievement and be prepared for success after high school;
- Every student will be supported by highly prepared and effective teachers and school leaders;
- Every school will offer a safe and healthy learning environment for all students.

According to Koch, these objectives will be mapped out over the next few months to ensure the agency staff works consistently with the new mission and goals to assure success for every student in Illinois.



## Journal examines board chores on school security

Safety and security are big issues for school districts, and the board's policy role can provide a sound basis for good district climate and preparedness. Find out how in "Keeping schools safe and secure," the cover story for the September/October issue of *The Illinois School Board Journal*.


In addition to articles with an in-depth look at school security, topics for the *Journal* include collective bargaining philosophy, changes in employee benefit programs that will affect school districts and information about School Board Members Day.

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**Illinois Association  
of School Boards**

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**ILLINOIS ASSOCIATION  
OF SCHOOL BOARDS**

## RESIDENCY *from page 1*

campuses. Educating those students for four years could have cost local taxpayers as much as \$1.3 million, local officials said.

Of course checking for evidence of residency has always been a priority for many school districts, but the issue has gained renewed attention recently. One explanation is that the current increase in home foreclosures is causing some districts to try harder to keep costs down, even as it causes some families to move in with relatives or friends.

Most school districts require families to prove residency during the schools' initial student registration, although some districts have begun holding annual proof-of-residency events as well. If questionable residency claims are found, districts typically look into it on their own or hire outside investigators to pursue matters.

According to attorney James G. Wargo, of Klein, Thorpe and Jenkins, Ltd., a school district's residency investigator is commonly a key witness for schools in student residency cases. Proving residency in court, he says, often requires: 1) proof of a student's physical presence at a fixed nighttime abode within the school district on a regular or continual basis; and 2) intent to make that location a permanent home.

Wargo says photos are one helpful form of evidence in such cases, but school investigators, such as residency and truancy officers, may also gather information from interviews, observations, and witnesses as admissible evidence. Finally, investigators should strive to state the facts as simply as possible, he said.

Experts say there are many reasons why parents might give the wrong address to get into a school district. They could be looking for the best schools for their children or for a particular program they cannot get back in their home district. Or the student in question may have gotten into some trouble in his or her home school and the family may simply want a fresh



Most school districts look for residency proof at registration.

start.

Some school officials check up on every student's address in the district. Others rely on red flags like returned mail or tips from the community to find evidence of false addresses.

Private investigator Bill Beitler specializes in checking residency for school districts in the Chicago area. He said the recent rise in home foreclosures is exacerbating the problem, bringing him more clients.

**Naperville Unit District 203** officials say new families must provide three forms of documentation to estab-

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*With the nation's recent economic troubles, schools may need to keep doing what they can to control costs, including costs arising from residency problems.*

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lish residency before they can enroll a student in district schools. Accepted documentation can range from mortgage papers or lease agreements to utility bills or driver's licenses.

**Woodland Elementary District 50** in Gurnee started holding annual proof-of-residency events last year, and **Antioch Elementary District 34** held its first one this year.

District 50 spokeswoman Jennifer

Tempest Bova said the idea for the events arose from discussions about improving the district's financial picture.

With the nation's recent economic troubles, schools may need to keep doing what they can to control costs, including costs arising from residency problems. But just what can or should schools be doing?

Experts say districts need to take steps to ensure that all their written and instructional materials, including all their forms and website pages, provide accurate information about residency. These items should contain careful reference to special populations of students for whom the residency rules are not applicable (homeless, foster children). Schools might also want to extend some training on residency matters to those individuals who are responsible for student enrollment.

As with most things related to finances, after all, it pays to take a meticulous, cautious approach.

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## Lt. Governor's survey forms are due by Nov. 1

Schools districts are encouraged to provide feedback on a statewide survey about the services provided to schools.

Each year the Lt. Governor's Office distributes a Survey of Illinois School Districts to every school board president in Illinois. The survey seeks responses to a few questions about the need for and quality of services provided by the Illinois State Board of Education (ISBE) and the Regional Offices of Education (ROEs).

This year the Survey of Illinois School Districts may be reviewed and completed online. Schools that do not have internet access are asked to call LaDawn Burnett at 312/814-3003, or email: LaDawn.Burnett@illinois.gov, to receive a printed survey.

# Record numbers tackle placement exams, classes

## AP test participation up 8.1 percent on year

A record number of Illinois high school students took Advanced Placement (AP) tests in 2007-2008, with more than 60,000 public and non-public juniors and seniors taking AP exams. That is an increase of 8.1 percent over 2007, according to a report released by the College Board. In addition, the state also saw a significant increase in all minority groups taking AP classes.

