

Illinois SCHOOL BOARD *Newsbulletin*

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School board members subject of special day on November 15

To say a sincere “thank you” to the nearly 6,000 elected school board members in Illinois, Nov. 15 is designated as “School Board Members Day” in the state. Many local school districts see this as an opportunity to build community awareness and understanding about the crucial role an elected board of education assumes in a representative democracy.

This day of observance offers an opportunity to build a stronger relationship between school board members and the community. That is why IASB is encouraging appropriate district personnel to contact their community leaders, business partners and local civic groups to join in recognition efforts.

By working with the community, districts can assure that these dedicated public servants are recognized for their board policy and governance work on behalf of children, parents and families. If districts prefer, these Illinois-specific materials may be adapted for use in January, when many states celebrate board member service for an entire month, according to Michael D. Johnson, IASB’s executive director emeritus.



“Whether you celebrate on Tuesday, Nov. 15, or on a different day of your choosing, please take this opportunity to thank the public servants in your district who make the time to share their vision and voice about the future of public education. Encourage community leaders, business partners and local civic groups to join in your recognition efforts,” Johnson said.

Materials to help districts organize their activities include the following newly revised items:

- Memo from IASB’s executive director emeritus

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Carolyn D. Brooks



Karen Fisher

Brooks and Fisher nominated as officers for delegate voting

The IASB Delegate Assembly will elect Association officers for the year ahead on Nov. 19 at the Joint Annual Conference in Chicago. IASB’s nominating committee has endorsed the following slate of officers: Carolyn D. Brooks, West Richland CUSD 2, as president; and Karen Fisher, Ottawa THSD 140, as vice president.

Brooks, who has been on her local board in Noble, Ill., since 1995, is completing her second year as Association vice president. She represented the Wabash Valley division on the Association board of directors from 2005 through 2009, and served as IASB treasurer for three years. She chaired the resolutions committee in 2010 and 2011 and the audit com-

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ACT scores edging up in Illinois

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Referenda deadline near

The election deadline is fast approaching for public bodies such as school boards to place a public policy question, including a school finance referendum, on the primary election ballot for next March 20. Friday, Dec. 30, 2011, is the last day to adopt resolutions putting public policy questions on the primary ballot in 2012. (10 ILCS 5/28-2) See the following link for details: <http://www.elections.il.gov/Downloads/ElectionInformation/PDF/2012Calendar.pdf>

Combat allergic reactions

ISBE notes that the state has released guides for schools, parents and physicians on the Emergency Epinephrine Act. An article and fact sheets on Public Act 97-0361 is available on the Illinois State Board of Education's School Health Issues Web page at http://www.isbe.net/school_health.htm. The new law allows schools to keep a supply of epinephrine auto-injectors on hand and for school nurses to administer an injection to a student believed to be having an anaphylactic reaction, regardless of whether they have a medical plan on file indicating an allergy diagnosis. The drug can save lives by helping to open blocked airways in the lungs. For details on the new law, visit the website above. For questions, contact the Illinois Attorney General's Office at (312) 814-1003.

ISBE awards \$46 million

A total of \$46 million in state funds is being awarded to child development and support services for at-risk families as part of the Early Childhood Block Grant. ISBE announced on Aug. 29 that funds will go to nearly 300 different programs supporting at-risk families that have children up to age three.

State investigates East St. Louis schools; ex-prosecutor follows on ISBE takeover

East St. Louis SD 189 — which is already under the control of state regulators — has recently become the subject of a top-to-bottom investigation by a former federal prosecutor, according to state officials.

The Illinois State Board of Education announced on July 22 it has launched the investigation, led by former U.S. Attorney for the Southern District of Illinois A. Courtney Cox, of the firm Sandberg Phoenix & von Gontard.

The district entered an agreement in May 2011 that cedes control of the school system to the state's education agency for at least three years in order to improve academic performance and establish financial stability. Poor academic achievement reportedly prompted that move.

According to ISBE, the investigation there will "include but not be limited to looking at an inventory of all contracts for goods and services, all employees of the district, including their personnel files and all documents relating to their hiring, their qualifications and credentials, an inventory of all consultant agreements, a review of all income and expenditures, an inventory of all property owned, grant applications and interviews with current and former employees."

Illinois law allows for takeover of individual schools and school districts as well as for reconstitution of a district. Illinois' current accountability system is the Academic Early Warning and Academic Watch lists.

In addition, 105 ILCS 5/2-3.25f describes State Intervention:

- a. If a district or a school remains on the academic watch list for two consecutive years, then the State Board of Education shall take one of the following actions:
 1. The State Board of Education (SBE) may authorize the State Superintendent of Education to

direct the regional superintendent of schools to remove school board members. Prior to such direction, the SBE shall permit members of the local board of education to present written and oral comments to the SBE. The SBE may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement.

2. The ISBE may a) nonrecognize the school district or school, or b) may authorize the State Superintendent of Ed. to direct the reassignment of pupils and administrative staff. If a school district is nonrecognized in its entirety, it shall automatically be dissolved on July 1 following that nonrecognition and its territory realigned with another school district or districts by the regional board of school trustees.

Source: Illinois Revised Statutes.

Illinois
SCHOOL BOARD
Newsbulletin

**Illinois Association
of School Boards**


This newsletter is published monthly by the Illinois Association of School Boards for member boards of education and their superintendents. The Illinois Association of School Boards, an Illinois not-for-profit corporation, is a voluntary association of local boards of education and is not affiliated with any branch of government.

