

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

87th Legislative Day

3/3/2004

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PRESIDING OFFICER: (SENATOR DeLEO)

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Gary McCants of the St. Paul Church here in Springfield, Illinois. Pastor McCants.

PASTOR GARY McCANTS:

(Prayer by Pastor Gary McCants)

PRESIDING OFFICER: (SENATOR DeLEO)

Please remain standing for the Pledge of Allegiance. Senator Link.

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDING OFFICER: (SENATOR DeLEO)

Please be seated. Madam Secretary, may we have Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, March 2, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Haine.

SENATOR HAINE:

Mr. President, I move that the Journal just read by the Secretary be approved, unless a Member of the Senate has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Haine moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 446, offered by Senator Risinger and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 447, offered by Senator Geo-Karis. It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

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Madam Secretary, may we have House readings -- House Bills 1st Reading, please.

SECRETARY HAWKER:

House Bill 4705.

(Secretary reads title of bill)

That was offered by Senator Peterson.

And House Bill 4469, offered by Senators Walsh and Wendell Jones.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

I'd like to make an announcement. We're going to be going immediately to 3rd Readings. We'd ask all Members to come to the Floor. This is final action. All Members within the sound of my voice, please come to the Senate Floor. We're going to 3rd Readings, final action. Okay. Ladies and Gentlemen, we're going to start on page 18 of the Calendar, Senate Bills 3rd Reading. On that Order is Senate Bill 950. Senator John Cullerton. Senate Bills 3rd Reading. Senate Bill 950. Senator Cullerton. Out of the record. Senate Bills 3rd Reading. Senate Bill 2103. Senator Radogno. Senator Radogno, on 2103. Out of the record. Senate Bills 3rd Reading. Senate Bill 2106. Senator Halvorson. On that Order, Senator Halvorson, do you wish to proceed, ma'am? Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Senate Bill 2106 allows for the Director of Natural Resources -- for the Department of Natural Resources to give the Village of Aroma Park three properties that they had purchased at the order of Governor George Ryan. So, DNR purchased this property, but as they found out, it was going to take a lot of money to fix it up. And what it is, is it's three campgrounds with a combined total of 20.66 acres that lie in Kankakee County. DNR had

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already put in fifty thousand and it's proposed that they'll probably be putting in a lot more. So they are selling -- or want to sell this property to Aroma Park for a dollar. And Aroma Park, then, has promised to take on all the cost of fixing up these three properties. I know Senator Watson had an issue in committee and we were able to explain it to him further. So I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Any discussion? Senator Peterson, for what purpose you rise?

SENATOR PETERSON:

Sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates she'll yield, sir.

SENATOR PETERSON:

Senator, is Aroma Park going to lease this property back to the State for its use, or are they going to use it for municipal purposes?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Halvorson.

SENATOR HALVORSON:

Senator Peterson, they are going to keep it for recreational use and to service the area in Kankakee County.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Any further discussion? Seeing no further, Senator Halvorson, to close. She asks for an affirmative roll call. The question is, shall Senate Bill 2106 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 58 Ayes, 0 voting Nay, 1 -- 0 voting Present. Senate Bill 2106, having received the required constitutional majority, is declared passed. Continuing on page 18 of the Calendar, Senate Bills 3rd Reading. We have Senate Bill 2108. Senator Demuzio. Out of the record. 2109. Senator Demuzio. Out of the record. 2115. Senator del Valle, on 2115. Out of the record. 2135. Senator Garrett, on 2135. Senator Susan Garrett. Out of the record. 2140. Senator Garrett. Out of the record. Senator Demuzio, on Senate Bill

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2141, sir. Do you wish to proceed? 2141. Out of the record. On the top of page 19, the Calendar. Senate Bills 3rd Reading. Senate Bill 2142. Senator Garrett. Senator Susan Garrett. Out of the record. Senator Jacobs, on 2145, sir. Out of the record. Senate Bill 2158. Senate -- Senate -- Senator Susan Garrett. Senator Garrett. Out of the record. Continuing on page 19 of the Calendar. Senator Petka, on Senate Bill 2165, sir. Senator Petka. Out of the record. Senate Bill 2166. Senator Viverito, on 2166, sir. Out of the record. Senate Bill 2167. Senator Welch wishes to proceed on Senate Bill 2167. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2167.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Welch, sir.

