



Illinois State Board of Education

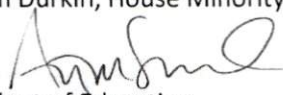
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James T. Meeks
Chairman

Tony Smith, Ph.D.
State Superintendent of Education

February 19, 2019

TO: The Honorable John J. Cullerton, Senate President
The Honorable William E. Brady, Senate Minority Leader
The Honorable Michael J. Madigan, Speaker of the House
The Honorable Jim Durkin, House Minority Leader

FROM: Tony Smith, Ph.D. 
State Superintendent of Education

SUBJECT: 2018 Educational Mandates Report

Enclosed are copies of the report on educational mandates required by 105 ILCS 5/2-3.104. The report lists all mandates enacted in the 2018 legislative session, along with a description of each and a cost estimate.

If you have questions or comments, please contact Amanda Elliott at (217) 782-6510.

cc: Clerk of the House
Secretary of the Senate
Legislative Research Unit
State Government Report Center

EDUCATIONAL MANDATES

Annual Report — 2018

Illinois State Board of Education
Regulatory Support and Wellness
March 2019

James T. Meeks, Chairman
State Board of Education

Tony Smith, Ph.D.
State Superintendent of Education

Foreword

The Illinois State Board of Education, pursuant to 105 ILCS 5/2-3.104, must submit to the Illinois General Assembly by March 1 of each year a report listing "all State mandates applicable to the common schools during the school year covered by the report, excluding only those mandates that relate to school elections." The report must include a description of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and whether the mandate exists because of a federal law or regulation.

For the purposes of this report and in an effort to have a common definition for the term "mandate," the definition in the State Mandates Act (30 ILCS 805/3(b)) was used; that is, a mandate would be any action at the state level that would require a Local Education Agency to incur additional costs payable from local revenue in carrying out that action. Cost determinations for these mandates were made based upon available data.

This annual report covers all education-related mandates enacted in the 2018 legislative session and effective for the 2018-19 school year.

Tony Smith, Ph.D.
State Superintendent of Education

Introduction

Educational Mandates lists all state mandates applicable to the common schools except those that relate to school elections. The report includes a summary of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and, if applicable, whether the mandate exists because of a federal law or regulation.

Identification of Mandates

For the purposes of identifying state mandates pertaining to education, the definition contained in the State Mandates Act (30 ILCS 805/3(b)) was used:

... any State-initiated statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a court other than any order enforcing such statutory or executive action.

This report covers all education-related mandates enacted in the 2017 legislative session and effective for the 2017-18 school year. In compiling the report, State Board staff examined all amendments to existing statutes and all new statutes from the 2017 legislative session to determine whether the public acts contained a mandate on school districts.

Determination of Cost

It is often difficult to determine the exact cost of a mandate on a Local Education Agency (LEA), so cost estimates in the report are based on available data. Three general categories are used for cost estimates:

- A. The mandate does impose an additional cost, which is _____.

This category will include those mandates for which there has been an appropriation. It cannot be determined, however, whether the appropriation fully covers the cost of the mandate on the LEA nor the amount of local resources used to make up a shortfall.

- B. The mandate does not impose an additional cost.

These categories will include those mandates that:

1. impose additional duties of a nature that can be carried out by existing staff and procedures at no appreciable net cost increase;
2. create additional costs but also provide offsetting savings resulting in no aggregate increase in net costs; or
3. create an additional cost that is wholly or largely recovered from federal, state, or other external financial aid.

- C. The mandate imposes an additional cost, but that amount is indeterminate.

Under the "Cost" section of the report, a letter corresponding to the above categories is used. A key is provided at the bottom of each page.

2018 Laws

Public Act/Summary

Cost

P.A. 100-0468

Reference: 105 ILCS 5/10-23.12; 5/10-23.12); effective June 1, 2018.

The Department of Children and Family Services may, in cooperation with school officials, distribute appropriate materials in school buildings listing the toll-free telephone number established in Section 7.6 of the Abused and Neglected Child Reporting Act, including methods of making a report under Section 7 of the Abused and Neglected Child Reporting Act, to be displayed in a clearly visible location in each school building.

B

P.A. 100-0505

Reference: 105 ILCS 5/10-20.60 new; 5/34-18.53 new; effective June 1, 2018.

A school district may serve students produce grown and harvested by students in school-owned facilities utilizing hydroponics or aeroponics or in school-owned or community gardens if the soil and compost in which the produce is grown meets the standards adopted in 35 Ill. Adm. Code 830.503, if applicable, and the produce is served in accordance with the standards adopted in 77 Ill. Adm. Code 750.