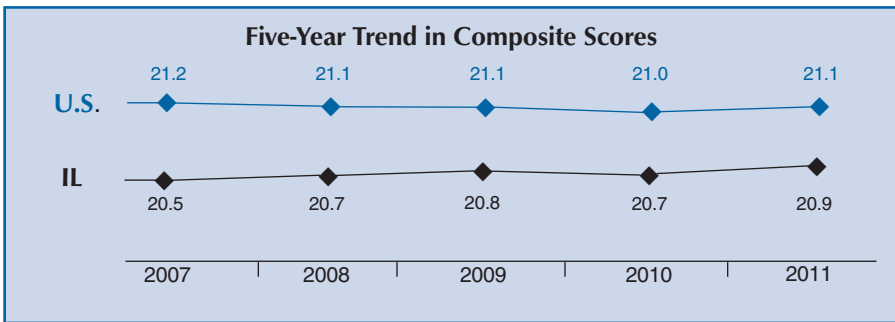
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**ILLINOIS ASSOCIATION
OF SCHOOL BOARDS**



ACT college entrance exam composite scores nationally have dipped slightly since 2007. Illinois' average ACT composite scores, while lower since the state tests all students, have risen.

State testing under NCLB shows growth in ACT scores across board

The Illinois Class of 2012's composite ACT score is the highest of the 10 states that test 90 percent or more of their students. Additionally, Illinois' composite ACT score of 20.9 continues the state's long-term trend of incremental improvement.

The state's high school class of 2012 posted higher scores on the ACT college entrance exam compared to their 2011 counterparts, scoring 20.9 compared to 20.7 the year before.

Although ACT is designed for students who plan to attend college, Illinois requires all 11th graders, unless they're exempt, to take the ACT as part of the required state testing under the federal No Child Left Behind law. Illinois' outscored other states with 90 percent or more of their graduates taking the ACT, including Arkansas, Colorado, Kentucky, Louisiana, Michigan, Mississippi, North Dakota, Tennessee and Wyoming.

In 2011, 144,469 students included in the Class of 2012 took the ACT, up by nearly 4,000 students since 2008 when 140,483 students took the test. Illinois first required all students to take the ACT in 2001 as part of the Prairie State Achievement Exam (PSAE) during students' junior year. The results represent the latest scores achieved by all of Illinois' class of 2012 in both public and private schools.

Illinois' average ACT composite scores for the past five years has

markedly improved, rising from 20.5 in 2007 to 20.9 in 2011. Nationally, there has been a slight dip in the composite score from 21.2 in 2007 to 21.1 in 2011. The ACT is scored on a scale of 1 to 36, with 36 being the highest possible score.

The year-to-year composite score for Illinois students mirrored the national average with a slight increase from 2010 to 2011.

Illinois students have made gains in all four subject areas from 2007 to 2011.

Subject	2007	2011
English	20.2	20.6
Mathematics	20.4	20.9
Reading	20.5	20.8
Science	20.4	20.7

In 2010, Illinois adopted the internationally benchmarked Common Core Learning Standards in English and Math for grades K-12. The Standards, written under the leadership of the Council of Chief State School Officers (CCSSO) and the National Governors Association Center for Best Practices (NGA Center) aims to better prepare students for college and career.

"As we move forward with our newly adopted, more rigorous Illinois Learning Standards, we would expect college and career readiness to improve," said State Superintendent Christopher Koch.

Court ruling keeps pay in limbo for Regional Superintendents, aides

A judge ruled on Aug. 26 that Gov. Pat Quinn had the authority to delete the funding for regional education offices. Sangamon County Circuit Judge John Schmidt declined to intervene in Gov. Quinn's amendatory veto decision to chop from the budget more than \$10 million in salaries for the state's 44 regional school superintendents and 40 of their assistants.

The judge said Quinn had "broad power" to control state spending.

The governor's office issued a statement saying the court "adopted the correct legal conclusion" and pledging to work with the regional superintendents on a "short-term solution" to get them paid until lawmakers return to Springfield in October. The statement noted, however, that the administration wants to divert the regional offices' expenses to local property taxes rather than funding them through the state budget.

The officials — who are responsible under state law for administering teacher certification, school transportation and other areas — have gone without pay since July 1.

Regional school superintendents are locally elected to run offices that serve multiple schools districts in a county or group of counties. The regional offices are a conduit between the Illinois State Board of Education and the state's 865 individual districts, providing services that include continuing education, truancy programs and hearings about the formation or consolidation of districts.

"These are not something the state board can absorb," according to ISBE spokesman Matt Vanover. "There has to be a regional delivery system."

The regional superintendent of St. Clair County, Brad Harriman, has stated he is being forced into retirement, effective Sep. 30, due to the

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New law creates consolidation commission to study issues

School management has place on new state panel

Gov. Pat Quinn signed House Bill 1216 into law Aug. 23, creating the School District Realignment and Consolidation Commission that will look for ways to improve school district spending, find opportunities for redirecting money into classrooms, and reduce administration costs. The law requires recommendations from the commission, chaired by Lt. Gov. Sheila Simon, to be presented to the Governor and General Assembly by July 1st of next year.

The Illinois Association of School Boards (IASB), represented by Executive Director Emeritus Michael D. Johnson, will be a voting member of the commission as outlined in the amendment to the School Code.

“The IASB applauds Lt. Governor Simon for heading this commission to look for efficiencies in school district structure and organization, instead of pushing for school district consolidation without local community involvement. We look forward

to working with the commission,” said Johnson.

