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As the legislature has continued to meet this summer, and as we have seen a lot of new developments, this Back to School newsletter is quite long. I apologize for that, but I urge you to read the newsletter in its entirety. There is a lot for you to know, including: (1) advances in our school choice efforts; (2) new concussion protocols for student athletes; (3) new protocols for vaccine exemptions; (4) meningitis vaccine requirements; and (5) state recognition deadlines (November 15) with descriptions of a few changes for the upcoming year.

STATE LEGISLATIVE SUMMARY

As you know, the state's elected leaders are currently at impasse over government reforms proposed by the Governor and the budget for Fiscal Year 2016.

Mid-spring, in order to fill a \$1.6 billion hole in the 2015 fiscal year, the legislative leaders and the Governor agreed to a package of dedicated fund sweeps and budget cuts. These cuts included an across the board 2.25 percent cut to all areas of the budget, including education. In addition, the Governor suspended many state grant programs. These actions, while painful, were made necessary by the unrealistic budget enacted under Governor Quinn and the expiration of the 2011 state tax increase in January.

Unfortunately, this is the last thing the Governor and legislative leaders were able to agree upon. If the 2015 spending plan were enacted for 2016, there would be a budget hole in excess of over \$6 billion. Legislative leaders want to address this shortfall by at least partially restoring the tax increase that expired January 1st. Governor Rauner has not rejected this idea, but he has demanded that elements of his Turnaround Agenda – property tax reform, workers' compensation reform, term limits and redistricting reform – be addressed before he will discuss any tax increase.

Due to some previous consent decrees and recent court orders, most of the state's financial obligations are currently being paid, including state employee pay and Medicaid expenditures. Moreover, the Governor signed the education portion of the budget passed by the General Assembly, so schools will open on time and function normally. As these pressure points have been lifted, few expect resolution to the budget impasse anytime soon.

There is a bright side in the protracted budget fight. In this difficult fiscal and political environment, we have been given more time to pursue our education policy goals within the eventual budget compromise.

Invest in Kids Act

The Catholic Conference of Illinois (CCI) has spent the last year in close coordination with One Chance Illinois in efforts to advance school choice policy proposals. We are Tier 1 partners in their Illinois Kids Campaign. As such, we have aided in drafting the school choice legislation and in lobbying members of the General Assembly and administration.

The Invest in Kids Act has many components, but the priority provisions seek to provide tax credit fueled benefits to public, charter and nonpublic schools. The provisions geared towards our schools include:

- A dollar-for-dollar state income tax credit up to 100 percent of an individual or corporation's tax liability if they donate to scholarship granting organizations that provide scholarships to low and middle-income students to attend nonpublic schools.
- A \$100 million cap on the above tax credit.
- An increase in the Education Expense Tax Credit from \$500 to \$1000.

Everyone involved acknowledges the difficult politics of enacting these policy proposals in stand-alone legislation. Accordingly, we are maneuvering to have these ideas considered in the budget negotiations, and more specifically attached to any revenue (tax increase) proposals. We believe there is a strong possibility of securing some benefits in a larger package of fiscal reforms.

CCI has encouraged the Diocesan Offices of Catholic Education and individual Catholic Schools to sign on as Tier 3 partners in the campaign. All six dioceses and approximately 140 Catholic schools have so far joined the coalition. In addition, there are over 70 other community organizations, advocacy groups and schools signed up for the campaign. We have never had a coalition this large working towards a school choice measure.

In April, Archbishop Cupich traveled to Springfield for a legislative reception to formally kick off the Illinois Kids Campaign and to meet with the Governor and Legislative Leaders regarding this effort. CCI coordinated these efforts and attended the meetings. It was a very good start in which all the legislative leaders indicated support for the proposal. Since that time, CCI has continued to work the issue by coordinating with the larger coalition's efforts through a series of action alerts, conference calls and individual lobbying efforts.

Other School Choice Efforts

A number of school choice measures were introduced in the General Assembly. **Senate Bill 81, Senate Bill 113, Senate Bill 1342, House Bill 1481** and **House Bill 3252** all sought to establish some type of voucher or opportunity scholarship program. **House Bills 2467, House Bill 3088** and **House Bill 3827** all sought to expand the existing Education Expense Tax Credit. CCI supports all efforts to empower parents to make the best educational choices for their children, but our focus remains on the Quality Schools Tax Credit Act. None of these bills advanced in the committee process.

Child Care Assistance Program

The Child Care Assistance Program provides financial assistance to working parents, who earn less than 185 percent of the federal poverty level, to help pay for child care services. Qualified services include pre-school and before and after school care. Many of our schools receive money through the Child Care Assistance Program for providing these services.

In January, the Child Care Assistance Program, due to poor state budgeting and even worse spending practices, was short \$300 million for the remainder of the fiscal year (July 1, 2015). Because half the program is federally funded, the program did not disappear, but the payment cycle to providers was under threat of severe delays. There are currently about 176,000 enrollees in the program and 65 percent of them go to schools or day care centers.