SENATOR WELCH:

Thank you, Mr. President. This bill is one suggested by the Secretary of State, Jesse White. And what it does is emphasize the fact that bribery to obtain driving privileges is going to be a crime and -- and will continue to be one. It also covers bribery where the property or an advantage is given to an individual not authorized by law and it done with intent to influence the decisions or a driving instructor or licensed examiner. It includes direct bribes in situations involving third parties. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Welch, to close.

SENATOR WELCH:

Urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 21 {sic} pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that bill, there are 57 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2167, having received the required

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constitutional majority, is declared passed. Continuing on 3rd Readings. Final passage on page 19 of the Calendar. Senate Bill 2171. Senator Carol Ronen. She indicates she'd like to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2171.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. This bill is a Great START program which provides salary enhancements for licensed child care professionals. The Great START program was created by the General Assembly in 2000 and began in the fall -- or, the spring of 2001. This bill would seek to remove the sunset clause and establish it in law. I know of no opposition. Would ask your favorable roll call.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Is there any discussion? The lady asks for a favorable roll call. The question is, shall Senate Bill 2171 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2171, having received the constitutional majority, is declared passed. Senator Shadid, for what purpose do you rise, sir?

SENATOR SHADID:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SHADID:

Thank you. I rise on a point of personal privilege. In the gallery are constituents of Senator Risinger and myself who are members of the Peoria Chamber of Commerce Leadership Academy. They're in both sides of the gallery. Would you please join me in welcoming them to Springfield?

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PRESIDING OFFICER: (SENATOR DeLEO)

Yes, sir. Would our guests in the galleries please rise and be recognized by the Illinois Senate? And welcome to Springfield. Okay. We're going to continue on Senate Bills 3rd Reading, final passage. Page 19 on the Calendar. Senate Bill 2173. Senator Jacobs. Out of the record, sir. 2174. Senator Jacobs. Out of the record. Senator -- Senate -- Senator Debbie Halvorson, on Senate Bill 2180, ma'am. Do you wish to proceed? No. Out of the record. 2181. Senator Halvorson. Out of the record. Senate Bill 2193. Senator Meeks. Senator James Meeks. Out of the record. Senator Garrett, on Senate Bill 2196. Out of the record. Leave of the Body, on 2197, Senator DeLeo will come back to it. Top of page 20. We continue on Senate Bills 3rd Reading, final passage. Senator Jacobs. 2203. Out of the record, sir. On 2205 - with leave of the Body - to 2215 on the Calendar, we'll come back to. Going down to the middle of page 20 on Senate Bills 3rd Reading is 2233 -- 2234. Excuse me, Madam Secretary. Senator Jones. Out of the record. 2235. Senator Emil Jones. Out of the record. 2260. Senator Jones. Out of the record. 2261. Out of the record. 2264. Senator Jones. Out of the record. Senator Jacobs, on 2272, sir. Out of the record. Senator Shadid. George Shadid, on Senate Bill 2275, sir. Would you -- do you wish to proceed on that matter? Out of the record, sir. Ladies and Gentlemen, on the top of page 21. Senate Bills. Continuing on Senate Bills -- 3rd Reading. Senator Jacobs, on 2293, sir. Out of the record. Senator Jacobs, on 2296. Out of the record. Senator Jacobs. 2299. Out of the record. Ladies and Gentlemen, Senate Bill 2301. Senator Brady. Senator Brady, on 2301, sir? You wish to proceed? Out of the record. Senator Brady, on 2306. Senator Brady, on 2306. Out of the record. Senator del Valle, on 2317. Senator del Valle? Senator Sandoval, for what purpose do you rise, sir?