IASB has always supported requiring local school district voter approval of any proposed consolidation or other reorganization of school districts. The official stance to that effect (IASB Position Statement 7.02) was first adopted in 1987, and was amended in 1988 and 2006. It states:

The Illinois Association of School Boards shall seek, encourage, and support efforts for school district reorganization – in all forms – to include a requirement that before such reorganization is deemed passed, a majority vote of voters in each of the affected districts is necessary.

A second position statement on the subject states that no arbitrary pupil enrollment or geographical component should be used to force consolidation (IASB Position Statement 7.01). Both statements can be reviewed online at: <http://www.iasb.com/gov-rel/positions.cfm>.

School management advocates

say the new commission will likely respect that position. Ben Schwarm, IASB’s associate executive director for advocacy and governmental relations, notes — “Lt. Governor Simon has indicated that she does not support forced school district consolidation and, instead, is looking for ways to bring efficiency to the delivery of education services.”

The new “Classrooms First Commission” — As Simon is fond of calling it — is a 20-member team with participation from various stakeholder groups that represent teachers, school boards, principals, superintendents, parents and urban, suburban and rural areas. Community input will be a cornerstone of the commission, with public comments solicited at hearings across the state and online, according to Simon.

“We want to do what’s best for students and produce administrative cost savings for the state,” said Simon, who serves as the state’s point person on education reform. “The best way to accomplish that is through collabo-

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Commission process to encompass three distinct stages, ending in July 2012

The commission’s work will be open, transparent, and divided into three stages: Research, review and recommendations. The process is as follows:

Research Stage

- Define the problem
- Gather facts, experiences, and potential resources from commission members
- Gather/review available data/research
- Review current legislation and Illinois reorganization history
- Hear from invited experts
- Develop a website of data, research, and resources
- Gather information from districts and communities statewide (e.g., public testimony, public comment on website)

During this stage, most work will

take place at the commission-wide level for presentations and review of existing research and data. Commission members will be also asked to independently review website resources to create a common level of background understanding.

Review, Discussion, and Scenario Stage

- Use information from the fact-finding stage to develop potential administrative cost-cutting, realignment and consolidation scenarios, including cost/benefit analyses
- Deliberate upon the pros and cons of various scenarios and refine the scenarios accordingly
- Seek consensus on preferable scenarios

This stage will largely occur through a combination of small group and large group sessions. Small groups will work

on drafting scenarios; large group sessions will be used to deliberate and reach consensus.

Recommendation Stage

- Use information from the previous stages to create a rationale for the recommendations
- Draft practical and feasible recommendations with cost analyses
- Gather feedback on draft recommendations from constituents/stakeholders (web postings, statewide hearings, organizational channels)
- Refine recommendations
- Identify timelines, necessary resources, and responsible entities
- Develop and submit final report to Governor and General Assembly by July 1, 2012

For more information, visit: <http://www2.illinois.gov/ltgov/pages/classroomsfirstcommissionoverview.aspx>.

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ration and working together to find solutions that fit individual community needs and identities.”

To coordinate the commission’s research and report, Simon has tapped Dr. Lynne Haeffele, a research associate from the Center for the Study of Education Policy at Illinois State University. Haeffele is a former award-winning science teacher at Bloomington High School, taught teacher preparation courses at ISU, served as a deputy chief for three state education superintendents and helped design the state’s learning standards.

Besides IASB, the new commission will include the executive directors of the other three Illinois Statewide School Management Alliance partners: Brent Clark of the Illinois Association of School Administrators (IASA), Michael Jacoby of the Illinois Association of School Business Officials (IASBO) and Jason Leahy of the Illinois Principals Association (IPA).

“We are pleased to be part of the commission, and believe that careful study and collaboration is the best approach to an issue like school district reorganization,” Clark said. “This issue directly affects children and entire communities. We believe, and national studies have shown, that local control is a fundamental and necessary part of successful school reorganization.”

Other voting members include representatives from the Illinois State Board of Education (ISBE), the Regional Offices of Education (ROE), the four Senate and House caucuses, the Illinois Education Association (IEA), the Illinois Federation of Teachers (IFT), the Chicago Teachers Union (CTU), the Chicago Board of Education, an organization representing administrators for special education, a statewide parents organization, an organization representing high school districts, and one representative each appointed by the governor to represent rural and suburban districts.

The commission’s charge includes studying matters such as:

- The number of school districts in

the state;

- Optimal enrollment for districts;
- Districts where consolidation or realignment might be beneficial;
- Reducing duplicate expenditures;
- Improving the education of students;
- Lowering the property tax burden;
- Projections regarding cost savings of realignment;
- Providing input to school districts about reorganization.

The commission must vote on or before July 1, 2012, and file a report with the Governor and the General Assembly. If the commission adopts the report with at least 11 affirmative votes, the legislature must vote within 14 days if they are in session (or within 14 days after the General Assembly next convenes) on whether to accept the recommendations in the report. The commission will be dissolved after its report is filed.

Although school district consolidation has been a long-term trend, the count of districts in Illinois changed only a little last school year, declining from 868 to 866. But from Fiscal Year 2000 to Fiscal Year 2009, the number had fallen from 897 to 869, a decline of more than 3 percent.

Commission Dates

Commission Meetings*

Sep. 29 — 4 to 6:30 p.m.

Oct. 21 — 1 to 3:30 p.m.

Nov. 16 — 1 to 3:30 p.m.

*All meetings to be held at ISBE, Springfield.

Public Hearings

Oct. 13 — 11:30 a.m. - 1:30 p.m.

John A. Logan College,
Carterville

Oct. 24 — 4:30 - 6:30 p.m.