CCI worked with a number of organizations to support either a supplemental funding bill or a grant of extraordinary powers to the Governor to move money into the program. We targeted the effort, asking schools who receive money through the program to contact their legislators. In late March, the General Assembly did grant the Governor power to sweep other state funds in order to fill the budget gap and meet this program's shortfalls. However, the program is again threatened with eligibility changes and funding cuts in the upcoming FY16 budget. We will monitor this.

Textbook Block Grant

Due to the state's extremely perilous fiscal state, and our desire to put maximum energy into the Invest in Kids Act, CCI did not reintroduce our appropriations bills for the Textbook Block Grant Program. We have introduced these bills for several years to no avail. However, we continue to talk to interested lawmakers about the program and do plan on alerting the Governor's education staff to the program and our belief in its many benefits.

House Bill 152

This legislation mandates each school board require their schools to install approved carbon monoxide alarms or carbon monoxide detectors. The legislation allows for existing schools to use battery powered detectors but requires new construction to wire them into the electrical system. As of now, this bill does not apply to nonpublic schools, but it may be only a matter of time. CCI monitored this legislation. The bill passed the General Assembly and now awaits the Governor's signature; if he signs the bill, the mandate will be effective January 1, 2016.

House Bill 494

This legislation seeks to relax the automatic lifetime prohibition of school employment for those convicted of certain felonies. Current law permanently bars a person who has been convicted of a Class X felony, sex offense, or drug offense from holding an educator license. This bill would permit a person who has been convicted of a drug offense to obtain an educator license beginning seven years after the person has completed his or her criminal sentence for the offense, subject to other licensing requirements. CCI monitored this legislation. The bill passed the General Assembly, but the Governor issued an amendatory veto to clean up some technical language in the bill. Those changes most likely will be accepted by the General Assembly, but the bill cannot go into effect until that happens.

Senate Bill 7

This legislation marks the latest attempt by the General Assembly to regulate student athletes and concussion protocols. It requires that a school participating in interscholastic athletics:

- 1) Create a concussion oversight team that will establish "return to play" and "return to learn" protocols for students believed to have suffered a concussion. It is likely the IESA and IHSA will produce model protocols.
- 2) If a school employs an athletic trainer or nurse, those persons must be on the oversight team.
- 3) A person must be made responsible for implementing and complying with the protocols established by the oversight team. The school's athletic director would be a prime candidate.
- 4) Students cannot participate in an interscholastic athletic activity until the student and the student's parent or guardian have signed a form that acknowledges receiving and reading written

information that explains concussion prevention, symptoms, treatment, and oversight and that includes guidelines for safely resuming participation in an athletic activity following a concussion. The form will be provided by the Illinois High School Association.

The following should be the meat of the protocols:

- 5) A student must be removed from an interscholastic athletics practice or competition immediately if one of the following persons believes the student might have sustained a concussion during the practice or competition:
 - a. a coach;
 - b. a physician;
 - c. a game official;
 - d. an athletic trainer;
 - e. the student's parent or guardian or another person with legal authority to make medical decisions for the student;
 - f. the student; or
 - g. any other person deemed appropriate under the school's return-to-play protocol.

- 6) A student removed from an interscholastic athletics practice or competition under this Section may not be permitted to practice or compete again following the force or impact believed to have caused the concussion until:
 - a. the student has been evaluated by a treating physician (chosen by the student or the student's parent or guardian) or an athletic trainer working under the supervision of a physician;
 - b. the student has successfully completed each requirement of the “return-to-play” and “return to learn” protocols established under this Section necessary for the student to return to play;
 - c. the treating physician or athletic trainer working under the supervision of a physician has provided a written statement indicating that, in the physician's professional judgment, it is safe for the student to return to play and return to learn; and
 - d. the student and the student's parent or guardian:
 - i. have acknowledged that the student has completed the requirements of the “return-to-play” and “return-to-learn” protocols necessary for the student to return to play;
 - ii. have provided the treating physician's or athletic trainer's written statement under subdivision (4) of this subsection (g)
 - iii. have signed a consent form indicating that the person signing has been informed and consents to the student participating in returning to play in accordance with the “return-to-play” and “return-to-learn” protocols and understands the risks associated with the student returning to play and returning to learn and will comply with any ongoing requirements in the “return-to-play” and “return-to-learn” protocols.

A coach of an interscholastic athletics team may not authorize a student's return to play or return to learn. Senate Bill 7 passed the General Assembly almost unanimously and was signed into law by the Governor on August 3rd. Its provisions go into effect this school year.

Senate Bill 706

This legislation, introduced by Senator Bill Cunningham (D-Chicago), seeks to extend the requirement that employees of public and nonpublic schools undergo a fingerprint based background check to student teachers. In reality, the bill changes very little as Colleges of Education already require background checks of those enrolled in their student teaching programs. CCI monitored the legislation. The bill passed both Houses and was signed into law on July 10, 2015.

Senate Bill 1410

This legislation reflects the desire of the General Assembly to tighten up exemptions to the state's required immunizations for students. Under current law, parents can claim a documented medical exemption or a broader religious objection exemption. The religious objection exemption does not require the citation of a particular religion, teaching or practice.