AP examinations provide students the opportunity to earn credit or advanced standing at most of the nation's colleges and universities by demonstrating students' ability to do college-level work in a given discipline in a secondary school setting. Rigorously developed by committees of college and AP high school faculty, there are 37 AP exams in 22 subject areas.

"Illinois students are demanding more of themselves as shown with 5,000 additional students taking advanced courses last school year," said State Superintendent of Education Christopher A. Koch. "The increase in minority students in all ethnic groups taking such exams is very encouraging. This speaks highly of the job our teachers are doing to motivate all students and prepare them for postsecondary education and careers."

There was a 5.6 percent increase in the number of tests scoring high enough on AP exams to receive college credit. A student may take more than one test and the number taken increased by more than 8,000 in 2008 to 106,000. AP classes and tests are taken by high school students, often for dual credit with higher education institutions. English literature and composition, history of the United States and mathematics calculus AB were the most popular AP tests.

The AP results were released by the College Board, along with the annual SAT results, which once again showed Illinois students outperformed their counterparts across the nation. Illi-

### Breakdown of 2007-2008 Minority Student Participation in AP Exams:

Ethnic Groups	Number of 2008 test takers	Percentage of increases from 2007
American Indian	126	6.8
Asian	6,729	6.6
Black	5,750	9.7
Hispanic overall	7,281	16.4
Mexican American	5,093	17.5
Puerto Rican	680	17.9
Other Hispanic	1,508	12.2

nois' composite math score of 601, which was 86 points higher than the national average. In the reading section, Illinois students averaged 583, which was 81 points higher than the national average. Each SAT test is scored on an 800-point scale.

Since 1998, Illinois' reading scores have increased 19 points – from 564 to 583. The state's mathematics scores have also jumped 20 points from 581 in 1998.

The SAT is typically taken by juniors and seniors. While it is not taken by as many high school students as the ACT, it is another measure that shows how well Illinois students are preparing for postsecondary education.

### ACT results also higher

Students improved composite scores in English, mathematics, reading and science from 2007 to 2008 on the ACT exam; what is more the five-year trend shows steady improvements in composite scores. Meanwhile, the number of Illinois graduates taking the ACT has increased by more than 11,000 students since 2004, to more than 143,000 in 2008.

"With more students taking the ACT each year, these increases speak highly of the progress our students and state are making," said Koch. "When you look at scores over the past five years, Illinois is up almost half a point. This success can apply not only to students who are college bound, but also those who will begin a career directly after high school."

Illinois students made gains in each of the four required subject areas from 2007 to 2008:

Subject	2007	2008
English	20.2	20.4
Mathematics	20.4	20.7
Reading	20.5	20.6
Science	20.4	20.5

Composite scores for the past five years have increased almost half a point:

### Trend in Composite Scores

2004	2008
20.3	20.7

Although the ACT is primarily designed for students who plan to attend college, Illinois is one of only a few states to test all its 11th grade students. This year's results represent the latest scores achieved by all Illinois 2008 graduates in both public and private schools.

The ACT is a curriculum-based measure of college readiness. The ACT components include tests of academic achievement on four separate subject areas — English, mathematics, reading and science — plus an optional writing test. The exam is reported on a scale of 1 to 36, with 36 being the highest possible score.

Since Illinois started administering the ACT to all public school 11th grade students in 2001, the state has seen significant improvement in the percentage of graduates who meet ACT's College Readiness Benchmarks. A benchmark score is the minimum score needed on an ACT subject area to indicate a chance of obtaining a C or higher in a corresponding college-level course.

# Board secretaries offered more training at Conference

IASB this year is bringing back a two-day training strand for school board and district secretaries and clerks or recording secretaries at the 2008 Joint Annual Conference. This represents a rare professional development opportunity, as well, for all superintendents' secretaries, and administrative assistants.

A full-day general session will be held on Friday, Nov. 21, and eight breakout sessions will run concurrently on Saturday, Nov. 22 at the Swisotel, Chicago. There is no additional registration fee for these programs, but participants must be paid registrants for the conference.

The professional development opportunities are open to school board members and district staff who serve

as board secretaries or who perform the duties of the board secretary.

Registration for the professional training is available online at <https://www.iasb.com/jac08/bdsecworkshop.cfm>.

Other conference highlights this year will include: 108 panel sessions, with sessions scheduled each day to address the concerns and meet the needs of school board members; a special tour of Chicago public schools; a seminar for school attorneys; IASB pre-conference workshops; workshops created for school administrators by the Illinois Association of School Administrators; and those for school business officials by the Illinois Association of School Business Officials.

Another feature returning this year will be a conference bingo game, to be played downstairs in the exhibit hall at the Chicago Hyatt, in Riverside Center. Sponsored by IASB Service Associates, the game will feature a \$75 prize for those who can complete their bingo card by visiting every Service Associates booth to get their card stamped. Participating booths will be identifiable by a specially marked balloon.