B

P.A. 100-0548

Reference: 105 ILCS 5/27-20.7 new; effective July 1, 2018.

Beginning with the 2018-2019 school year, public elementary schools shall offer at least one unit of instruction in cursive writing. School districts shall, by policy, determine at what grade level or levels students are to be offered cursive writing, provided that such instruction must be offered before students complete grade 5.

B

P.A. 100-0582

Reference: 105 ILCS 5/2-3.170; 105 ILCS 5/18-8.15; 105 ILCS 5/18-8.05 rep.; effective March 23, 2018

Contains the legislative fixes requested by the Illinois State Board of Education (ISBE) in order to properly calculate disbursements for the Evidence Based Funding Formula, including the following:

B

For Property Tax Relief Pool Grants requires ISBE to set a threshold for relief not greater than 1% of the EAV for a unit district, .69% for an elementary district, or .32% for a high school district, and relief will be calculated based upon the total amount of reduction in the school district's aggregate extension;

For Special Education Cooperative Withdrawal, provides that under the Evidence-Based Funding Model (EBF), the portion of the base funding minimum be reapportioned to the school district and may be distributed under the conditions in the withdrawal agreement;

Provides for funding for Pre-K English language learners;

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- B. The mandate does not impose an additional cost.
- C. The mandate imposes an additional cost, but that amount is indeterminate.

2018 Laws

Public Act/Summary

Cost

For Fiscal Year 2018, provides a modified calculation for enrollment numbers that they be taken by October 1. For Fiscal Year 2019 and subsequent years, numbers will be collected in October and March;

Allows Special Ed Pre-K students to be counted in enrollment regardless of how many service hours are provided to them;

Provides protections for school districts that receive a dramatic drop in their calculated EAV;

Removes the RFP requirements for additional technology grants and includes these grants in a district's BFM.

Changes the term "normal curve equivalent" to a "cumulative distribution" allowing ISBE to determine how much a school district is able to contribute locally as compared to other districts;

Designates alternative schools as Specially Funded Units;

Removes Specially Funded Units from Tier 4;

P.A. 100-0599

Reference: 110 ILCS 148/20; 110 ILCS 148/25; 110 ILCS 148/45; 110 ILCS 148/50; 110 ILCS 148/55; 110 ILCS 148/60; effective June 29, 2018

Provides that a school district may participate in the Illinois State Board of Education's competency-based, high school graduation requirements pilot program for some or all of its schools.

B

P.A. 100-0660

Reference: 105ILCS 5/22-33 new; 410 ILCS 130/30; effective August 1, 2018

Requires school districts to authorize a parent or guardian of a student who is qualifying patient to administer a medical cannabis infused product to the student on school premises or a school bus if both the student and the parent or guardian have been issued registry identification cards.

B1

P.A. 100-0667

Reference: 625 ILCS 5/11-1414; 5/12-815.2; effective January 1, 2019

The Act adds students enrolled at Soaring Eagle Academy to the requirements under school transportation.

C

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2018 Laws

Public Act/Summary

Cost

P.A. 100-0671

Reference: 775 ILCS 50/5; 775 ILCS 50/15; 775 ILCS 50/20; effective January 1, 2019

Requires school administrators to post notice of the human trafficking hotline in the administrative office, or another location, in view of school employees.

B1

P.A. 100-0682

Reference: 105 ILCS 5/34-85d new; effective January 1, 2019

Requires Chicago Public Schools to provide all copies of teacher evaluations to the exclusive bargaining unit within seven days of issuance.

B1

P.A. 100-0684

Reference: 105 ILCS 5/27-9.1; effective August 3, 2019

Requires that course material and instruction in sex education shall include emphasis on what constitutes sexual consent, harassment and assault in the workplace and on a college campus.

B1

P.A. 100-0726

Reference: 105 ILCS 5/22-30; 105 ILCS 5/27A-5; effective January 1, 2019

Changes the definition of "asthma medication" to mean quick-relief asthma medication that is approved by the United States Food And Drug administration for the treatment of respiratory distress. The Act also allows districts to maintain a supply of undesignated asthma medicine.

C

P.A. 100-0741

Reference: 20ILCS 2310/2310-617; 410 ILCS 315/2e; effective January 1, 2019

Requires the Department of Public Health to provide all students entering sixth grade, and their parents, with written information about the availability of an HPV vaccine.

B3

P.A. 100-0747

Reference: 20ILCS 2310/2310-307 new; 105 ILCS 5/22-80; effective January 1, 2019

Requires schools to disseminate a brochure to any family whose child may have sustained a concussion and requires the Illinois State Board of Education to adopt rules for accommodations for concussed students.