Heartland Community College,
Normal

Nov. 2 — 11:30 a.m. - 1:30 p.m.

Blackhawk Community College,
Moline

Nov. 3 — 3 - 5 p.m.

Harper College, Palatine

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state’s nonpayment of salary, and that others could follow him.

“State law clearly calls for us to be paid for the good work we continue to do, but our fight continues,” said an Aug. 26 statement from Bob Daiber, president of the Illinois Association of Regional Superintendents of Schools. The regional superintendents’ group won’t appeal the circuit court ruling. Instead, the group will focus on persuading lawmakers to restore funding during the upcoming fall veto session of the legislature.

The state’s regional superintendents all earn about \$100,000 a year. Traditionally their pay has come entirely from state revenue. But Gov. Quinn is saying now that the offices should be at least partly funded by local property taxes — the same supply of money on which local districts rely for much of their funding.

Note: Parts of this article have been reprinted from independent news sources, including: *Illinois Statehouse News*, “Constitutional questions heart of superintendent pay case,” Aug. 30, 2011.

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- News release for local media
- Tip sheet of suggested activities
- Letter to community groups
- Sample article for district newsletters and other publications
- Sample marquees
- Public Service Announcements (PSAs)
- 2011 Illinois School Facts
- Education quotes
- Proclamation for use by local government
- Printable logo

Certificates for district presentation to board members (provided in a fillable form to personalize and print directly from the IASB website)

For more information, contact Linda Dawson at ext. 1104, or ldawson@iasb.com. Information about the observance is available online at: <http://www.iasb.com/sbmd.cfm>.

Conference registrants to tour Chicago's public charter schools

This year's tour at conference to feature five charter schools

School leaders are being invited to join representatives of IASB and the Chicago Board of Education on a tour of a Chicago school. Tours will explore five separate Chicago charter schools on Friday, Nov. 18, from 9 a.m. to 1 p.m. (Note: Nov. 18 is a non-attendance day for Chicago District 299, but district charter schools will be operating that day.)

A district's leaders can be assigned to different tours or opt to take one tour together. A separate fee for this event includes breakfast (8-9 a.m., Regency Ballroom A&B, Hyatt Regency Chicago). Spouses are invited to attend at the same additional fee. All tour participants must be paid conference registrants or guests of there of.

Tour registration is available online on the IASB Website www.iasb.com/jac11/tour_reg.cfm.



The 2010 Joint Annual Conference's tour of Chicago Schools saw 94 representatives from 47 school districts visiting five urban schools. This year's tour Nov. 18 falls on a non-attendance day for Chicago District 299. Five charter public schools will be featured this year, and registration is still available.

Annual Conference online preview contains schedule, describes all 115 panels

A preview booklet for the 2011 Joint Annual Conference is now available online to all districts, including a master schedule of all Conference events, descriptions and time slots for 115 panel sessions, descriptions of seven full-day pre-conference workshops and more. The preview booklet is available at: <http://www.iasb.com/jac11/conferenceoverview.pdf>.

This year's event will be the 79th Joint Annual Conference of the Illinois Association of School Boards, Illinois Association of School Administrators and Illinois Association of School Business Officials in Chicago.

The Conference Preview offers information about speakers, the Chicago Public Schools Tour, Carousel of Panels and professional development for board and district secretaries.

Build your own conference planner

Before leaving for the conference in Chicago, board members, superintendents and secretaries can build their own personal events calendar to print out and take to the event. A Conference planner calendar will go online in mid October, and will be posted on IASB's Members-Only website at <http://members.iasb.com>.

The calendar will show all con-

ference events by day and type, listing them in chronological order.

Using the calendar simply means choosing which events you might wish to attend, and then printing out the resulting planner.

This feature can be accessed by any IASB member district superintendent, board member or secretary.

Questions about the online planner or the Members-Only website can be directed to ext. 1105 or 1131.

Managing energy cost topic of free workshops

A series of workshops designed to help school districts manage their energy costs will be held in October and November at six locations throughout the state. These workshops, offered by the Illinois Energy Consortium, are open to members and potential members.

The free workshops will be held

Oct. 26 in Decatur, Oct. 27 in Springfield, Oct. 28 in Peoria, Nov. 7 in Mt. Vernon, Nov. 8 in Effingham, and Nov. 9 in Collinsville.

For details or registration, contact Illinois ASBO at 815 753-9305, or visit the website at www.iasbo.org. IEC is sponsored by IASB, IASA and Illinois ASBO.

Directors OK final six of 21 division bylaws, weigh own policy governance

All 21 divisions of the Illinois Association of School Boards now have approved bylaws.

The IASB board of directors on Aug. 28 approved bylaws adopted by six divisions, including Kishwaukee, Lake County, Northwest, South Cook, Starved Rock, Three Rivers, and West Cook.

Each geographic division of the Association is represented by a director, along with other officers. Bylaws are used to govern the activities of the division. They also outline the purpose and goals of the division, and membership eligibility, officers and their terms, the duties of the executive committee, establish meetings and the process for adopting rules, amendments, and rules of order.

The board of directors met Aug. 25-28 in Oak Brook for its quarterly meeting and annual retreat. A large portion of their work was set aside to meet with consultants to review the board's own policy governance. The board and consultants will meet again in November.

