

# End of Session Report

## 2023 Spring Session of the Illinois General Assembly



Lighting the Way to Excellence in School Governance

# 2023 End of Session Report

July 2023

This 2023 End of Session Report is offered for the first time this year to IASB members to better inform them of the legislative activity during the 2023 Spring Session of the Illinois General Assembly. IASB previously produced a Digest of Bills that focused exclusively on legislation that was successfully passed. This new report provides that overview as well as a more thorough description of legislation that was defeated by IASB member engagement and advocacy. It is not uncommon for these ideas and initiatives to repeat again in future years, so awareness is key. We hope you will appreciate having this elevated level of information and we look forward to your continued involvement in the advocacy goals established by IASB members.

Members can expect IASB's [New School Laws](#) at the beginning of 2024. This document is a comprehensive digest of all state laws affecting Illinois public schools enacted in 2023.

Active links to each bill are provided for members that would like more information. All legislation can be viewed online at the Illinois Legislative Information System website, [www.ilga.gov](http://www.ilga.gov). If you have any questions about legislation, please do not hesitate to contact any of the [IASB Governmental Relations staff](#). We are only as successful as you are engaged!

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Members can request printed copies of the End of Session Report by contacting IASB Governmental Relations staff.



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## Session Overview

The IASB Governmental Relations team worked through a busy and productive legislative session in 2023. After IASB members engaged to push back a lame-duck session attempt to mandate Sex Education on K-12 schools; the 103rd General Assembly was sworn in on January 11 and quickly got to work introducing over 6,500 bills. Your team of IASB lobbyists identifies bills of importance and collaborates with IASB attorneys to provide legal review of all bills introduced that may impact Illinois school districts. The team researched over a thousand measures this Spring that, if passed, would directly impact school districts. This volume of legislation requires IASB and other Statewide Alliance partners to prioritize the work and focus on initiatives that will have the greatest impact on the greatest number of districts/students. In total, 566 bills passed both chambers, including 346 House bills and 220 Senate bills.

With many new lawmakers at the Capitol came many new opportunities for legislative engagement. As the pandemic fades into the rear view, work “under the dome” mirrored action from 2019 and before. One exception to this return to a pre-pandemic session is the acceptance of innovative technology and remote testimony in committees. This will enable an even greater level of IASB member engagement going forward. The use of virtual testimony by the Illinois General Assembly can make it possible for an IASB Advocacy Ambassador to weigh in on important issues in Springfield from anywhere in the State. IASB will continue to seek your support and engagement as the Association strives to represent local boards of education before the legislature, legislative staff(s), and committees through in-person meetings and online communication tools.

The 2023 session, like all others, provided a series of challenges for Illinois school districts. Since 1982, the Illinois General Assembly has imposed more than 700 mandates on schools! That is an average of 18 per year. This year was no different. An additional 23 new mandates were passed — regarding curriculum, employment, and transportation — and will be imposed this year on Illinois districts. The good news, if you will, is that none of the curriculum bills passed will require the creation of new, stand-alone courses or add to current graduation requirements. Instead, IASB was able to advocate to incorporate new topics into existing course offerings beginning with the 2024-2025 school year.

Budget numbers were projected to be strong early in the session, which may have fueled some of the appetite for new mandates. However, these projections were revised downward in April mainly due to skyrocketing costs of a program that provides healthcare for immigrants, resulting in greater funding challenges, but not fewer mandates.



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## Budget

The Fiscal Year 2024 budget for the State of Illinois spends over \$50 billion and increases Evidence-Based Funding by \$350 million. The overall framework for administering the budget is addressed in the budget implementation bill (BIMP) – [HB 3817](#) {PA 103-0008} (Gordon-Booth/Sims). Included in the BIMP is \$16 million allocated to the State Board of Education to establish a grant program allowing districts to apply for school crisis mapping, which increases school safety for the entire state.

The first year of the Governor’s early childhood plan will be launched with \$250 million in funding, with financial boosts to an array of efforts like stabilizing the childcare workforce; eliminating preschool deserts; overhauling the childcare payment management system; and expanding the Early Intervention Program and Home Visiting programs. Also added is \$50 million for early childhood capital improvements.

At the K-12 level, monies will be going to expanding access to computer science coursework (\$3 million); providing for the Evidence-Based Funding formula (\$350 million additional); starting up a program to address teacher vacancies (\$45 million); and statewide launching of the Dolly Parton Imagination Library (\$1.6 million).