Conference registrants may also attend any of the General Sessions, panel sessions, the Hyatt Comiskey Room, where IASB services are explained by Association staff, as well as the conference bookstore, exhibit hall, and other events and venues of the Joint Annual Conference.

## ELECTIONS *from page 1*

unlike the state board of election workshops, the Association workshops are designed to focus on school board elections with an eye on the Illinois School Code requirements.

Stressing the importance of deadlines throughout the election cycle, Lovern noted that most of the filing requirements can be done before the various deadline dates. She noted that certain sections of election law do not require action, but allow local election officials discretion.

For example, school board secretaries or their designated local election official "may" but are not required to hand out nominating papers or supporting materials to help candidates become familiar with the district or board duties. Such optional materials might include a summary of the district strategic plan, district newsletter, and the like.

"Your School Board and You," published by IASB, is another such publication available for local distribution (and free to local districts).

Lovern also walked the participants through the process, discussing nominating forms, filing procedures, accept-

ing petitions, ballot resolutions, certification of ballot, petition challenges, districts in multiple jurisdictions, ballot positions, candidate withdrawal, certification of results, oath of office, and board reorganization.

Helping candidates is a good idea, Lovern said, "because you never know who is going to become the next school board member. And while you are not their only source, you are probably their best source of information."

Alan M. Mullins, an attorney with Scariano, Himes and Petrarca, covered much the same ground at the Park Forest and Downers Grove locations as Lovern covered in Springfield, Mt. Vernon, and Morrison.

A variety of questions were also answered at the workshops. These involved releasing candidate information, the elimination of election canvassing, who may give the oath of office, who runs the reorganization meeting, and when board meeting dates and times should be established.

Also covered was the effect of Martin Luther King Day on the first day of filing, handling simultaneous "first" filers, what nominating papers must

contain, documentation required for filed materials, the candidate withdrawal procedure, certification of the vote, resolutions for public policy issues, and reorganization meetings.

While Lovern acknowledged that local election officials have a duty to refuse petitions with "obvious or significant" defects, she said that they cannot render decisions over the "accuracy or truthfulness" of petition information. "The petition objection process, if presented with such challenges, will catch those," she said.

She also stressed the fact that IASB sent election packets in the middle of September to all member districts. These kits contain pamphlets, articles, and resources to help local election officials. There is also an order form to purchase candidates kits, with additional information specific for prospective school board members.

Additional information about the April 2009 elections can be found on the IASB website at: <http://iasb.com/elections/>. Included are the 2009 Candidate's Guide, 2009 Local Election Officials Handbook and the 2009 Elections Calendar.

# New school superintendents learn about IASB services

## Speakers extend tips, welcome over lunch at both IASB offices

Two events were held in August at IASB offices in Lombard and Springfield to welcome new district superintendents.

Michael D. Johnson, IASB's executive director, told the administrators that the Association is uniquely qualified to assist them in their new positions. About half of the nearly 80 staff members are education professionals or former school board members. That perspective, he said, adds to the breadth and depth of the Association's resources and training assistance.

"Getting along with your local board is the most important thing you can do. That and learning how to count to four," Johnson said, referring to the majority of votes needed for support from a school board.

"But when you have a problem, come to us early," he continued, noting that 90 percent of the calls to the Association come from superintendents' offices.

Echoing those comments was Richard Voltz, associate director of professional development, induction and mentoring programs for the Illinois Association of School Administrators.

"Get to know your board and build a personal relationship with each member. The first year (of employment) is the opportunity to develop that relationship," he said. Opportunities can include dinners, driving together to meetings, or in more formal settings. "It's like putting coins in a bank... there will come a time that you will have to cash them in; as long as there are some left, you will survive."

A guest speaker at the Springfield luncheon was David Root, superintendent at **Williamsville CUSD 15**, who spoke about the superintendent's role as steward.

"It's not my money and it's not my facilities; it's theirs," he said, referring to the school district and the



IASB Board Development Consultant Sandra Kwasa told the new superintendents about board member training and recognition programs.



Sharing information at the luncheon in Lombard were: IASB Director of Advocacy Cynthia Woods (above), Oak Lawn CHSD 229 Superintendent Michael Riordan (above right), and (at right), Richard Voltz, Associate Director of Curriculum Development at IASA.



board of education. "My job is to resolve the differences among community, the board and staff over the use and resources of funds and facilities."

He also suggested that superintendents should keep their boards focused on the problem and not on each other. "And when you can't, suggest a board self-evaluation from IASB."

The luncheon also featured speakers from each department of IASB, including general counsel, governmental relations, field services, executive searches, policy services, board development, Targeting Achievement through Governance, and communications.