The board also heard reports from Executive Director Emeritus Michael D. Johnson and Association President Joseph Alesandrini. Reports were also given by the Joint Annual Conference co-chairs Ben Andersen (Northwest)

and Jackie Mickley (Blackhawk), Illinois High School Association liaison Mark Harms (Corn Belt), Service Associates chairman Steve Larson (Ehlers and Associates), resolutions committee chair Carolyne Brooks (Association vice president), IASB Associate Executive Director Ben Schwarm on state legislative news, and nominating committee chair Mark C. Metzger (immediate past president).

Welcomed as the newest director was Jesse Ruiz, representing Chicago Public Schools District 299. Ruiz, who previously chaired the Illinois State Board of education, replaces Dr. Tariq Butt on the IASB board.

The board also interviewed candidates for Association president and vice president on Aug. 28. The one-year terms of president Alesandrini and vice president Brooks will expire on Nov. 19, when the Delegate Assembly meets to vote on resolutions and officers for the coming year.

Alesandrini reviewed the timeline for the executive director search. Applications were taken until Sep. 30 and candidates interviewed in December. The board will meet with finalists in February 2012 when it expects to announce who will replace Johnson, who is retiring in June 2012.

met in August to interview candidates, is chaired by past president Mark C. Metzger and includes directors Michelle Skinlo, Roger Edgecombe, Sue McCance, and Roger Pfister. Dave Barton and Phil Pritzker 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 Sunday, Nov. 20, at the Hyatt Regency Chicago. The schedule of meetings in 2012 includes: Feb. 24-26, Chicago; May 18-19, Springfield; Aug. 24-25, Oak Brook; Nov. 15-18, Chicago.

NEWS FROM IASB

New Service Associates firm

PCM+D of East Peoria, a company fairly new to the area, has been added to the list of IASB Service Associates. For three of its four years in business, PCM+D (Principal Construction Management+Design) has been providing a full range of architectural services to school districts. IASB Service Associates are businesses that offer school-related items and have earned favorable reputations for quality and integrity. They have been screened by an IASB committee to qualify.

Rice to serve on ISBE team

IASB Field Services Director Patrick Rice has been invited by ISBE State Superintendent Chris Koch to serve on the East St. Louis Advisory Team. The advisory panel was formed by Superintendent Koch to provide ISBE with feedback concerning reforms needed to improve school operations. Specifically, the purpose of the team is to assist ISBE and District 189 with developing and implementing plans for improvement in school board operations, staffing, facilities, finance, compliance and student achievement. Rice brings experience to the team as a former teacher, administrator and resident of East St. Louis.

Annual school calendar out

IASB's Annual School Calendar of legal dates and deadlines for 2011-2012 is available on the association's website as a PDF at: <http://www.iasb.com/law/Cal11.cfm>. The calendar, for example, shows an upcoming deadline of Oct. 15 for school districts to submit a report to the state on teacher dismissals. Subscribers to IASB's Online Update service will get word if or when any revisions are made to this school calendar. To subscribe, visit iasb.com/elinks.cfm.

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mittee in 2008 and 2009. She has served as a delegate at the NSBA Delegate Assembly for the past four years.

Fisher, who has served on her local school board since 1979, is seeking her first term as Association vice president. She represented the Starved Rock division on the Association board of directors from 2007 through 2011. 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 a alternate delegate to the NSBA Delegate Assembly in 2009 and 2010.

The nominating committee, which

Setting district goals and direction the topic of new brochure

Explores service to facilitate that action

What is the school board's role in setting district goals and direction? How do they differ from district ends, and how does a school board go about setting district goals?

A new brochure prepared by IASB's Field Services department addresses these and other fundamental questions about an association service available in facilitating this activity. The brochure, titled "Setting District Goals and Direction" explains why it may be valuable to the board to set district goals, and contains testimonials from several school leaders who have used the service.

Key advantages for school board goal setting include the assertion that such activity:

- Solidifies board and superintendent relations by clearly stating expectations.
- Establishes clear expectations for areas such as: student achievement, programs and curriculum, district finances, facilities and physical plant, personnel, community relations and involvement, and communication.
- Drives the organization to pursue excellence.
- Empowers and energizes the staff.

- Permits performance monitoring as well as evaluation.
- Ensures the board speaks for the whole community.
- Ensures alignment between community values and school district operations.



The new brochure says IASB field services directors are ready, willing and able to work with the board and superintendent governance team to assist boards to articulate their district ends.

Facilitating such board work in setting district goals has been a service offered by the association's staff for several years. Such a session provides an opportunity for the district governance team to review and refine and/or to newly develop and clearly articulate an overall plan for district performance, staff members say.

Before beginning the work, IASB Field Services staff members will consult with the board and superintendent to determine the scope of work that the governance team wants to pursue based on what currently exists in the district and what the board wants to accomplish.

This may include facilitation of

the following:

- Review, revision and/or development of *shared values and beliefs* to support the district's work; *mission statement* (purpose); *vision statement* (direction); and district level *goals* for accomplishing the mission and vision.
- Planning and implementing a detailed community conversation and engagement.
- Planning and implementing opportunities for staff input and engagement.

"The number of sessions will depend on the scope of service requested but will, at a minimum, require one half-day session," according to Field Services Director Larry Dirks. The cost of such a half-day workshop for member districts is \$600 (for up to four hours), and a full-day workshop is \$1,000 (four hours or longer).

Dirks says the work is usually done in an all-day Saturday format or spread over several evening meetings.

For more information, see the brochure online at: <http://iasb.com/services/#btd>.

Note: A Saturday panel at the Conference on Nov. 19 will cover "Setting District Goals and Direction." It will be offered from 10:30 to noon in the Hyatt Regency, East Tower, Ballroom Level, Columbus C/D.