Overall, the 2023 session was productive. IASB was successful at stopping numerous bills that were deemed to have a negative impact on local school boards and the students they serve. Working with partners at the Illinois Council of School Attorneys (ICSA), IASB was successful at passing legislation too (more below). School boards and the issues important to your school districts were successfully championed in the Illinois General Assembly by IASB.

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## IASB Initiatives

### Consistent Presence in Classroom Passed Both Houses

[HB3442](#) {PA 103-0193} (Crespo/Loughran Cappel) allows for substitute teachers to be in the same classroom for a longer period of time, creating greater consistency for students. This IASB initiative was introduced to help school districts that are struggling to fill teaching vacancies. Under current law, a substitute teacher could only fill an open teaching vacancy for 30 days, but HB3442 {PA 103-0193} will increase that to 90 days or the end of the semester, whichever is greater, with approval from the local Regional Office of Education.

### Position Statement 2.49 Fund Balances – Miller Ratio Adjustment

Although not initiated by IASB staff, [SB1994](#) (Loughran Cappel/Yednock) was monitored and amended to give school districts more flexibility when managing cash on hand, which satisfies Position Statement 2.49 Fund Balances – Miller Ratio Adjustment.

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## Bills IASB Supported That Passed Both Houses

[HB1123](#) {PA 103-0116} (Costa Howard/Glowiak Hilton) requires school report cards prepared by the State Superintendent of Education to include the percentage of students with disabilities who have fulfilled the minimum state graduation requirements and have been issued a regular high school diploma and the percentage of students with disabilities who have fulfilled the minimum state graduation requirements but have not completed their individualized education program and are enrolled and receiving individualized education program services.

[HB2447](#) (Avalar/Loughran Cappel) allows a public body to hold closed meetings to consider evidence or testimony presented to a school board regarding denial of admission to school events or property.

[HB3523](#) {PA 103-0049} (Yang Rohr/Ellman) provides that the penalty of bonds shall be determined by the school board in an amount no less than 10% of the amount of all bonds, notes, mortgages, moneys, and effects.

[HB3592](#) (Mussman/Johnson) changes the requirements for any charges involving any witness who is or was at the time of an alleged conduct was a student or person under the age of 18.

[HB3690](#) (Mussman/Villivalam) creates flexibility around employee mandated training and reduces the frequency of some trainings.

[SB1468](#) {PA 103-0088} (Bennett/Stuart) extends retired teachers' ability to substitute 120 days per school year through June 30, 2026.

[SB1488](#) (Bennett/Stuart) through August 2025, removes the requirement for anyone taking a teacher preparation program to pass a teacher performance assessment and creates a Teacher Performance Assessment task force. The task force will evaluate teacher performance assessment systems to ensure consistency across programs and report to the State Board of Education and General Assembly by August 2024.

[SB2374](#) (Lightford/Ammons) created a Computer Science Education grant accompanied by a \$3 million allocation in the budget.

Included in the Budget Implementation Bill [HB 3817](#) {PA 103-0008} (Gordon-Booth/Sims):

[HB2233](#) (Hoffman/Cunningham) increases the contract value subject to competitive bid provisions to \$35,000 (instead of \$25,000) bringing more flexibility to school boards.

**Position Statement 2.24: School Safety Grant Program - [SB2577](#)** (Loughran Cappel) allows a public school to obtain crisis response mapping data and provide copies of the crisis response mapping data to appropriate local, county, state, and federal first responders for use in response to emergencies, subject to appropriation. The budget includes a \$16 million appropriation to support the initiative.

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## Bills Opposed by IASB That Did Not Pass

[HB0296](#) (Bennett/Stuart) would have created a Teacher Performance Evaluation task force. School Board members were not included in the membership of the task force.

[HB1107](#) (West, II) would have created a duplicate process and policies for addressing student trauma.

[HB1124](#) (Mussman) would have created several unfunded mandates regarding literacy and dyslexia.

[HB1214](#) (Caulkins) would have created duplicative alternative pathways to educator licensure.

[HB1243](#) (Carroll) would have created an unfunded curricular mandate regarding mental health.

[HB1359](#) (McLaughlin) would have created a recall election process for elected school board members.

[HB1375](#) (Tarver II/Lightford) would have created an unfunded curricular mandate regarding financial literacy.