Susan Hilton, assistant director

of governmental relations, advised superintendents to also develop a relationship with their local legislators. "It's best for lawmakers to hear directly from you about the impact their bills could have on your district."

Douglas P. Blair, senior director of executive searches and a former school superintendent, said he knows how lonely the superintendent's job can be. "Some issues you can't even discuss with your family. That's why IASA and IASB provide opportunities to speak freely. Neither are regulators, so what you discuss with us is confidential," he said.

See **LUNCHEON** on page 7

Field Services Director Dave Love said the Association relies on superintendents to encourage their board members to attend training events such as division meetings and conference, and to recommend services to the board, such as board self-evaluations or goal-setting.

“A football team practices four hours for every one hour of game time. A board self-evaluation is your opportunity to practice,” he said.

Cathy Talbert, associate executive director for field and policy services, also encouraged superintendents to attend new board workshops themselves. “This gives you the chance to hear the same message at the same time about the governance role of the board,” she said.

## Arts education guide to aid superintendents

A group formed by the Illinois Arts Alliance has released the first arts education guidebook designed for Illinois teachers, principals, superintendents, parents and community partners.

A statewide study conducted by the group in 2005 found that although educators overwhelmingly believe the arts are essential to a quality education, only about a third of the students in Illinois elementary schools receive arts education. In response, the guidebook’s authors, Illinois Creates, developed “Committing to Quality in Education: Arts at the Core.”

This Guidebook aims to provide both guidance and applicable tools for building and strengthening arts education in Illinois schools. It includes descriptions of policies, practices and systems that support success in arts education, plus examples of effective practice models.

For more information, contact Scarlett Swerdlow, Illinois Arts Alliance, 312/855-3105, ext. 13.

## Recently announced IASB hires include new CFO, four other staff

A number of staff changes have been announced in recent weeks by IASB, with the addition of the following new employees:

**Jennifer Feld** joined the Association staff – as mentioned in the September *Newsbulletin* – on July 16 to become IASB’s Associate Executive Director/CFO. She had previously been employed by Panther Creek Country Club, Springfield, where she also served as CFO. Feld holds a B.S. in accounting from Illinois State University. Consultant Bob Morenz, who has been with IASB since 1998 and had been the CFO, will work with her until the first of the year to ensure a smooth transition in this important post. Until the start of next year, Morenz will be employed on a part-time basis by IASB as needed for special projects and specific staff needs.

**Jackie Griffith** is a new part-time consultant in the policy department, working out of the Lombard office. Griffith is a former board member of **Homewood District 153**, and is a graduate of Northwestern University with a B.A. in economics. She holds a Project Management Professional (PMP) designation and worked as an account executive with Technical Solutions for Networks, in Naperville.

**Thomas Leahy**, a new part-time consultant in IASB’s executive searches department, retired in June as superintendent of **Quincy District 172**. Prior to his five years in Quincy, he was superintendent of **Central CUSD 3** in Camp Point. Leahy says he is familiar with IASB services because he relied on them a great deal during his tenure as a superintendent. He is a past president of IASA and knows educators from across the state through his IASA leadership role. Leahy is a product of Illinois schools, having attended high school in Chatham and college in Springfield and Chicago. He earned his master’s degree in Education Administration from SIU and his Education Specialist certification, also in Edu-



Jennifer Feld



Jackie Griffith

cation Administration, from WIU. His first day of employment at IASB was Aug. 4.

**Angie Powell** became part of IASB’s board development staff on



Thomas Leahy

July 21, taking a post as a secretary II. She is a graduate of the University of Missouri School of Journalism. She was most recently employed as an office administrator for Panther Creek Country Club in Springfield. Powell has been assigned to work with Nesa Brauer and Sandra Kwasa on board development projects and activities, with a special emphasis on bringing a new look and “brand” to IASB’s LeaderShop curriculum materials.

**Mary Torgler**, a new secretary II in the executive searches department, was previously the office manager for a company in Hinsdale. She has an M.A. in business administration and a B.A. in quantitative methods (computers and statistics). Torgler began employment on July 21 and has been working out of the Lombard office.

For a list of IASB staff or to contact a staff member by phone or email, visit the IASB Web site at: <http://www.iasb.com/whatis/staff.cfm>.



Angie Powell



Mary Torgler

# 'Hope' summit aims to help close achievement gap

An intensive 2½-day summit for school leaders, set for Oct. 22-24 in Chicago, will focus on "building teacher capacity to close achievement gaps while creating and sustaining learning communities." Based on the Failure Is Not an Option® process developed by the Hope Foundation, the meeting will feature Alan Blankstein, author of that process, and co-editor and contributor to The Soul of Educational Leadership series.

Blankstein will also speak at the First General Session at the Joint Annual Conference in Chicago on Nov. 21.