SENATOR SANDOVAL:

Mr. President, point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR SANDOVAL:

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Mr. President, Members of the Senate, I'd like to welcome a guest of mine who traveled from the northern part of Chicago to -- northern suburbs of Chicago to Springfield to fight for the working families of his district. He is a close friend of mine and mentor, and a man who gave this kid from the barrio an opportunity to serve in the federal government some twenty years ago, which led to my career in the federal sector and then to the Commission of the Water Rec and then on to this great Body. He was the former Inspector General of the Defense Logistics Agency in Chicago, former District Director for the Contract Management Area of the Defense Department in Chicago, currently the Commissioner of the Hanover Park District and current committeeman, Republican committeeman, of Bloomingdale Township. My good friend, Charlie Morrison.

PRESIDING OFFICER: (SENATOR DeLEO)

Would our guest please rise and be recognized by the Illinois Senate? And welcome to Springfield, sir. Thank you for visiting us. Senator Wojcik, for what purpose do you rise, ma'am?

SENATOR WOJCIK:

Thank you, Mr. President. I would be remiss if I did not also welcome Mr. Charlie Morrison. I am his Senator. He is a committeeman in my district. I welcome you to Springfield, and it's very nice to have you on our Floor with us today. Welcome.

PRESIDING OFFICER: (SENATOR DeLEO)

And in the spirit of bipartisan politics, thank you very much, Senator. All right. With leave of the Body, we will be going to page 24 of the Calendar. Page 24 of the Calendar, on House Bills 3rd Reading. We'd recognize Senator Shadid on House Bill 989, sir. Do you rise to proceed? Madam Secretary, he indicates he wish...proceed. Please read the bill.

SECRETARY HAWKER:

House Bill 989.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Shadid.

SENATOR SHADID:

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Thank you, Mr. President. This bill, as amended, clarifies that when the majority of the Heart of Illinois Regional Port District Board is appointed, they may begin to organize the Board. Currently, all nine members of the Board must be appointed before the organization of the Board can begin. I would be happy to answer any questions. If not, I would ask for your support.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much, Senator. Is there any discussion? Senator Risinger, what purpose do you rise, sir?

SENATOR RISINGER:

I just rise to support this bill. It's an important bill to our area, and it's a technical thing that needs to be done. And I encourage this side of the aisle to vote in favor of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Thank you very much. Is there any further discussion? Any further discussion? Seeing no further discussion, sponsor indicates for an affirmative roll call. The question is, shall House Bill 989 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. House Bill 989, having received the required constitutional majority, is declared passed. With leave of the Body, we're just going to stand at ease for just a couple minutes.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 448, offered by Senator Link.
It is a death resolution.

PRESIDING OFFICER: (SENATOR DeLEO)

Consent Calendar. President Jones in the Chair.

PRESIDENT JONES:

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The Senate will stand at ease for a few more moments prior to going to the Committee of the Whole. Senator Schoenberg, what purpose do you rise?

SENATOR SCHOENBERG:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR SCHOENBERG:

Ladies and Gentlemen of the Senate, I'm pleased today to be joined by two Honorary Pages, two fine students from communities on the North Shore, Matthew Marol - his parents, Maureen and Ralph, are in the gallery - and Maureen O'Conner, who's joined by her father, John. I'd like you to extend your warmest Senate greetings to them and thank them for their help. And tip generously, too.