[HB1573](#) (Niemerg) would have created the Education Savings Account Act, which would require the State Board of Education to deposit into an Education Savings Account some or all of the state aid under the state aid formula provisions of the School Code that would otherwise have been provided to the resident school district for the eligible student had the student enrolled in the resident school district. Guardians would then use the funds for certain qualifying expenses to educate the eligible student.

[HB2119](#) (Mason) would have restricted how school districts utilize energy savings contracts.

[HB2287](#) (Moylan) and [SB2154](#), (Castro) would have created an unfunded mandate requiring that all school buses purchased after 2028 are electric.

[HB2384](#) (Nichols) would have been an unfunded mandate requiring school districts to hire school counselors to maintain a 250:1 ratio.

[HB2784](#) (Hirschauer) would have created an unfunded mandate requiring a \$20 an hour minimum wage for school employees in the 2024-2025 school year.

[HB2846](#) (Vella) would have reduced teacher tenure from four years to three years.

[HB3143](#) (Canty) would have lowered the kindergarten compulsory school age from 6 to 5 beginning with the 2023-2024 school year.

[HB3636](#) (Rashid) and [SB167](#) (Villivalam) would have created an unfunded mandate for providing kosher and halal school lunches.

[HB3825](#) (Halbrook) would have created a non-resident tuition waiver for students living within a quarter of a mile of district boundaries.

[SB0990](#) (Curran/Burke) would have restricted school district land sales and required multiple appraisals for each sale without additional funding.

[SB1266](#) (Lightford) would have created an unfunded curricular mandate regarding financial education.

[SB1400](#) (Lightford) would have created restrictions surrounding student discipline policies.

[SB1569](#) (Lightford) would have required that if an employing board determines to dismiss any teacher who currently holds a summative evaluation rating of “Proficient” or “Excellent” during the probationary period (instead of determines to dismiss a teacher in the last year of a specified probationary period), the employing board must provide a written notice for dismissal with specific reasons for dismissal.

[SB2225](#) (Glowiak Hilton) would have created the Classrooms First Commission, which would make recommendations to the Governor, the General Assembly, and the electorate on the number of school districts in this state and where reorganization and realignment of school districts into unit districts would be beneficial.

[SB2239](#) (Johnson) would have created restrictions surrounding student discipline policies.

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## Bills Amended by IASB that Passed Both Houses

[HB0219](#) (Hoffman/Harmon) was amended to ensure that local governments continue to receive immunity protections.

[HB2156](#) {PA 103-0143} (Keicher/Syverson) was amended to clarify duplication in current law surrounding student IDs related to the Safe2Help helpline.

[HB2392](#) (Scherer/Lightford) was amended to ensure that a school district is reimbursed for the cost of a substitute teacher for an employee attending a federal advocacy day.

[HB3425](#) {PA 103-0047} (Croke/Feigenholtz) was amended to remove burdensome bullying policy provisions.

[HB3428](#) (Blair-Sherlock/Glowiak Hilton) was amended to allow for flexibility surrounding the potential unavailability of opioid antagonists.

[HB3924](#) (Yang Rohr/Ellman) was amended to include fentanyl education into current health curriculum instead of a stand-alone course.

[HB3932](#) {PA 103-0212} (Yang Rohr/Ellman) was amended to include allergen safety education into current health curriculum instead of a stand-alone course.

[SB0090](#) (Murphy/West) was amended to give school districts more flexibility in adopting policies addressing harassment.

[SB1352](#) (Lightford/Carroll) was amended to include all teacher resignations regardless of contractual status (tenured and non-tenured teachers).

[SB1993](#) (Loughran Cappel/Canty) was amended to remove the requirement for a school board hearing regarding assessments.

[SB1994](#) (Loughran Cappel/Yednock) was amended to give school districts more flexibility when managing cash on hand.

[SB2017](#) (Holmes/Croke) was amended to clarify the bill did not apply to support personnel responsible for maintenance and operations of the school district.

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## Bills IASB Opposed that Passed Both Houses

[HB2396](#) (Canty/Lightford) was amended to delay the mandated implementation date of full day kindergarten to the 2027-28 school year, allowing more time for districts to prepare. Without an accompanying appropriation, IASB remained opposed due to the unknown financial burden for districts. A task force is required in

this bill that will determine the actual financial impact and IASB staff will continue to monitor progress.