The Hope Foundation summit is to be held at the Wyndham Lisle, Chicago Hotel & Executive Meeting, Lisle, and is offered in collaboration with IASB and the Association of Illinois Middle Level Schools, Illinois Parent Teacher Association, Illinois Staff Development Council, Midwest Principals' Center, and Western Illinois

University.

Teams and others attending will learn how to apply data, effectively build collaborative teams, and develop strategies to improve student learning. Special attention will be spent on creating instructional leadership — within and across schools — to engage students and accomplish long-term goals. Event organizers say leading educational experts will review how high-performing schools effectively promote and utilize collaborative teaming to sustain student achievement.

The summit also will present an opportunity to learn how to: learn practical, proven strategies for success with low SES students; build sustainable teaching instruction and mentoring programs; acquaint yourself with project-based learning to meet the hip-hop generation; and obtain strategies for engaging family and community.

Topics at the meeting will include:

- Failure Is Not an Option®: Creating High-Performing School Cultures
- The Power of an Educator
- Investing in New Teacher Development
- Ensuring Achievement for ALL Students: Engagement, Affirmation, Discipline, Inspiration, and Love
- Building Successful Partnerships: The Road to Student Success
- Response to Intervention

Organizers say the summit will help attendees build frameworks, strategies, and processes for continuous improvement. Participants will be taught to apply best practices that are presented by leading authorities.

Registration is available online at <http://www.hopefoundation.org>. Or register using the faxable form at <http://www.hopefoundation.org/events/Chicago08/WEB.pdf>.

## Teachers file intent-to-strike notices in 11 districts

As of Sep. 18, a total of 11 Illinois school districts had received intent-to-strike notices for this school year, with only one strike having been staged, in Huntley CUSD 158. The strike began on Sep. 15, with salary and retirement benefits being the main unresolved issues for 570 certified teachers, and was settled two days later.

Most of the school districts that had received strike notices this year, in fact, have already settled their contract disputes. One recent settlement was obtained in **Altamont CUSD 10**, in IASB's Wabash Valley Division. Notice of teachers' intent to strike was filed on Aug. 22, but a contract agreement for 60 tenured K-12 teachers was reached at the last hour on Sep. 15.

The most recent new intent-to-strike notice was filed on Sep. 16 in

**Wilmette District 39**, where 340 certified personnel remain without a contract. School districts also face active strike notices in one other district, namely **Madison CUSD 12** (80 certified teachers).

The list of other recent contract settlements includes:

- **Highland Comm. Unit 5** – Bargaining Unit Size: 217 IEA/NEA Certified Teaching Staff: Notice filed: Sep. 3, 2008; Settled: Sep. 10, 2008
- **Trico Comm. 176** – Bargaining Unit Size: 66 IEA/NEA Certified Employees: Notice filed: Aug. 20, 2008; Settled: Aug. 27, 2008
- **Lebanon CUSD 9** – Bargaining Unit Size: 80 Unit Certified Teachers: Notice filed: Aug. 14, 2008; Settled: Aug. 19, 2008

- **DeKalb CUSD 428** – Bargaining Unit Size: 380 Unit Certified Teachers: Notice filed: Aug. 7, 2008; Settled: Aug. 18, 2008
- **Sullivan CUSD 300** – Bargaining Unit Size: 60 Unit Certified Teachers: Notice filed: July 17, 2008; Settled: Aug. 15, 2008
- **Emmons SD 33** – Bargaining Unit Size: 12 Teacher Assistants and Cafeteria Staff: Notice filed: May 5, 2008; Settled: Aug. 13, 2008
- **Pleasant Hill SD 69** – Bargaining Unit Size: 17 Certified Staff: Notice filed: March 10; Settled: Aug. 13, 2008

Source: Illinois Association of School Administrators (IASA) Web site at: <http://www.iasaedu.org/news/display.asp?ART/2006/05/25/4475d4f21edb4>.



# NEWS HEADLINES

**Carpentersville** (Aug. 27, *The Daily Herald*) Carpentersville CUSD 300 now saves millions of dollars, thanks to improved energy efficiency throughout the district. Since launching an energy saving program four years ago, the district has saved more than \$1.9 million, administrators said. The savings were obtained by turning off the lights and heating and cooling systems when not in use, replacing wasteful toilets with low-flow models, and manual faucets with motion-activated models. The district also purchased both natural gas and electricity through a firm that buys energy in bulk at lower rates. Under a contract with Milwaukee-based Johnson Controls, Johnson Controls pays for upgrades at District 300 schools and the district repays the company over 11 years with money saved through the conservation measures.