Association welcomes its newest policy staff member

IASB recently welcomed Brian Zumpf as the newest member of its Policy Services staff. Zumpf joined Policy Services as a full-time



Brian Zumpf

policy consultant working out of the Lombard office, effective Sep. 1. He

is filling the vacancy created by Laurel DiPrima's move into field services.

Zumpf worked with IASB's Office of General Counsel during summer 2010 as an extern from Valparaiso University School of Law. He is a long-time Illinois resident, attending schools in Mt. Prospect and Arlington Hts. He has a Master of Arts degree in Political Studies from the University of Illinois at Springfield and his law degree is from Valparaiso Uni-

versity.

"It was a pleasure to work as an extern at IASB last summer, and I am honored to return as a full-time employee. I have found that those working at IASB, and the school board members it serves, are friendly, intelligent, and dedicated to high-quality public education in Illinois. I am proud to work at IASB, and aid in its mission of excellence in local school governance in support of quality public education," Zumpf stated.

NEWS HEADLINES

Carbondale (Aug. 22, *The Southern Illinoisan*) Cutbacks in state funding have claimed art and music programs in Cairo Unit School District 1, and the funding crunch could force other area districts to make tough decisions as well. Budgets woes were a hot topic during the last Marion CUSD 2 board meeting. The board discussed a tentative budget for this fiscal year that showed the school district is more than \$3 million in the red, primarily because of less state aid, and less state funds in general.

Chicago (Aug. 26, *Chicago Sun-Times*) Teachers union officials rejected a two percent pay hike offered in exchange for working a 90-minute-longer school day in Chicago District 299. The proposal involved elementary-school teachers only. A new school reform law gives District 299 the power to unilaterally impose a longer school day and year, but not until after the current contract expires on June 30, 2012. Before then, school officials need the union's approval or waivers from teachers at individual schools agreeing to depart from the contract.

Cicero (Aug. 24, *Chicago Sun-Times*) The FBI has been asked to probe a state senator's college scholarship requests after five students certified the same home — reportedly owned by a paid campaign staffer to the senator — as their permanent residence in order to qualify for highly sought tuition waivers handed out by the legislator. The senator had no explanation for that coincidence and blamed the State Board of Education for not discovering it. State law requires that students receiving legislative scholarships live within the awarding lawmaker's district, and says that providing any "false or misleading" information on applications can result in the waivers being revoked and the students having to repay the colleges for the cost of tuition.

Glasford (Aug. 30, *Peoria Journal-Star*) Illini Bluffs CUSD 327 students got back to school on Aug. 30 after a nine-day teacher strike. The first day of class in the district's three schools was delayed for 1,000 students. Neither side has disclosed details of the agreement. [Note, the board has since officially ended the protracted labor negotiations by unanimously approving the three-year teachers' contract on Sep. 1, after it was ratified by teachers three days earlier.

Minooka (Aug. 30, *Morris Daily Herald*) Minooka CCSD 201 is ready for new school reforms enacted in state laws via SB 315 — the Performance Evaluation Reform Act (PERA) — and SB 7 — Education Reform Act (Ed Reform). So said Minooka Grade School Superintendent Al Gegenheimer and Assistant Superintendent Steph Palaniuk. "I don't think it will be that big of a deal," Palaniuk said. "We are already going in that direction." A primary component of PERA requires a portion of teachers' and principals' performance evaluations be tied directly to student growth. Districts that receive school improvement grants must have the new evaluation system in place by the 2012-2013 school year. Other districts have longer to comply. Administrators responsible for teacher evaluations will be required to attend training for PERA beginning Sept. 1, 2012.

Oak Brook (Aug. 30, *The Daily Herald*) Oak Brook community kids go to many different schools. Of approximately 80 school-age children living in Timber Trails/Merry Lane neighborhood, for example, fewer than 20 are enrolled in public school. Most attend private or parochial schools in other suburbs, resulting in "a very dysfunctional community," resident Jim Kosowski said. That's why some families

were happy when officials in June approved a petition to split from Salt Creek SD 48 and Willowbrook High School in Villa Park and annex to the school districts that enroll the majority of Oak Brook children. District 48 and DuPage High School District 88 appealed, setting the stage for a legal battle. Allowing a group of homeowners "to essentially decide which district to be a part of, despite the location of their home, would set a detrimental precedent," said one district superintendent fighting another detachment drive.

Rockford (Aug 17, *Register Star*) When classes began on Aug. 24 in Rockford SD 205, teachers returned to work without a contract. The union and district officials had not yet agreed to contract terms. New state legislation requires more steps before a union can strike. Now, school districts and unions representing educators must each make public their final contract offers before a strike. The education reforms signed into law in June also require both sides to seek the help of a mediator before an impasse is declared. If no resolution is reached after 15 days, either party can declare an impasse. Each must submit its final offer to the mediator within seven days of the declaration. A week after that, the final offers will be posted for public viewing on the Illinois Education Labor Relations Board website. After the final offer is made public, union officials must give the district 10 days' notice of an intent to strike before a walkout can occur.

Waukegan (Sep. 23, *Sun-Times*) Bus transportation in Waukegan CUSD 60 is only being provided this year to students living more than 1.5 miles from school. The move was made to save some \$1 million; Superintendent Donald Batiste notes there is a \$10 million deficit in the transportation fund.

Student free speech rights upheld in social media profile parodies



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

DEVELOPMENTS IN SCHOOL LAW

Two panels of the Third Circuit Court of Appeals (not binding in Illinois) reached opposite conclusions on two sets of almost identical facts. To resolve the conflict, the Third Circuit vacated the original decisions and re-heard both cases *en banc* (where every judge, not just a panel of three, hears the case). See the table below.