C

P.A. 100-0759

Reference: varying; effective January 1, 2019

Among many of the changes regarding substance abuse, provides that the Department of Human Services cooperate with, and assist, schools in establishing substance abuse disorder prevention programs and preparing curriculum materials for use at all levels of education.

C

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2018 Laws

Public Act/Summary	Cost
<p>P.A. 100-0760 <u>Reference: 105 ILCS 5/10-20.56; effective August 10, 2018</u> Makes the electronic-learning days program a permanent program.</p>	C
<p>P.A. 100-0791 <u>Reference: 625 ILCS 5/12-806a; 625 ILCS 5/12-806; effective January 1, 2019</u> Requires a school bus to be operated with the "SCHOOL BUS" signs covered and the stop signal arm and flashing signal system disabled whenever a school bus is operated for the purpose of transporting passengers over 18 years of age.</p>	B1
<p>P.A. 100-0792 <u>Reference: 105 ILCS 5/10-20.62; 105ILCS 5/34-18.55; effective January 1, 2019</u> Provides that a school board shall not adopt a policy limiting the number of dual credit courses a student may enroll in or the number of academic credits a student may receive from dual credit courses.</p>	C
<p>P.A. 100-0800 <u>Reference: 105 ILCS 5/10-10.5; effective January 1, 2019</u> Provides that if a school board fills a vacancy due to a lack of candidates for election in a congressional township in the most recent election, then the schoolboard shall submit a question to the voters at the next election as to whether they approve at-large election of that board position instead of mandatory board representation by a specific area.</p>	B1
<p>P.A. 100-0807 <u>Reference: 105 ILCS 5/10-17a; effective August 10, 2018</u> Requires that a school report card include the most current data possessed by the Illinois State Board of Education relating to a school district's administrative costs.</p>	B1
<p>P.A. 100-0810 <u>Reference: 105 ILCS 5/10-22.6; 105 ILCS 5/26-2a; 105 ILCS 5/26-12; effective January 1, 2019</u> Requires a school district to make reasonable efforts to provide ongoing professional development on the appropriate and available supportive services for the promotion of student attendance and engagement.</p>	C
<p>P.A. 100-0813 <u>Reference: 40 ILCS 5/16-106; 40 ILCS 5/16-106.3; 40 ILCS5/16-127; 105 ILCS 5/2-3.173new; effective August 13, 2018</u> Provides that by January 1, 2019, the Illinois State Board of Education shall implement a program and adopt rules to allow school districts to supplement their substitute teacher recruitment for elementary and secondary schools with the use of recruiting firms.</p>	B1

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2018 Laws

Public Act/Summary

Cost

P.A. 100-0819

Reference 105 ILCS 5/26-19 new; effective July 1, 2019

Facilitating the work of the Balanced Accountability Model, establishes a definition of chronic absenteeism and requires state funded early childhood programs to collect and review the data and determine needed resources to engage chronically absent students and their families.

B1

P.A. 100-0822

Reference: 105 ILCS 5/21B-50; effective January 1, 2019

Provides that an institution offering an alternative educator licensure program, that partners with a public school district administering a preschool educational program under the preschool grant provision, must require a principal to recommend or evaluate candidates in the program.

B1

P.A. 100-0825

Reference: 105 ILCS 5/26-2; 105 ILCS 5/27-12; effective August 13, 2018

Requires that no child may be denied re-enrollment under sections referring to the Individuals with Disabilities Education Act (IDEA) and Americans with Disabilities Act. (ADA)

C

P.A. 100-0829

Reference: 105 ILCS 5/27-8.1; effective January 1, 2019

Requires all children entering kindergarten, second, sixth and ninth grades to have a dental examination.

C

P.A. 100-0849

Reference: 105 ILCS 5/14-8.02a; effective August 14, 2018

The act provides that for special education impartial due process hearings, changes when the hearing officer must issue his or her written decision from within 10 days to within 10 business days after the hearing.

B1

P.A. 100-0855

Reference: 105 ILCS 5/24-5; effective August 14, 2018

Makes the requirement for substitute teachers to be physically fit, permissive. The Act defines what can be required and which medical personnel are allowed to make the determination. It requires the hiring school board to pay for the examination when it requires and examination of any substitute teacher employee.

C

P.A. 100-0903

Reference: 105 ILCS 5/10-22.39; 105 ILCS 5/34-18.7; effective January 1, 2019

Provides that at least once every two years, a school board shall require in-service training of licensed school personnel and administrators who work with children in

C

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2018 Laws

Public Act/Summary

Cost

kindergarten through grade 12 to identify the warning signs of mental illness and suicidal behavior in youth.