PRESIDENT JONES:

We welcome our young Pages to the Senate Floor. And one day in the not too distant future, you can replace some of these older guys.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDENT JONES:

On page -- on page 26 of the Calendar, on the Order of Special Order of Business, is the Committee of the Whole. I ask the Members to please be at their desks. For the information of the Membership and for our guests, I will outline the procedure that we will operate under. First, if there is anyone wishing to testify who has not already filled out a witness slip, please proceed to the fourth floor outside the President's Gallery and do so now. After presentation of oral testimony from each witness, Members of the Committee of the Whole may seek further information through questions and requests within the time limits -- deemed necessary by the Chair. While it is our intention to hear from all interested witnesses today, it may be simply impossible to do so. However, all persons are encouraged to enter their appearance on witness slips or offer -- written testimony. Such submission will be distributed to all Members

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and entered into the record. The provisions of our rules governing access to the Floor will apply, except that witnesses who will be providing oral testimony will be allowed on the Floor. As in the role of the Senate, cameras and other recording/broadcasting devices will not be allowed absentee express permission from the Committee. Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, I move that the Senate resolve itself into the Committee of the Whole solely to allow all the Members to receive testimony and/or written submissions from witnesses relating to the Governor's education plan contained in Senate Bill 3000 and inquire of those witnesses under -- under the procedures already outlined by the President.

PRESIDENT JONES:

You heard the motion made by Senator Demuzio. Is there any question? If not, all in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Senate now resolved into the Committee of the Whole. I will appoint Senator Miguel del Valle Chair of the Committee of the Whole and Senator -- Senator Kimberly Lightford Vice-Chair. The Chair recognizes Senate Minority Leader Frank Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I'd like to nominate and appoint Senator Dan Cronin as the Minority Spokesman for the Committee of the Whole.

PRESIDENT JONES:

Thank you, Senator Watson. Senator del Valle, Chair of the Committee of the Whole, will you please take your position at the President's Podium?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Committee of the Whole will come to order. We need to grant approval to members of the media who have asked to record the proceedings. WICS-Channel 20, Springfield; Illinois Information Service; Squires Photography; the Associated Press; WCIA-Channel 3, Champaign; WAND-Channel 13 {sic} (17), Decatur; Univision Channel 66, Chicago; the Chicago Tribune; Comcast; the State Journal-Register; WLS-TV, Chicago; Telemundo Channel 44,

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Chicago. Is leave granted? Leave is granted. Before we begin, I wish to thank Senator -- President Emil Jones for the unique opportunity that all of us have to participate in discussions on the very important subject matter of the Governor's education proposal as contained in Senate Bill 3000. We will be focusing solely on the subject matter of governance, even though I know that, during debate, other components of -- of the Governor's proposal will come up, and we certainly will talk a little bit about that. But our focus should be on governance, and I ask all the groups that are testifying to stay within that context. In advance of this, I wish to remind you that the Education Committee will be holding regional subject matter hearings on the Governor's proposals in toto. So, we will be considering the school construction proposal, as well as other proposals that are either already in the form of legislation or will soon be in the form of legislation. Also, there will be future subject matter hearings before a number of Senate committees - possibly, for example, on the issue of insurance. The issues that we learn about today have the very real potential to affect all children, families and communities across Illinois, and I am sure I speak for all Members of this Committee in acknowledging our gratitude for the opportunity to participate today. For the information of the Membership, I would like to clarify in more detail the procedures that we will be following in acting upon our very important charge. Our first witness will be the Governor of the State of Illinois, followed by the State Superintendent. We will allocate fifteen minutes to receive testimony from each side, followed by questions from the Members. All subsequent interested parties and groups who wish to testify will be allocated five minutes each, followed by questions from the Members. And a list of the witnesses has been distributed to all the Members. There have been a couple of deletions, but we will point those out as we go along. I remind everyone that all witnesses must complete and submit witness slips, which are available on the fourth floor outside of the President's Gallery. Individuals not giving oral testimony but simply wishing to register as a proponent or an opponent or to provide written testimony will be recognized and their positions made part of the record at the conclusion of the testimony. As

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I noted, each witness providing oral testimony will be available to the Members of the Senate to respond to questions within time limits deemed reasonable by the Chair. We will try to be as fair as possible and allow as many of our Members the time necessary to ask the questions. That is why we are here. We will ask the representatives from the Governor's Office and the Superintendent to be available for additional questions throughout the day. I ask -- colleagues to be cognizant of the time constraints we face today. I also ask the witnesses to please be patient with the time limits that we have imposed. At this time, I would like to recognize Senator Demuzio.