The question: May school officials discipline students for speech that happens off-campus without violating the students' First Amendment rights to free speech? After the re-hearing, both decisions, *J.S. v. Blue Mountain Sch. Dist.*, 2011 WL 2305973 (3d Cir. 2011) and *Layshock v. Hermitage Sch. Dist.*, 2011 WL 2305970 (3d Cir. 2011), held that the suspensions violated the students' First Amendment rights to free speech.

The main reason for the holdings was that the MySpace profiles were created off-campus and caused no disruption to the school environment. School officials know the *Tinker* standard well: a school district may only regulate a student's speech when a school official reasonably believes that the conduct would "materially and substantially disrupt the work and discipline of the school." *Tinker v. Des Moines Independent Community Sch. Dist.*, 393 U.S. 503, 513 (1969).

There are three exceptions to *Tinker* that allow a school official to regulate student speech when there is no substantial disruption to the school environment. They are: 1) in-school expression that is lewd, vulgar, indecent, or plainly offensive speech, i.e., *Fraser*, 2) school-sponsored speech, where a reasonable observer would

view the expression as the school's own speech, i.e., *Hazelwood*, and 3) speech at a school-sponsored event that promotes illegal activity, i.e., *Morse*.

In *J.S.*, the court found no disruption. Further, it found that the school officials had no reasonable belief that her off-campus speech would cause a disruption in the future. And, no *Tinker* exceptions applied either. This was because while *J.S.*'s speech may have been lewd, the *Fraser* exception applies only to on-campus speech. Thus the court reversed the original decision, now holding that the suspension did violate *J.S.*'s First Amendment rights because her speech did not disrupt the work and discipline of the school.

In *Layshock*, the school district argued that his suspension was justified for two main reasons. First, Layshock "entered" the school district's website to "take" the district's photo of his principal for the fake profile. Second, Layshock aimed his speech at the school district community and the principal. The court did not accept this argument. Instead, it explained

that Layshock's actions were not sufficient to create a nexus between school and the fake profile. Thus, the court also found that it was not reasonably foreseeable that Layshock's speech would cause substantial disruption. As a result, the court upheld its original decision. The suspension violated his First Amendment rights.

What does this mean for school officials?

School officials can remain confident that *Tinker* still teaches they are not helpless to enforce the reasonable order necessary to accomplish their mission. When a school district can point to a well-founded expectation of disruption, then discipline will likely be upheld.

Courts recognize that *Tinker* is hard for school officials to use. That is because every student speech case is still a case-by-case and hard to predict evaluation of when speech is likely to be disruptive. A few years back, the Seventh Circuit (governs Illinois) reminded school officials in *Nuxoll v.*

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<i>J.S. v. Blue Mountain Sch. Dist.</i>	<i>Layshock v. Hermitage Sch. Dist.</i>
8 th grade female honor roll student	12 th grade male student (senior)
She created a fake MySpace profile of her principal:	He created a fake MySpace profile of his principal:
<ul style="list-style-type: none"> on her parent's computer at her home during non-school hours 	<ul style="list-style-type: none"> on his Grandma's computer at Grandma's home
The fake profile included:	The fake profile included:
<ul style="list-style-type: none"> the principal's photo copied from the school district's website profanity a comment suggesting that the principal was a pedophile 	<ul style="list-style-type: none"> references to the principal as a "big steroid freak," a "big hard ass," and a "big whore"
10 day suspension by school	10 day suspension by school
Held: Suspension did not violate her First Amendment rights to free speech.	Held: Suspension did violate his First Amendment rights to free speech

New Open Meetings Act training requirement for board members may be met in various ways

HB 1670 – now PA 97-0504 – requires elected local officials including board members to receive training on the Open Meetings Act. This will apply to any school board member who is in office as of Jan. 1, 2012. School board members will have one year from that date to receive the training.

Going forward, anyone who is appointed or elected after Jan. 1, 2012 must complete the OMA training within 90 days of taking the Oath of Office.

Training is available through several options:

- 1) The Attorney General's Public Access Counselor will be offering an online course. (It is not available yet.)
- 2) IASB will be offering several options, in addition to several workshops already offered, for board members to get this training:
 - a. Joint Annual Conference Panel – scheduled for 1:30 p.m., Saturday, Nov. 19, in the Chica-

go 7 Ballroom at the Sheraton. There is NO pre-registration for this session. It will be first-come/first-served. The room will seat 350 persons. At the conclusion of the session, those who wish credit will be able to sign a course roster and receive the required Certificate of Completion. The fee for record-keeping will be \$15. Payment may be made by check made payable to IASB or the district can be billed after the conference.

- b. April 2012 – The Association will again be offering The Basics of Law on Board Meetings and Practices in Belleville, Normal and Naperville. Again, this will include more than OMA information and the cost will be \$125; but board members wishing to take this more in-depth training will be covered on the OMA training requirement.

Free conference on civics education to look at doing better

A free conference on civics education and engagement is to be held at SIU-Carbondale on Oct. 26. IASB will be a partner in the event, and school board members are invited to attend, along with teachers and administrators.

The event, called "Civics Education: We Can Do Better," is set for Wednesday, Oct. 26 from 9 a.m. to 2:45 p.m. Registration begins at 8 a.m.

School board members, administrators and social studies teachers are invited to attend.

This collaborative day of learning includes a free buffet lunch.