**Chicago** (Sep. 3, *Chicago Tribune*) A contingency of students from Chicago District 299 skipped class in a show of activism on Sep. 2, as a boycott led nearly 1,000 students to bus to schools in New Trier THSD 203. The action was aimed at spotlighting the disparities in Illinois public education and school funding. Students skipped the first day of city classes and instead attempted to register in New Trier, where educators and residents welcomed them. Critics charged that the symbolic, well-orchestrated protest shortchanged students of a day's education and Chicago Public Schools of more than \$100,000 in potential reimbursement from the state. Chicago Mayor Richard Daley described the boycott as "very selfish." The boycott's architect, state Sen. James Meeks (D-Chicago), defended his tactics and called for fundamental school funding reform.

**Dunlap** (Sep. 4, *The Journal Star*, Peoria) Dunlap District 323 leaders are working hard to handle a record

net gain of 242 students enrolled this year. "This is the highest we've ever had," said Superintendent Jeannie Williamson. The largest source for the increase (27 percent) has been out-of-state students, Williamson said. The next largest source is private or parochial students who transferred to the district.

**Elgin** (Aug. 23, *The Daily Herald*) School District U-46, Elgin, has asked a federal court of appeals to reverse the class-action ruling in the racial bias lawsuit pending against it. District leaders said they believe the appellate court should review Judge Robert W. Gettleman's Aug. 8 decision to provide two groups of U-46 students future remedies if they prevail in the lawsuit.

**Maple Park** (Sep. 2, *Aurora Beacon News*) Educators in Kaneland CUSD 302 can now go online to meet some program requirements of the state and federal governments. Jeff Schuler, assistant superintendent of human resources for the district, said using the "Global Compliance Network" avoids having to organize time-consuming training sessions because effective training tutorials covering a variety of subjects – blood-borne pathogens, alcohol and drug awareness, asthma and autism – are available online. The district's cost is \$1,000 per year for the programs.

**Naperville** (Sep. 3, *The Daily Herald*) Naperville CUSD 203 principals need to be more action-oriented if they are to meet district standards this year, according to Melanie Raczkiewicz, associate superintendent for operations. The district has modified principal performance evaluations to examine the steps principals are taking to improve their schools, rather than scrutinizing the characteristics of the individual. The aim is to focus on leadership behaviors that form critical links to student achievement. Under the new standards, prin-

cipals will take on the central responsibility for evaluating their performance and must provide proof of their own compliance with standards.

**North Chicago** (Aug. 22, *Lake County News Sun*) School board member Gloria Harper remained the focus of a North Chicago CUSD 187 Board of Education meeting on Aug. 21, as complaints were aired by audience members. Harper and one district employee — the district's director of technology, Tyrone Pipkin of Gurnee — entered guilty pleas in June on behalf of their technology companies, after being accused of committing mail fraud against a North Dakota school district. Under the plea agreement, the companies must jointly pay \$241,000 in restitution, and individual charges will be dismissed.

**Morton** (Sep. 3, *The Journal Star*, Peoria) Random student drug testing is underway in Morton CUSD 709, with 10 students undergoing the tests since the school year began. Test results have not yet been returned. High school students who participate in extracurricular activities or purchase a parking pass are subject to a drug test in a weekly program. Student ID numbers are used to make the random selections for testing.

**Roanoke** (Sep. 5, *The Journal Star*, Peoria) Illinois schools are struggling with the rising cost of food, but are not passing on all of the price increases for staple items. For example, Roanoke-Benson Superintendent Rohn Peterson said the cost of a single pint of milk is up a whopping 33 percent this fall – from 21 cents per carton to 28 cents. But the milk sells for a quarter.

**West Chicago** (Aug. 26, *The Daily Herald*) A committee reviewing the concept of consolidating four districts within West Chicago Community High School District 94 has agreed to jointly hire a consultant.

# Recent Freedom of Information Act (FOIA) developments



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

The following article discusses a Freedom of Information Act (FOIA) case moving through the Illinois courts. At the time of the writing and publication of this article, a petition for leave to appeal to the Illinois Supreme Court was pending. Even though the Illinois Supreme Court may review the decision, the issues are important for school officials to be aware of, understand and watch. Consult your board's attorney for guidance about how these cases affect your particular district. Watch IASB's Online Updates for continuing information about this case.

Many school officials know well through experience how *Stern v. Wheaton-Warrenville Community Unit School District 200*, No. 2-07-0424 (Aug. 12, 2008) began. The plaintiff, Mark O. Stern, filed a FOIA request for the superintendent's contract on Jan. 26, 2006. It was denied and the board of education denied Stern's appeal of the district FOIA officer's decision.