SENATOR DEMUZIO:

...very much, Mr. Chairman. Let me, as the -- one of the hyphenated cosponsors of this bill, make some comments, if I might, very briefly. As a matter of fact, I was just handed my master's paper. I -- I hope I don't get into that, but I just want to take a couple of minutes because my master's paper was on the 1977 funding debate that we had here in the Illinois General Assembly. But today, truly, in my thirty years of being a Member of this Body, I must say that this is truly a historic day, and I thank also, Mr. President, you for affording us the opportunity to really put education at the forefront as the number-one issue in Illinois by virtue of this Committee of the Whole. We come here both as Democrats and Republicans, but more importantly, we come here as individuals wanting to come together to do what's in the best interest of elementary and secondary education for our public schoolchildren throughout Illinois. I hope that this becomes the most comprehensive debate with respect to public education, art, since the 1977 Constitution. A number of the proposals that have been proffered, including this one, and -- are those that have been around for almost forty years, back to when Ray Page was first also elected as the -- as the Superintendent of Public Instruction. So there is not a departure from any of the conversations that have ensued over the last forty years. The problem is that we must come together and see what we possibly can do for elementary and secondary education. Mr. Chairman, you mentioned the funding aspect, and it is difficult to not talk about just governance as well as funding. And a matter of

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fact, I'll share with you a -- a paragraph that I did write in my master's paper recently, and it said that the Illinois public school funding reform was supposed to take place in 1977, and almost did. But despite the Governor and legislators and the public who wanted reform, the legislation didn't pass and was killed here in the Senate. And the topic continues to be relevant because education funding remains an unsolved problem in Illinois, and the 1919 -- '97 debates marked a unique statewide discussion, an attempt to solve the fundamental problem that becomes a political football here year after year. So, during the thirty years, I and some of my former colleagues who are here today and colleagues who were here have served on every task force, study group - name it what you will - with respect to trying to do something with respect to education. And I will, in fact, applaud Jim Edgar, because I think he was the person who really put education funding in the forefront with the Ikenberry Commission and gave us an opportunity to really discuss education funding in this State. This proposal today is one that will endure change. It will endure compromise. As a matter of fact, just reading in the paper, it looks like more dollars are -- are being discussed with respect to this proposal and I think that's -- that's good and it's healthy, and I think that's one of the objectives that we have here. So, the ultimate objective, I think, is not only with respect to governance, but it's the way in which we fund schools and that is to come up with a proper and fair solution to the public education problem. So we are here today as Members of this Body, in a bipartisan fashion, to summon up every ounce of strength that we have in our body to -- hopefully to do something that is positive, that looks at the long-range solution to both governance, as well as funding in Illinois. And, Mr. Chairman, with that, thank you very much for affording me the opportunity to make some opening remarks. And I suspect we should proceed with the witnesses.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator Demuzio. At this time I want the Members of -- of the Senate to greet and recognize our first witness, the Governor of the State of Illinois, Rod Blagojevich. Governor, welcome. We have scheduled fifteen minutes for your

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testimony. And I understand you will be addressing questions, and we hope to have another fifteen minutes for addressing the questions. But again, on behalf of the Members of the Senate, we appreciate you coming here to talk about a topic that I know is very, very important to you and also very important to every single Member of this legislative Body. Thank you. Please.

