




Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001
www.isbe.net

Darren Reisberg
Chairman

Dr. Carmen I. Ayala
State Superintendent of Education

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: Dr. Carmen I. Ayala 
State Superintendent of Education

DATE: April 2, 2019

RE: Waiver request noticed for further consideration by three or more panel members

As required by Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g], any waiver request noticed for further consideration by three or more panel members must be transmitted back to the General Assembly for further consideration. The attached waiver request was noticed for further consideration by three of the panel members and therefore is being transmitted back to the General Assembly for further consideration.

The General Assembly may disapprove any waiver request submitted to the General Assembly in whole or in part within 60 calendar days after each house of the General Assembly next convenes after the waiver request is submitted by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such 60 day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

If you have any questions or comments, you may contact Amanda Elliott, Co-Director, Legislative Affairs, 217-782-6510, aelliott@isbe.net.

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



Illinois State Board of Education

100 North First Street, E-222
Springfield, Illinois 62777-0001

RECEIVED

DEC 11 2018

ILLINOIS STATE BOARD OF EDUCATION

APPLICATION FOR WAIVER OR MODIFICATION OF STATE BOARD RULES AND/OR SCHOOL CODE MANDATES

Regulatory Support and Wellness Division

Instructions: This application is to be used for seeking a waiver or modification of State Board of Education rules or of School Code mandates in accordance with Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g]. The completed application must be submitted by certified mail, return receipt requested, to the above address. Please use the instructions on the reverse side when completing this application.
Please note that action on incomplete applications will be delayed until all required documentation is received.

1. The application is for: (Check appropriate box(es) below.)

Waiver of School Code Waiver of ISBE Rule Modification of School Code Modification of ISBE Rule

2. APPLICANT NAME Dalzell Grade School District #98	CONTACT PERSON Dr. Bruce A. Bauer	
NAME OF SUPERINTENDENT/EXECUTIVE DIRECTOR Dr. Bruce a. Bauer	CONTACT TELEPHONE (Include Area Code and Extension) 815-663-8821	
APPLICANT ADDRESS (Street, City, State, Zip Code) 307 Chestnut Street, Dalzell, IL 61320	CONTACT FAX (Include Area Code) 815-664-4515	CONTACT E-MAIL bbauer@bhsroe.org
COUNTY Bureau	May we contact your e-mail address? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

3. Provide citation or language of the rule(s) or School Code mandate(s) which are the subject of this application. If you are requesting a modification, display it here, using strike through or underlining.

(105 ILCS 5/10-20.12a) Tuition for non-resident pupils. (a) "To charge non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year." The intent of this waiver is to permit Dalzell District #98 to charge a tuition fee less than 110% of the per capita tuition charge for non-resident children in the immediate family of staff members, children of Dalzell Grade School graduates, children who reside in subdivisions that are contiguous to Dalzell School district boundaries, and any child who was legally enrolled and moved outside the district.

4. Attach a narrative identifying and justifying the specific request.

- For proposed waivers and modifications of rules or of the School Code that are based upon meeting the intent of the rule or mandate in a more effective, efficient or economical manner, a narrative description must provide all of the required information (see Item 4(a) on the reverse side).
- All proposed waivers/modifications requested to stimulate innovation or improve student performance, including all proposed waivers of School Code mandates, shall provide the specific plan for improved student performance and school improvement upon which the request is being based and how the applicant will determine success (see Item 4(b) on the reverse side).
- Applications requesting waivers from Section 17-1.5 of the School Code must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted by the district to comply with the administrative expenditure limitation.

5. **Public Testimony:**

Attach a description of the testimony provided, to include the information enumerated in item 5 on the reverse side.

6. This application is for: Initial Waiver/Modification Renewal of Previously Approved Waiver/Modification
This application requests waiver/modification for 5 years (from 2020 school year through 2024 school year).
(See Item 6 on reverse side for limits on the duration of waivers/modifications.)