Stern next requested the DuPage County circuit court to force the school district to comply with his FOIA request. The court denied Stern's request based on a Third District appellate court decision, *Copley Press Inc. v. Board of Education for Peoria School District No. 150*, 359 Ill.App.3d 321, (2005). The *Copley* court addressed slightly different FOIA requests than Stern's: a superintendent's evaluations and a letter, both located within the superintendent's personnel file. *Copley* held that because the requested evaluations and letter were precisely what one would expect to find in a personnel file, they were *per se* exempt by the FOIA statute. The court

## DEVELOPMENTS IN SCHOOL LAW

then opined that the FOIA does not define what "personnel file" means but that a personnel file could "reasonably be expected to include letters, evaluations, and [among other things] an employment contract." This broad defining statement is what the trial court based its decision upon in denying Stern's request.

Stern took the next step and appealed to the Second District appellate court. The court answered two questions: 1) whether the superintendent's employment contract was exempt from disclosure under FOIA because the contract was located within the superintendent's personnel file; and 2) whether the superintendent's disclosures of his contract to two local newspapers after Stern's initial request waives the district's claim that the superintendent's contract was exempt from disclosure.

During Stern's appeal process, the Fourth District appellate court decided a case called *Reppert v. Southern Illinois University*, 375 Ill. App. 3d 502 (2007). The *Reppert* court stated that it declined to follow *Copley* "to the extent it held that an employment contract is *per se* exempt from disclosure under the FOIA" because of its location in a personnel file. Although the *Copley* court had acknowledged that a document cannot be exempt from the FOIA simply by its location within a personnel file, the *Reppert* court clearly stated its position that an employment contract, even when contained in a personnel file, must be disclosed because it is a "public record" and constitutes "information that bears on the public duties of public employees and officials."

In deciding Stern's case, the Second District appellate court followed *Reppert*.<sup>\*</sup> Answering the first question, it held that just because the contract was contained in a personnel file, it cannot be entirely exempt from

a FOIA request. That is because 5 ILCS 140/8 states that when an item contains information that is exempt and not exempt, the public body shall delete information that is exempt and disclose the remaining portions that are not exempt. The court then sent the case back to the DuPage circuit court with instructions that the trial court perform an *in camera* (private) review and redaction pursuant to the FOIA to resolve any conflicts about items within the superintendent's contract that may be exempt from disclosure as an invasion of personal privacy. If such items existed in the contract, then the trial court must remove those portions before disclosure of it.

The court then addressed the voluntary disclosure question. After Stern's initial request, the district's designated FOIA officer disclosed the superintendent's contract to a local newspaper that filed a FOIA request. A second disclosure to another newspaper also occurred. Voluntary disclosure waives any sort of a claim to a FOIA exemption as a matter of public policy. As a result, the trial court may not ever conduct that *in camera* review of the superintendent's contract if the trial judge first determines that the contract was voluntarily disclosed.

### What does all of this mean for school officials?

Be aware that a blanket assumption that all information contained within a personnel file is exempt from public disclosure may thwart the broad purposes of the FOIA. School officials must remember that the legislative intent of the FOIA is "that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as pub-

See **LAW** on page 11

# 2008 officer nominations set, board reviews IASB leadership

The IASB Delegate Assembly will elect Association officers on Saturday, Nov. 22, during the Joint Annual Conference in Chicago. IASB's nominating committee has endorsed the following slate of officers: Mark C. Metzger, Indian Prairie CUSD 204, Naperville, as president, and Joe Alesandrini, Pekin CHSD 303, as vice president.

Metzger is completing his first term as president of IASB, and has been a member of his local school board since 1991. He joined the IASB board of directors in 2001 when he was elected statewide director-at-large. He was elected director of the DuPage division in 2003, and has served on several IASB committees. He also has been a presenter at the Joint Annual Conference, and IASB LeaderShop events, and at state and national school leadership conferences.

Alesandrini was selected by the IASB board to serve as vice president. He is president of the Pekin board, and has been director of the Central Illinois Valley division of IASB since 1997. He had served as treasurer of IASB. He also chaired the Audit Committee in 2007, and presently chairs the Resolutions Committee.

The nominating committee met in August to interview candidates for IASB's leadership positions. The committee is chaired by Marie Slater and

members are: Dale Hansen, Cyndi Dahl, Ben Andersen and Karen Fisher (Sue McCance is alternate).

Association leaders elected by school board delegates will assume office at the close of the annual meeting of the Delegate Assembly.

The IASB board of directors met Aug. 22-23 in St. Charles for its quarterly meeting and annual retreat.

On Aug. 22 members of the board reviewed the results of the Executive Director evaluation and their self-assessment survey. Each year the board assesses its own performance



Helen McClelland



Tom Cunningham

in complying with board process policies – the group of policies the board has established to govern its work.

Finally, the board recognized retiring Director Helen McClelland, **Country Club Hills SD 160**. Replacing her as director of the Association's South Cook Division is Tom Cunningham, Vice-President of **Orland SD 135**.