Registration information will be at www.paulsimoninstitute.org.

Board Member participants will receive 10 Master Board Member Credits and One Elective LeaderShop Academy Credit. Teachers and Administrators will get 5 CPDU Credits.

Watch www.paulsimoninstitute.org for registration and look for a mailing to your district.

LAW from page 11

Indian Prairie that while the bright-line test that outlines what particular statements are worthy of restriction still does not exist, it still recognized and acknowledged that school authorities must receive deference by courts on issues of how to run schools in a way that will preserve an atmosphere conducive to learning.

Worth noting again is that at one point in *Nuxoll*, the majority opinion states that those not working in schools are "outsiders." Also worth noting is the Third Circuit's worry that:

"[T]he combination of [*Layshock* and *J.S.*] may send an "anything goes" signal to students, faculties, and administrators of public schools. To the extent it appears we have undercut the reasoned discretion of administrators to exercise control over the school environment..., [the court] is mindful of the chal-

lenges school administrators face in providing a safe environment, conducive to learning and civic development, for children and young adults. Those challenges have never been greater than they are today. Modern communications technology, for all its positive applications, can be a potent tool for distraction and fomenting disruption. *Tinker* allows school officials to discipline students based on a reasonable forecast of substantial disruption, without waiting for the chaos to actually hit the hallways."

For that, school officials can remain confident that their training and experience in conjunction with consultations with their board attorneys will assist them in making those often-litigated decisions surrounding what may constitute a substantial disruption.

Dyslexia event to focus on legislative concerns via expert presentation

A free presentation on translating Dyslexia concerns such as student reading problems into legislative action is set for Nov. 1 from 6:30 - 8:30 p.m. at the University of St. Francis Recreation Center in Joliet.

The speaker is physician Sally Shaywitz, co-director of the Yale Center for the Study of Learning and Attention, and author of the book *Overcoming Dyslexia* (a book signing is included in plans for the evening). Teachers and administrators who participate will receive two CPDU Credits.

Registration is required, as seating is limited. Register online at www.dyslexiaIL.eventbrite.com.

Association developing online course to meet board training law requirements

As most board members already know, mandatory school board member training is required by the recently enacted SB 7 — now PA-0008.

The requirements are as follows:

- The mandatory training requirement does not apply to board members elected in April 2011, but does apply to anyone appointed or elected after June 13, 2011.
- This training requires any board member *appointed* after the bill became law on June 13, 2011, to participate in the mandatory training and the training must be completed within one year of the appointment.
- Beginning with the April 9, 2013 elections, it will cover anyone elected to the board and they have one year from that time to complete the training.

IASB is developing an online course

for board members that will meet the requirements of this mandatory training. It will be available in January of 2012.

Note that the online course will:

- not impact board members elected in the April 2011 elections, but only those elected or appointed after the effective date – June 13, 2011
- meet all requirements of the new law, including education and labor law, financial oversight and accountability, and fiduciary responsibilities
- qualify as a core workshop in the LeaderShop curriculum
- have registration details available later this fall.

More information on this will be appearing in future issues of the *Illinois School Board Newsbulletin* and in *The Illinois School Board Journal*.

Deadlines nearing for regional superintendent vacancies for upcoming primary elections in March 2012

Candidates to fill vacancies of regional superintendents will be chosen from the list of nominees appearing on the ballot at the primary election on March 20, 2012. Any new regional superintendents will then be chosen by voters in local elections at next year's general election, on Nov. 6, 2012.

Individuals seeking to run for regional superintendent must file petitions during the filing period for such candidates in late 2011, specifically during the period from Nov. 28 to Dec. 5, 2011.

A candidate for regional superintendent of schools must possess a master's degree and certain other educational qualifications that are listed in statute at 105 ILCS 5/3-1.

No other petition of any candidate for nomination for the office of regional superintendent of schools may be filed and no such candidate's name may be placed on a primary or general election ballot, unless such candidate files as part of his/her petition, a certificate from the State Board of Education certifying that from the records of its office such candidate has the qualifications required by this section; however, any incumbent filing his/her petition for nomination for a succeeding term of office shall not be required to attach such certificate to his/her petition of candidacy. Candidates for regional superintendent of schools should examine the provisions of Section 3-1 carefully in order to determine if they qualify.

CALENDAR OF EVENTS

October 12 – Lake Division Dinner, Grayslake North High School

October 13 – Northwest Division Dinner Meeting, Stockton High School

October 15 – Data First for School Governance Workshop, Mackie's Pizza, Marion

October 19 – Central Illinois Valley Division Fall Dinner Meeting, Caterpillar's Edwards Demonstration & Learning Center, Edwards

October 20 – New Superintendents Luncheon (This event is open only to new and first-year superintendents), IASB, Lombard

October 25 – Two Rivers Division Fall Dinner Meeting, Franklin CUSD 1

October 27 – Kaskaskia Division Fall Dinner Meeting, Northwestern CUSD 2, Palmyra

November 1 – Dyslexia Concerns Event, University of St. Francis Recreation Center, Joliet

November 18-20 – IASB/IASA/IAS-BO Joint Annual Conference, Hyatt Regency Hotel, Chicago

November 18 – Illinois Council of School Attorneys' 25th Annual Seminar on School Law, for school attorneys only, Advance registration & fee required, Hyatt Regency Chicago

November 18 – Chicago Schools Tour, Breakfast 8 a.m. Tour 8:45 a.m. Advance registration & fee required, Hyatt Regency Chicago

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

For more current information on coming events, see the IASB web site at www.iasb.com/calendar/.