7. Attach a copy of each public notice required. Any request not meeting the requirements will be returned as ineligible for consideration.

8. Compliance with Notice and Hearing Requirements

I certify that a hearing concerning this application and any associated plan for improved student performance was held on December 3, 2018.
(Date)

I further certify that the applicant has met all the notification and hearing requirements enumerated in items A and B on reverse side and that the board of education/board of directors of the applicant identified above approved this application on December 3, 2018.
(Date)

December 4, 2018
Date

Signature of Applicant

(i.e. District Superintendent/Executive Director/Regional Superintendent)

ATTACHMENT

4. Narrative identifying and justifying the specific request.

4. a. i) The intent of this waiver is to permit Dalzell District #98 to charge a tuition fee less the 110% of the per capita tuition charge for non-resident children due to proximity, safety and educational reasons. It would be the sole discretion of the Board of Directors to annually set the tuition rate and approve applications of children wanting to attend Dalzell Grade School.

ii) Applications will be accepted from children in the immediate family of staff members (children and grand children, brothers and sisters, adopted and step children and grand children, brothers and sisters), children who reside in the Blakely subdivision and any future subdivisions that are contiguous to the Dalzell School District boundaries or within ½ miles of the village of Dalzell, children (adopted and step) of former graduates of Dalzell Grade school from years past who live outside the district boundaries, and any child who was at one time legally enrolled in Dalzell Grade School and moved outside the District boundaries. The Board reserves the right to admit non-resident students when it can be done without prejudice to the rights of resident students. In lieu of per capita tuition, the school district will claim each student on our enrollment count for Evidenced Based Funding. Transportation will not be provided for those residing 1½ mile from the school.

iii) The purpose of the request is to facilitate improved student performance and stimulate innovation. Granting the waiver would enhance the student performance and stimulate innovation within the school by enhancing the performance of members of the staff. Their vested interest in the instructional program becomes a personal benefit. Their own children and grand children, brothers and sisters, adopted and step children and grand children, brothers and sisters are advantaged by the merits of their individual efforts. Teachers want the best for their family members. The benefits of a conscientious staff member's contributions to an educational institution can be enhanced and highlighted when their own family members are affected. Granting this request will also assist the school district in recruiting high quality staff.

Several students who live in the Blakely subdivision, (less than ½ mile from Dalzell School District boundary) have inquired to have their children attend Dalzell District #98. The reason given by these parents is that their children play with and associate with District 98 students on a regular basis. This would also allow for safer transportation to and from school as these students would not be required to cross a busy highway. Parents have also indicated they feel their children would learn more and perform better on state achievement tests because their children would be better adjusted both socially and emotionally because they would be able to be with those students they normally associate with during non-school hours. Also smaller class sizes at Dalzell Grade School would benefit these new students without dramatically increase class size. This could be the case if any new subdivisions are developed adjacent to the town of Dalzell but not within the School District boundaries.

Many parents would like their children to have the small type of education they had as kids growing up. In our preschool we presently have children of former graduates who would like to continue their child's education at Dalzell Grade School. Our preschool has been supported without any state support, but is funded by local tax dollars and minimal tuition charges. Parents have indicated they feel their children would learn more and perform better on state achievement tests because their children would be better adjusted both socially and emotionally because they would be in the smaller classes at Dalzell Grade School. Additionally, many of these children have grandparents in Dalzell and maintain a close working relationship with Dalzell Grade School.

Often when parents move outside the Dalzell School District they inquire if the students can remain in our school. In some cases of divorce, where one parent moves outside the district and the other maintains a residence within the district, the students continue their education at Dalzell Grade School while living predominately with the parent residing outside the District boundaries. Allowing students who at one time were legally enrolled in Dalzell School to continue attending Dalzell Grade School will benefit these students and families tremendously. Many of our most vulnerable students transfer from one local school to another every year or two. This will bring educational stability for these students.