GOVERNOR BLAGOJEVICH:

Let me say that again. Thank you very much, Senator del Valle, and I promise my remarks will be shorter than fifteen minutes. So I'll get right to 'em. First of all, let me just share a quick story with you. I've shared this before with some of you in this Chamber. I thought I might start out with this story again. Back in 1967, January 1st to be exact, a former movie star by the name of Ronald Reagan was sworn in as Governor of California, and after the swearing-in ceremony, a reporter asked him, "Governor Reagan, what kind of Governor do you think you'll make?" He thought a moment and he said, "Well, I don't know. I never played Governor before." I've had the chance to play Governor for the last year and a half, and I love this job because it gives you the opportunity to fundamentally make a difference in the lives of people you represent. And that's what this issue that we're going to talk about today and discuss and debate and take testimony about is really all about. I want to again thank you for having me here. First of all, I'd like to also not only thank Senator del Valle, but also thank Senate President Emil Jones for putting this hearing together, because in many ways, today's Committee on the Whole is not unlike what the delegates to the Constitutional Convention back in 1970 had a chance to participate in - a broad and comprehensive discussion on all of the topics surrounding public education here in Illinois. Second, let me also thank Senate President Jones and all of you for giving me a chance to testify. Before I begin my formal remarks, one more acknowledgement. I'd like to take a moment and thank Senator Vince Demuzio for his leadership on this issue. While Vince is way too young to have participated in the Constitutional Convention in 1970, I have yet to meet anyone who knows more about what happened at that convention and how it has impacted our State ever since than Senator Demuzio. Nearly two months ago when I gave the State of

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the State Address, I spent more than an hour standing before the General Assembly explaining in detail exactly what's wrong with the way the State currently manages our schools. I know this hearing is scheduled to go on for quite a while, but even if you have all day, I'm sure none of you want to have to go through that again. And in retrospect, maybe I could have saved all of you and me the hour and twenty-eight minutes of my speech because it's easy to sum up my position in four simple words: We can do better. So as the debate over our proposal continues, I believe this issue really boils down to one simple question: Are you satisfied with the state of education in the State of Illinois? If you are, then it stands to reason that you should just leave things as they are. But if you believe, as I do, that we can do better, that there is room for improvement, that we need to do more than just tinker at the edges, then I ask you to join with us and support this change. This is our opportunity to do more than just scratch the surface. Not since the Constitutional Convention back in 1970 has there been an opportunity like this, to make a fundamental change to the way the State manages the schools of Illinois. We are living in interesting times. We are living in a time when we have an opportunity to do something meaningful and historic to improve our schools. We are also living in a time when I believe we need to make real change. I want to make this change because I'm not satisfied that thirty-eight percent of our third graders cannot read at third-grade level. I want to make this change because I'm not satisfied that forty-one percent of eighth graders can't write at an eighth-grade level. I want to make this change because I'm not satisfied that forty-eight percent, almost half, of high school juniors who take the ACT exam are not on track for college without having first to repeat classes. And I'm not satisfied when one in seven students never graduates high school. Think about what that means. One in seven kids who go to our schools in Illinois never finish high school. When I visit schools, I'm just not willing to look at the children there, count each one of them, and then when I get to seven, tell that child that he or she isn't going to graduate. I'm not willing to do that. If those children happen to be African-American, I'm not willing to tell every fifth child that