[SB1872](#) (Lightford/Vella) reduced teacher tenure from four years to three years.

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## Mandates That Passed Both Houses

[HB300](#) (Belt/Stuart) provides that the minimum salary rate for a school year shall be increased by a percentage equal to the annualized percentage increase (instead of the percentage increase), if any, in the Consumer Price Index for All Urban Consumers for all items published by the U.S. Department of Labor for the 12-month period ending on June 30 of the school year that ended 12 months prior to the school year in which the adjusted salary is to be in effect (instead of for the previous school year). Provides that the Commission on Government Forecasting and Accountability shall certify and publish the minimum salary rate to be used.

[HB342](#) (Lightford/Ammons) requires teachers institute days to provide instruction on trauma-informed practices. Adds information that must be included in the Illinois Report Card by 2024.

[HB1123](#) {PA 103-0116} (Glowiak-Hilton/Costa-Howard) - Provides that for any school report card prepared after July 1, 2025, for all high school graduation completion rates that are reported on the school report card, the state superintendent of education shall also report the percentage of students who did not meet the requirements of high school graduation completion for any reason and, of those students, the percentage who are classified as students with disabilities who fulfill the requirements for participation in a graduation ceremony as set forth in Section 14-16 of the School Code (Brittany's Law).

[HB1561](#) {PA 103-0128} (Johnson/Lilly) requires school districts to conduct in-service training for all school

district employees on methods to respond to trauma at least once every two years. A school board may satisfy the trauma response training requirements by using the training, including online training, available from the American College of Surgeons or any other similar organization.

**Position Statement 1.19: Indigenous People Curriculum Inclusion** - [HB1633](#) (Glowiak-Hilton/West II) in the provisions concerning instruction on Native American history, requires the instruction to be included in every social studies course pertaining to American history or government. Provides that the study of the genocide of and discrimination against Native Americans, as well as tribal sovereignty, treaties made between tribal nations and the United States, and the circumstances pertaining to forced Native American relocation shall be taught in grades 6 through 12. Provides that the instruction may be integrated as part of other required units of instruction.

[HB2156](#) {PA 103-0143} (Syverson/Keicher) - Provides that student ID cards also shall provide contact information for the Safe2Help Illinois Helpline. If the school district does not provide student ID cards to students or to all of its students, this information must be published on the school website.

[HB2396](#) (Lightford/Canty) - Beginning with the 2027-28 school year, requires each school board to establish full-day kindergarten. There is no accompanying allocation to support this initiative (unfunded mandate).

[HB3116](#) {PA 103-0041} (Villa/Stuart) requires that at least once every two years, a school board must conduct in-service training on homelessness for all school personnel. The bill further defines the general content of the training and states that a school board may work with a community-based organization that specializes in working with homeless children and youth to develop and provide the training.

[HB3224](#) {PA 103-0181} (Koehler/Ness) provides that, as part of transition planning, a school district shall provide a student and the parent or guardian of the student (instead of just the student) with information about the district's career and technical education opportunities. Provides that a student and the parent or guardian of the student shall be provided with information about dual credit courses offered by the school district. Provides that if the student is enrolled in a dual credit course for dual credit or for high school credit only, the student's participation in the course shall be included as part of the student's transition to Individualized Education Program activities.

[HB3425](#) {PA 103-0047} (Feigenholtz/Croke) - Requires a bullying policy to be based on the State Board of Education's template for a model bullying preventing policy, which includes the criteria set forth in the definition of "policy on bullying." Provides that a bullying prevention policy must include procedures for informing parents or guardians of all students involved in the alleged incident of bullying within 24 hours after the school's administration is made aware of the incident. Provides that school districts, charter schools, and nonpublic, nonsectarian elementary and secondary schools must submit data in an annual report due to the State Board of Education no later than August 15 of each year starting with the 2024-25 school year through the 2030-31 school year.

[HB3428](#) (Glowiak-Hilton/Blair-Sherlock) - Provides that a school district, public school, charter school, or nonpublic school shall maintain a supply of an opioid antagonist in any secure location where an individual may have an opioid overdose. Provides that if there is a shortage of opioid antagonists, a school district, public school, charter school, or nonpublic school shall make a reasonable effort to maintain a supply of an opioid antagonist. Provides that the requirement that a health care professional prescribe opioid antagonists applies only if the school district or

school is not able to obtain opioid antagonists without a prescription.