These steps will allow Dalzell Grade School to maintain an enrollment sufficient to maintain a school allowing Dalzell to continue to receive a maximum amount of state aid. The school will continue to maintain small classes and a quality educational program most effectively and efficiently.

iv) Since Dalzell Grade School is a very small school, financial concerns can have a major impact on the quality of services provided to the students and impact the quality of education and student achievement. Our enrollment has decreased substantial over the last 10 years, but stabilized the past 5 years, mostly due to this waiver. Since total enrollment is a critical factor in the evidence-base funding model used to determine how much of any year's increase in state appropriations for state aid, it is important to maintain our total enrollment. Dalzell Grade school has been a tier 1 school for the initial 2 years of evidenced-based funding. The loss of this waiver could potential lower our total enrollment from 57 students to 47 students. This waiver coupled with a recent increase in EAV makes the future of Dalzell Grade School very optimistic toward the continuance of its tradition of providing quality education for its students.

4.b. NA

4.c. NA

5. Testimony Provided

- Number of people attending the public hearing: 5.
- Number speaking in favor of and against the request: in favor 0 against 0.
- Comments made during the hearing: 0.
- Written comments provided: 0.

BUREAU COUNTY REPUBLICAN

PO BOX 498
STERLING, IL 61081

Publisher's Certificate of Publication

I, Carla Wahler, do hereby certify that I am the authorized agent of the Bureau County Republican a tri-weekly secular newspaper of general circulation published in the City of Princeton, in the county of Bureau and State of Illinois, and which has been so published for more than 12 months prior to the first publication of hereunto annexed notice or advertisement, relating to the matter of

**ZZL DALZELL GRADE SCHOOL
PUBLIC HEARING**

was published in said newspaper 1 time(s),
commencing 17th November 2018
and ending 17th November 2018

which were the dates of first and last insertions. I further certify that said newspaper is a newspaper as defined by the terms and conditions of Chapter 100, paragraph 1 et. seq. Illinois Revised Statutes 1981.

Given under my hand at Princeton, Illinois

Carla Wahler

Authorized Agent

Date 17th November, 2018.....

**NOTICE OF PROPOSED PUBLIC HEARING
FOR MODIFICATION OF SCHOOL CODE FOR TUITION WAIVER
DALZELL GRADE SCHOOL DISTRICT #98**

A public hearing to seek a modification of 105 ILCS 5/10-20.12(a), tuition fees for Dalzell Grade School #98 for 2020-2024 school years will be held on December 3, 2018 at 6:00 p.m. at Dalzell Grade School multi-purpose room.

Any person desiring to appear at the public hearing and present testimony may contact Dr. Bruce A. Bauer, Supt., 307 Chestnut Street, Dalzell, IL (815-663-8821).

November 17, 2018



Dalzell Grade School

DISTRICT NO. 98
307 Chestnut Street
P.O. Box 200

PHONE: 815-663-8821

DALZELL, ILLIOIS 61320-0220

FAX: 815-664-4515

Board Members

Tom Bender, President
Jodi Orlandi, Secretary
Luke Simpson, Vice-President

Administration

Bruce Bauer, Superintendent
Steve Parker, Principal
Donna Martin, Secretary

November 9, 2018

Representative Jerry Lee Long
240A-W Stratton Office Building
Springfield, IL 62706

Dear Representative Yednock,

Dalzell School District #98 is seeking to request a waiver from charging non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year from the State Board of Education. Applications will be accepted from children in the immediate family of staff members (children and grand children, brothers and sisters, adopted and step children and grand children, brothers and sisters), children who reside in the Blakely subdivision and any future subdivisions that are contiguous to the Dalzell School District boundaries or within ½ miles of the village of Dalzell, children (adopted and step) of former graduates of Dalzell Grade school from years past who live outside the district boundaries, and any child who was at one time legally enrolled in Dalzell Grade School and moved outside the District boundaries. These steps will allow Dalzell Grade School to maintain an enrollment sufficient to maintain a school with small classes and a quality educational program most effectively and efficiently. Granting the waiver would enhance the student performance and stimulate innovation within the school.