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he or she isn't going to graduate from high school. And if those children happen to be Latino, I refuse to tell every third child that he or she will drop out of school. That's the status quo. I believe we have to change the system. Now, I know that everyone here cares about education. I know all of us want to do better for our children. And I know how frustrating it is to come here with your hearts filled with good intentions, pass bill after bill, mandate after mandate, resolution after resolution, because you sincerely want to improve things, but in the end, you know that nothing really will change. The bottom line is, there are two ways that the -- at the State level we can fundamentally change our schools. We can change the way we manage our schools and we can change the way we fund our schools. Some of you will argue, as the State Board of Education has, that the only answer is more money. Investing more money in education is something I strongly support, and I know virtually every Member here, if not every Member, strongly supports too. But money alone won't solve our problems. When it comes to education, the State's responsibility extends beyond funding. The State is supposed to lead, provide guidance, establish rules, distribute resources. And when the system is designed in a way in which no one is accountable, no one's feet are held to the fire and no one is compelled to try new things, we're not going to manage our schools as well as we could. When a system is in place that doesn't have to answer to competitive pressure and when nothing drives it to succeed, it lags behind. By definition, the current system that's in place today faces that problem. What's missing in the current system is that no one is ultimately responsible to answer to the parents, to the taxpayers, to the voters, to the people of our State. That's a structural problem that cannot be solved without changing the system itself. Now, I understand that there are many who believe that the only answer to our problems is more money. If you happen to count yourself among those who take that position, recent history in Illinois teaches us that the taxpayers are not going to be willing to have an open and honest discussion about how we fund our schools until they believe that their tax money is not being wasted. The people have been promised results before, and the people have been burned too many times. They

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still want to know - they still want to know - whatever happened to the Lottery money. So no matter what else we do when it comes to education, I believe that unless we change the system, unless we instill a culture of accountability, unless we create a culture of innovation and new ideas, the ongoing discussion on how we fund schools will continue to ring hollow to the taxpayers. Now, does this plan require sweeping changes? It does. Does sweeping change come at some risk? Change always has. Will this plan upset people, some of the people that we know, some of the people that we've worked with, some people who want to see things stay as they are? It already has. That's the price of change. President Kennedy once said, "There are risks and costs to a program of action, but they are far less than the long-range risks and costs of comfortable inaction." If you want to make our schools better, then when this bill comes before you, vote Yes. If you're satisfied with the status quo, then vote No. This is a complex issue. As this hearing unfolds, there will be hours of arguments on both sides of the debate, facts and figures, statistics and charts, phrases like "legislative intent", "governance" and "local control". But in the end, what this really is all about is building a foundation of success for our kids, a foundation so they can learn more, a foundation so they can read better, a foundation so they ultimately perform better on tests. You get none of that if the system has no real accountability in it. And that's what our plan offers. That's what a Department of Education, a department accountable to you, accountable to the Governor, accountable to the parents, the teachers, the local school districts, to the taxpayers, accountable to the schoolchildren, ultimately would accomplish. And so ask yourself this question: Do we do something to try to make our schools fundamentally better, or do we leave them the way they are? That's the choice we all have to make. With that..

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Governor. For purposes of our transcripts, we're asking the witnesses, await recognition before responding to questions. Senator Lightford, Vice-Chair of the Senate Education Committee, for questions.

SENATOR LIGHTFORD:

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Thank you, Chairman del Valle. Good afternoon, Governor and the Members of the General Assembly. I'd first like to just acknowledge that -- your question in "are you satisfied with our current education system in Illinois?" And I'm pretty sure many of us here would give a no answer. Is change good? I'm pretty sure many of us here would say yes. Can we do better? I would again agree that we can do better. But -- but in some of the areas of your education plan, there is no credible data to explain some of the concerns that Members might have. I guess I could begin with the achievement gap. I would contribute that this is totally -- unacceptable and that there has been State's failure to equitably fund schools across the board in every district. But my concern is, how do you intend to address areas where some districts are receiving over eighteen thousand dollars per student and some districts are only receiving a little over four thousand per student?

GOVERNOR BLAGOJEVICH:

Thank you, Senator Lightford. First of all, I...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor -- Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Oh. I'm sorry. Sorry. Thank you, Senator. First of all, I've been saying for the last twelve years since I've been in public life, as a candidate for State Rep. back in 1992 till the day that I -- morning I woke -- to this morning when I woke up, that we are not meeting our fundamental constitutional responsibility in adequately funding education at the State level. The State Constitution's clear. It shall be the primary responsibility of the State to fund public school education. We've regressed over the last twenty-five to thirty years in terms of our commitment. So I subscribe to the viewpoint that the State has to do more. That's why last year we invested four hundred million dollars, thanks to your help, in new money for schools. That's why this year we're proposing another four hundred million dollars in new money for schools, which will help us continue to move in the direction of dealing with these funding formulas and this current funding situation that creates the disparity that you talk about. But I believe, in the final analysis, if we're going to make the kinds of significant