P.A. 100-0918

Reference: 105 ILCS 5/26-2a; effective August 17, 2018

Establishes a definition for truant students as a child who is subject to compulsory school attendance who is absent without valid cause for more than 1% but less than 5% of the past 180 days.

B

P.A. 100-0956

Reference: 625 ILCS 5/1-177.5 new; 625 ILCS 5/3-117.1; 625 ILCS 5/3-405.1; 625 ILCS 5/3-414; 625 ILCS 5/3-600; 625 ILCS 5/3-803; 625 ILCS 5/3 804.01; ILCS 625 5/3-808.1; 625 ILCS 5/3-815; 625 ILCS 5/3-821; 625 ILCS 5/4-107; 625 ILCS 5/5-101; 625 ILCS 5/5-102; 625 ILCS 5/5-401.3; 625 ILCS 5/3-807 rep.; 625 ILCS 5/13-101 effective January 1, 2019

Among many changes in the Illinois Vehicle Code, provides that any vehicle with a permanent vehicle registration plate owned or operated by a public school district from grades K-12, a public community college, or a medical facility or hospital, is exempt from any fee for the transfer of registration.

B

P.A. 100-0965

Reference: 105 ILCS 5/34-210; 105 ILCS 5/34-215; 105 ILCS 5/34-225; effective August 19, 2018

Chicago Public Schools provides that, beginning on July 1, 2019, the facility performance standards published by the district must include the performance standards of safety measures in the district.

B1

P.A. 100-0977

Reference: 105 ILCS 5/27-8.1; 20 ILCS 2310/2310-391; 20 ILCS 2310/2310-700 new; effective January 1, 2019

Requires school boards to include information about influenza and influenza vaccinations when they provide information on school health issues to the parents or guardians.

B1

P.A. 100-982

Reference: 105 ILCS 5/2-3.173 new; effective August 19, 2018

Requires the State Board of Education to establish and maintain the Growing Future Educators Program to train high school graduates who at one time have been identified as English learners and who are enrolled in an approved educator preparation program, among other qualifications, to become secondary language educators. Provides that each school district that chooses to participate in the Program shall partner with one public, regionally accredited institution of higher education in this State that offers a pre-approved educator preparation program and each qualified high school graduate

B1

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2018 Laws

Public Act/Summary

Cost

participating in the program through the district must be enrolled at that institution in its educator preparation program. Provides that for each semester that a qualified high school graduate is participating in the program, the State Board shall issue the person a paraprofessional educator endorsement on an Educator License with Stipulations and the person must be employed as a part-time employee by the participating district as a paraprofessional working under the supervision of a district employee with a Professional Educator License. Sets forth provisions concerning funding, submitting program data, reporting to the General Assembly, and rulemaking.

P.A. 100-0984

Reference: 50 ILCS 705-10.22 new; 105 ILCS 5/1-20.67 new effective January 1, 2019
Codifies the role of school resource officers (SRO) in schools, establishes a training process for SRO's as developed by the Illinois Police Training Board, and requires any law enforcement agency providing SRO's to schools to certify they have been trained beginning January 2021.

B1

P.A. 100-0992

Reference: 105 ILCS 5/2-3.173 new; 105 ILCS 5/27-22.05; effective August 20, 2018
Requires the Illinois State Board of Education to initiate rulemaking to allow students of any high school in Illinois who are 16 years of age or older to participate in registered apprenticeship programs (except those related to construction), allowing them to earn postsecondary credit toward a certificate or degree.

B1

P.A. 100-0993

Reference: 105 ILCS 5/14-8.02; effective August 20, 2018
Provides that if a child's individualized education program team determines that the child does not require assistive technology services or devices, the team shall include a statement in the child's program that informs the child's parent or guardian of the decision and the basis for the decision.

B

P.A. 100-0994

Reference: 705 ILCS 105/27.1b; effective July 1, 2019
Provides that in Cook County, school districts shall not be required to pay circuit court clerk fees until 30 days after an itemized bill is provided by the clerk.

B1

P.A. 100-0996

Reference: 105 ILCS 5/27-8.1; effective August 21, 2018
Requires the Department of Public Health (DPH) to develop rules and appropriate revisions to the Child Health Examination form to address School Code requirements regarding social and emotional screening of students.

B

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2018 Laws

Public Act/Summary

Cost

P.A. 100-1007

Reference: 110 ILCS 205/9.37 new; effective August 21, 2018

Creates a task force to find feasible methods of obtaining high school student college and career interests and academic success information to share with institutions of higher education.