Any community member may speak at a public hearing regarding this request on Monday, December 3 at 6:00 p.m.

Respectfully Submitted

Bruce A. Bauer, Ed.D.
Superintendent
Dalzell School District



Dalzell Grade School

DISTRICT NO. 98
307 Chestnut Street
P.O. Box 200

PHONE: 815-663-8821

DALZELL, ILLIOIS 61320-0220

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Board Members

Tom Bender, President
Jodi Orlandi, Secretary
Luke Simpson, Vice-President

Administration

Bruce Bauer, Superintendent
Steve Parker, Principal
Donna Martin, Secretary

November 9, 2018

Senator Sue Rezin
309J Capitol Building
Springfield, IL 62706

Dear Senator Rezin,

Dalzell School District #98 is seeking to request a waiver from charging non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year from the State Board of Education. Applications will be accepted from children in the immediate family of staff members (children and grand children, brothers and sisters, adopted and step children and grand children, brothers and sisters), children who reside in the Blakely subdivision and any future subdivisions that are contiguous to the Dalzell School District boundaries or within ½ miles of the village of Dalzell, children (adopted and step) of former graduates of Dalzell Grade school from years past who live outside the district boundaries, and any child who was at one time legally enrolled in Dalzell Grade School and moved outside the District boundaries. These steps will allow Dalzell Grade School to maintain an enrollment sufficient to maintain a school with small classes and a quality educational program most effectively and efficiently. Granting the waiver would enhance the student performance and stimulate innovation within the school.

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Respectfully Submitted

Bruce A. Bauer, Ed.D.
Superintendent
Dalzell School District



Dalzell Grade School

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Steve Parker, Principal
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November 9, 2018

Dear Faculty,

Dalzell School District #98 is seeking to request a waiver from charging non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year from the State Board of Education. Applications will be accepted from children in the immediate family of staff members (children and grand children, brothers and sisters, adopted and step children and grand children, brothers and sisters), children who reside in the Blakely subdivision and any future subdivisions that are contiguous to the Dalzell School District boundaries or within ½ miles of the village of Dalzell, children (adopted and step) of former graduates of Dalzell Grade school from years past who live outside the district boundaries, and any child who was at one time legally enrolled in Dalzell Grade School and moved outside the District boundaries. These steps will allow Dalzell Grade School to maintain an enrollment sufficient to maintain a school with small classes and a quality educational program most effectively and efficiently. Granting the waiver would enhance the student performance and stimulate innovation within the school.

Any community member may speak at a public hearing regarding this request on Monday, December 3 at 6:00 p.m.

Respectfully Submitted

Bruce A. Bauer, Ed.D.
Superintendent
Dalzell School District

Dalzell Grade School District #98
307 Chestnut Street
Dalzell, Illinois 61320
Special Board of Directors' Hearing/Meeting
6:00 p.m., December 3, 2018
School Multi Purpose Room
AGENDA

- I. Call To Order/Roll Call
- II. Additions to Agenda
- III. Comments from Public Regarding Waivers
- IV. Business Requiring Board Action
 - A. Authorize Application for Waiver on Tuition Exemption
- V. Adjournment



Dalzell Grade School

DISTRICT NO. 98

307 Chestnut Street

DALZELL, ILLIOIS 61320-0220

PHONE: 815-663-8821

FAX: 815-664-4515

Board Members

Tom Bender, President

Jodi Orlandi, Secretary

Luke Simpson, Vice-President

Administration

Bruce Bauer, Superintendent

Steve Parker, Principal

Donna Martin, Secretary

December 4, 2018

To Whom It May Concern:

Dalzell Grade School District #98 does not maintain a website. This is a renewal of a waiver the District has had for the past 10 years.

Bruce A. Bauer, Ed. D.

Superintendent

Dalzell Grade School