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lic officials and public employees..." Ensure that your district's FOIA policy and procedures are compliant and up to date and that administrators understand them. Lastly, know that when a requested document contains a hybrid of personal and nonexempt information, school officials should contact their board attorney for advice on how these decisions and the continuing litigation apply to the request.

\*It issued its opinion on June 9, 2008. Then, it modified and superseded its opinion when it denied a rehearing on July 11, 2008. After that, the court withdrew its opinion on July 25, 2008 and modified it on August 12, 2008. A petition for leave to appeal to the Illinois Supreme Court is now pending. *See opening statement in italics, which makes up the first paragraph of this article on page 10.*

## NEWS FROM IASB

### Packet mailed for School Board Members Day

IASB recently mailed a packet of materials to school district superintendents, district secretaries and school public relations specialists to help districts organize the activities celebrating "School Board Members Day" on Nov. 15. This annual day of observance was designated by state lawmakers last year to help build community awareness and understanding about the crucial role elected school boards play in a representative democracy.

"We hope you will take this opportunity to help acknowledge the public servants in your district who make the time to share their vision and voice about the future of public education," said IASB Executive Director Michael D. Johnson.

More information and materials for "School Board Members Day" can be found now at <http://www.iasb.com>.

### Clean audit report presented to IASB's Board of Directors

Dan Call, a partner in the auditing firm of Sikich, presented the audit report for fiscal year 2007-08 during the recent IASB board retreat. Dan had met previously with the Audit Committee and reported that the audit was once again clean and the association's fiscal house is in good order.

Carolyne Brooks serves as Audit Committee chair, and Carol Farnum, Dane Tippet, Barbara Somogyi and David Barton are members (John Metzger and Joanne Zendol serve as alternates).

The next meeting of the board of directors will be on Nov. 20, at the Hyatt Regency Chicago. The Board also will meet briefly on Sunday, Nov. 23, to re-organize for the year.

# School design winners will be on display at 2008 Conference

Winning school designs will be on display at the 2008 Joint Annual Conference, including photos of finished school projects completed by architects and other design professionals. Featured designs will be those earning recognition and awards in the 2008 Exhibition of Educational Environments, sponsored by IASB Service Associates. The winners were chosen Sep. 19 at IASB headquarters in Springfield, including two top winners, receiving Awards of Distinction. There were also three Merit Award winners and four Honorable Mentions.

This year, the EEE display has been moved to a more visible and brighter location. You will find all the entries in the Grand Ballroom foyer of the Hyatt, between the conference registration desk and the bookstore.

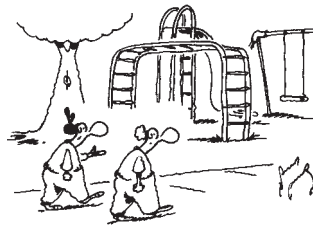
This annual design competition seeks entries from firms engaged in any aspect of designing public school facilities, whether such facilities are intended for instructional, recreational, administrative or other use. To be eligible to win, construction projects had to be completed in time for occupancy with the start of school this fall.

Whenever you have some free moments at the 2008 Joint Annual Conference, be sure to look over the



David Houglund of RuckPate Architecture, Barrington, was one of six jurors to review the entries in this year's Educational Environments Exhibition.

display of these winning school designs. Competition sponsors say you're sure to find some intriguing and innovative ideas for designing, constructing or equipping public school facilities. More about this event and a list of the 2007 winners can be found at: <http://www.iasb.com/jac/eee.cfm>.



"That was our parents' play station."

## CALENDAR OF EVENTS

**November 15 – School Board Members Day**

**November 20 – IASB Board of Directors' Meeting**, Hyatt Regency, Chicago, noon - 4 p.m.

**November 21 – Chicago Schools Tour**, Hyatt Regency Chicago, meal 8 a.m., tour 8:45 a.m. to 12:45 p.m.

**November 21-22 – A Professional Development Opportunity for the Board/District Secretary**, Swissotel Chicago, 10:30 am - 3 p.m., both days

**November 21 – Pre-Conference Workshops: Teambuilding and the Board of Education, The Board and Its Superintendent, School Board Accountability, Bridges Out of Poverty, A Comprehensive Workshop for Board Presidents, School Board Leadership**, Sheraton Chicago, 9 a.m. - 3 p.m.  
**Science, Math and Technology Education**, Sheraton Chicago, 9 a.m. to 11:30 a.m.  
**Financial Oversight Essentials for School Boards, Pre-Conference Workshop**, Sheraton Chicago, 12:30 p.m. - 3 p.m.

For more current information, see [www.iasb.com/calendar/](http://www.iasb.com/calendar/)



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