B1

P.A. 100-1016

Reference: New Act; effective July 20, 2018

Requires the Department of Healthcare and Family Services to develop a Medicaid pilot program under which a qualifying adolescent or young adult may receive community-based mental health treatment. The program should allow for collaboration with schools and requires providers of the program to track rates of high school engagement and graduation for service recipients.

B1

P.A. 100-1035

Reference: 105 ILCS 5/10-22.6; effective August 22, 2018

Allows in-school suspension programs for K-12 students to focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. It allows a school district to employ a school Social Worker or Mental Health Professional to oversee such programs.

B1

P.A. 100-1040

Reference: 5 ILCS 140/2.25new; effective August 23, 2018

Requires schools to report certain information regarding employee and contractor severance agreements on the school website and to local news media no more than 72 hours from approval of an agreement when an employee or contractor has been found to have engaged in sexual harassment or sexual discrimination.

B

P.A. 100-1043

Reference: 105 ILCS 5/27-23.1; effective August 23, 2018

Requires the Illinois State Board of Education to create a three-year pilot project for school districts to include in its curriculum a unit of instruction on parenting education for grades 9 through 12.

B

P.A. 100-1049

Reference: 110 ILCS 27/15; 110 ILCS 27/16 new; 110 ILCS 27/17new; 110 ILCS 27/18 new; 110 ILCS 27/19 new; 110 ILCS 27/20; 110 ILCS 27/35 new; effective January 1, 2019

Amending the Dual Credit Quality Act to require a community college district, upon the request of a school district within the jurisdiction of the community college district, to enter into a partnership agreement with the school district to offer dual credit coursework. It also prohibits a school district from entering into a new contract with an out-of-state

B1

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2018 Laws

Public Act/Summary

Cost

institution to provide a dual credit course without first offering the community college district the opportunity to provide the course.

P.A. 100-1055

Reference: 105 ILCS 5/10-16.5; effective January 1, 2019

Adding comprehensive new provisions to the school board member oath of office. Provisions include accepting responsibility for equitable and quality education, inviting participation from the community, ensuring continuous assessment of students, serving as an advocate for the school district, and striving to work with the superintendent for fostering excellence.

B

P.A. 100-1056

Reference: 105 ILCS 5/27-23.11 new; effective August 24, 2018

Requires schools maintaining grades K-8 to adopt a policy to make available education regarding the effective methods for the prevention and avoidance of traffic injuries related to walking and bicycling.

C

P.A. 100-1063

Reference: New Act; effective August 24, 2018

Creates the Bridge Program for Underrepresented Students Act. Underrepresented students are defined as Black/African American, Hispanic/Latino, American Indian/Alaska Native, or Native Hawaiian/ Pacific Islander. For underrepresented students who are residents of Illinois, the program would provide additional counseling, tutoring, and skill development.

C

P.A. 100-1092

Reference: New Act; effective August 26, 2018

Would allow students, regardless of ability to pay, to accumulate a minimum school lunch debt of \$500 dollars. Once the \$500 dollar threshold has been passed, schools would have to go through a state reimbursement and withholding process to attempt to recoup the money owed.

C

P.A. 100-1112

Reference: 105 ILCS 5/14-6.01; effective August 28, 2018

Requires schools to notify students and families that a student may be eligible to receive mental health services from the school district under a federal Section 504 plan.

B1

P.A. 100-1121

Reference: 105 ILCS 5/10-17a; effective January 1, 2019

Requires the Illinois State Board of Education to provide information for the school report card as to whether or not a school has participated in the Illinois Youth Survey.

B

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2018 Laws

Public Act/Summary

Cost

P.A. 100-1136

Reference: 105 ILCS 5/10-22.24a; effective January 1, 2019

Provides that only individuals licensed and endorsed as a school counselor may use the title of school counselor. B1

P.A. 100-1139

Reference: 105 ILCS 5/27-23.11new; effective November 28, 2018

Create the Emotional Intelligence Education Task Force to develop curriculum guidelines and best practices on emotional intelligence and social-emotional learning. The Illinois Association of School Boards and the Illinois Principals Association have appointments on the Task Force. B1

P.A. 100-1142

Reference: 105 ILCS 5/29-3; effective November 28, 2018

Allows school boards to provide free transportation for any pupil residing within 1 ½ miles from the school attended where conditions are such that walking, either to or from the school to which pupil is assigned for attendance or to or from a pick-up point or bus stop, constitutes a serious hazard to the safety of the pupil due to a course or pattern of criminal activity. C

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