This legislation seeks to require a higher standard. It requires parents or legal guardians claiming a religious exemption to present to the appropriate local school authority a signed Certificate of Religious Exemption detailing the grounds for objection and the specific immunizations, tests, or examinations to which they object. The grounds for objection must set forth the specific religious belief that conflicts with the examination, test, immunization, or other medical intervention. The signed certificate shall also reflect the parent's or legal guardian's understanding of the school's exclusion policies in the case of a vaccine-preventable disease outbreak or exposure. The certificate must also be signed by the authorized examining health care provider responsible for the performance of the child's health examination confirming that the provider provided education to the parent or legal guardian on the benefits of immunization and the health risks to the student and to the community of the communicable diseases for which immunization is required.

CCI monitored this bill and talked with the sponsoring legislators to ensure the bill did not become too cumbersome. We wanted to maintain an avenue for religious objections, but we recognized there could be a better way of invoking religious objections than the broad approach of current law. The bill passed the General Assembly was signed by the Governor on August 3rd. The state has indicated the mandate will not be required this school year, but will be implemented for next year and forward.

ADMINISTRATIVE SUMMARY

Meningitis Vaccination

Due to the previously reported Communicable Disease Prevention Act of 2013, beginning this school year, students in 6th grade will be required to have received one dose of the Meningococcal Conjugate Vaccine and students entering 12th grade will be required to have received a second dose. Family healthcare providers should have informed families and acted on the mandate over the past couple of years.

State Recognition & the Illinois State Board of Recognition (ISBE)

ISBE has been able to employ new staff and contract with Illinois Service Center West 40 to help coordinate and conduct school visits. They conducted approximately 140 nonpublic school visits this past school year. The incorporation of new staff has led to some disagreement in interpretations of certain requirements for state recognition – particularly in the case of health records for new school employees – but this new system of incorporating Regional Offices of Education into the school visits promises to bring stability to the visit cycle and enable longer range planning. In fact, a five year visit schedule has been drafted and is being reviewed.

CCI was able to work with ISBE in crafting amendments to the administrative rules that drop the requirement for all new employees to undergo TB tests (the Department of Public Health no longer deems this necessary) and provide for the manner in which nonpublic schools will easily prove their

not-for-profit status to the state (Secretary of State file number). We also came to an agreement with ISBE on the above referenced dispute: beginning this school year all new school employees will furnish evidence of freedom from communicable disease. This evidence would most often come from proof of a physical in the last year, but could also be a simple doctor's note.

Please remember the **November 15, 2014, deadline** for submitting the (1) Nonpublic Registration, Enrollment and Staff Report, (2) Immunization Data and (3) Nonpublic School Application for State Recognition and School Calendar. These forms must be completed and submitted on time in order to extend your school's state recognition status from December 31, 2015 to December 31, 2016. The deadline cannot be missed.

Finally, if you are a new principal of a school for 2015-16, in order to ensure you have IWAS access as an administrator for your new school – which is needed to submit the school recognition forms – please send a letter on school letterhead to:

Ann Plogger
Information Technology, S-395
Illinois State Board of Education
100 North First Street
Springfield, IL 62777-0001

The letter should inform her there has been a change in leadership, so please change the database and update IWAS access. The letter should also include:

- The name and email of the outgoing person
- The name and email of the incoming person
- The RCDT code

If you are unsure of your RCDT code, it will be a number that looks like this: 02-987-123Z-10. It may also appear without the hyphens (02987123Z10). It is important that each school be aware of its number as it is the unique identifier, like a Social Security number, in ISBE's database of schools, and they are increasingly asking nonpublic schools to include this number in documents and communications.

Physical Exam Requirements

Please remember children must receive physical examinations prior to entering Illinois schools for the first time, prior to the date of entering kindergarten or first grade, prior to entering sixth grade, and prior to entering ninth grade. A list of the immunization requirements:

http://www.isbe.net/research/pdfs/immunization_requirements.pdf

Illinois Coalition of Nonpublic Schools

Please consider joining the Illinois Coalition of Non-Public Schools (ICNS). In September, schools will receive either a letter to renew membership or an invite to become a member. ICNS works closely with CCI to influence both ISBE and the Illinois General Assembly. ICNS engages the services of a lobbyist to specifically represent the needs of all non-public school in the state. ICNS is also taking an active role in the Illinois Kids Campaign.

As members, you will not only be further represented in Springfield, but you will also receive the ICNS Electronic Report by which member schools are kept informed. Each issue includes brief

synopses legislative developments, matters related to ISBE and educational issues of interest to our nonpublic school administrators. Member schools administrators receive the Electronic Newsletter monthly during the school year.

Membership dues are critical to the success of ICNS. A minimal and reasonable investment in ICNS is well worth the cost of \$75 for 1 year or \$125 for 2 years. Please connect to the ICNS web site at www.icns.net to complete the membership form or respond to the membership letter that you will receive in the next few weeks.

Thank you all for the great work you do. If you have any questions, please call me at 217-528-9200 or email me at wichmann@ilcatholic.org.