[HB3559](#) {PA 103-0194} (Morrison/Yang Rohr) requires that a school building's emergency and crisis response plan, protocol, and procedures include a plan for local law enforcement to rapidly enter the school building in the event of an emergency.

[HB3643](#) (Villivalam/Rashid) provides that, subject to appropriation and additional requirements, each school board shall provide religious dietary food options as part of the school lunch program. The FY 2024 Budget does not include an appropriation for this initiative.

[HB3680](#) {PA 103-0197} (Faraci/Benton) provides that, when deciding whether to exempt a student from participating in a walkthrough lockdown drill, the administrator and school support personnel shall include the student's Individualized Education Program team or 504 Plan team in the decision to exempt the student from participating.

[HB3768](#) (Villivalam/Rashid) amends the Uniform Racial Classification Act and the Data Governance and Organization to Support Equity and Racial Justice Act. Adds "Middle Eastern or Northern African" as a racial classification for purposes of the Acts.

[HB3924](#) (Ellman/Yang Rohr) - Provides that school districts shall provide instruction on the dangers of fentanyl. Provides that students shall be assessed on the fentanyl instruction.

[HB3932](#) {PA 103-0212} (Ellman/Yang Rohr) - Provides that beginning with the 2024-25 school year, the Comprehensive Health Education Program shall include instruction, study, and discussion in Grades 9 through 12 on the dangers of allergies.

[SB0090](#) (Murphy/West, II) - Provides that each school district; charter school; or nonpublic, nonsectarian elementary or secondary school must create, implement, and maintain a policy on discrimination and harassment based on race, color, and national origin, and prohibits retaliation. Provides that each school district; charter school; or nonpublic, nonsectarian elementary or secondary school must establish procedures for responding to complaints of discrimination and harassment based on race, color, and national origin, and retaliation.



[SB183](#) (Mussman/Murphy) requires parents or guardians to receive information relating to the curriculum, services, and policies of an alternative school program before the transfer goes into effect. Requires that appropriate personnel of the sending school district and the alternative school program meet to develop an alternative education plan for the student and that the student and the student's parents or guardians be invited to the meeting.

[SB1993](#) (Loughran Cappel/Canty) - Provides that prior to approving a new contract for any district-administered assessment, the school board must hold a public vote at a regular meeting of the school board, at which the terms of the proposal must be substantially presented and an opportunity for allowing public comments must be provided, subject to applicable notice requirements.

[SB1994](#) (Loughran Cappel/Yednock) - Requires any district that does not receive federal impact aid to calculate the combined, annual average expenditures of its operational funds for the previous three fiscal years, as reported in the school district's most recently audited annual financial reports. Requires that school boards annually present a written report covering the annual

average expenditures of its operational funds for the previous three fiscal years at a board meeting. If a district's combined cash reserve balance of its operational funds exceeds 2.5 times annual average expenditures of its operational funds for the previous three fiscal years, the school board shall adopt and file with the State Board of Education a written operational funds reserve reduction plan by December 31. Requires the State Board of Education to publish these plans on its Internet website.

[SB2039](#) (Harmon/Syed) provides that during the student's annual Individualized Education Program (IEP) review meeting, if the student has an intellectual disability or a developmental disability, the student's IEP team shall determine the student's PUNS (Prioritization of Urgency of Need for Services) database registration status based upon information provided by the student's parents or guardian or by the student.

[SB2218](#) (Preston/Evans, Jr.) provides that a school board's honorable dismissal list shall include the race or ethnicity of a teacher if the teacher provides this information.

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## Honorable Mentions

[SB 2123](#) (Morrison/Stuart)

- Declares that in 2024, the general election day is a school holiday.
- Delays the date by which the General Assembly must draw districts for the newly elected Chicago School Board from July 1, 2023, to on or before April 1, 2024.

[SB2243](#) (Lightford/Mayfield) Illinois Literacy Plan

- The State Board of Education is leading the creation of the Illinois Literacy Plan.
- Plan and timeline can be found [here](#).

- While school boards are not directly impacted with the creation of the plan, future school board actions such as curriculum purchases, hiring of staff, and other resources needed to support the initiative may emerge.

[SB2390](#) {PA 103-0111} (Harmon/West, II)

- Provides that a school district may adopt a policy to waive tuition costs for a non-resident pupil if the pupil is a child of a district employee, reducing the need for a non-residential tuition waiver.



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