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strides in -- in changing the inequitable funding formula, the discussion first has to be, how do you make that system more accountable? It was tried before in the 1990s. Governor Edgar certainly attempted to do certain things in terms of changing the funding formula. But the people of the State were not prepared to support that, and I think that is, in large part, a result of the fact that they believe that their money is not being spent adequately or wisely or efficiently. We spent, last year, twenty billion dollars in funding schools across the State. Most of it came from property taxes, a lot of it came from State money, and less of it came from the federal government. We rank sixteenth out of fifty states when it comes to how much money we spend on schools, but we rank fortieth out of fifty states in seeing that the money that's actually invested in education goes into the classroom, where it belongs, teaching kids. 10.5 billion dollars of the taxpayer money last year was spent on things other than in the classroom teaching children, and whether the taxpayers know that or not, they seem to intuitively believe that we're not spending their money wisely. And I think, as we continue to, in my judgment, make the priorities, to make the State pay more of its share in education - and we did that last year and we're doing it again this year - I still believe that to fundamentally get the public interested to believe that we're going to be careful with their money and be prepared to have a full discussion on the inequitable funding system, I think first we have to get our house in order and make sure that the taxpayer money that's being spent is spent where it belongs and that we have a system where teachers can have more freedom to be in the classroom to teach, they have less bureaucratic responsibilities, we have a system where local school districts can have more say-so, a system where local school districts can have more accountability to those who are requiring them to do certain things - those like governors and legislators as opposed to bureaucrats in another State agency, a separate board that doesn't answer to anybody. I believe this is all part and parcel of the big picture, but this must happen first. And I share your concerns and -- and sympathize with the goals. We're going to continue to keep fighting for money, and

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all I would say is, let's find some more corporate loopholes and then close those and reinvest those in education.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. Chairman. I guess then, Governor, the -- the correlation between lack of funding and the large disparity in the achievement gap amongst white students and minority students, I'm -- I'm still trying to get a sound answer for. When there is fifty-eight percent of white students across the State, twenty-one percent are black and 16.9 are Hispanic, and then you have 3.5 Asian and then American-Indian and other is .2 percent, but when I look at our failing schools across the State of Illinois, a total of five hundred and seventy-seven, and of that number, you have 55.4 percent are black students when the population of the State is only twenty-one percent of black students, but yet you have far over half the population in failing schools. So I -- I just didn't clearly see, as I read over your proposal, what are you proposing to do to close the gap of achievement for students that are minorities and nonwhite students?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you, Senator. Well, there's a few things. First of all, again, those statistics that you recite to me argue for the need to immediately make the changes that we're suggesting, dramatically change this system so that we can have someone answer to these numbers, answer to these circumstances where kids, disproportionately, from low-income communities are not getting the same opportunities as kids from other communities. I would argue that allowing the system to stay as it is won't do anything except perpetuate what's already been happening now for the last several decades, and that is a system that isn't -- been accountable and hasn't been able to get the public to support concepts and ideas that could help address some of the broader -- challenges. But we're committed to things like preschool for kids in at-risk communities. Last year we invested new money for kids from communities in at-risk

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neighborhoods so they can have access to preschools, much like my seven-year-old daughter had access to. We're going to -- we're investing more of that this year. We want to invest twenty-six million dollars in school -- books for children, from the moment they're born to the time they reach five years old. If a mom or a -- or parents decide to sign up the moment that child is born, they'll all get a book. The family will get a book. The child will get a book every single month until he or she reaches five years old and then get a library card immediately. Now, these things will, in some respects I think, provide resources to families, but also make a statement that we're committed to the importance of reading to children throughout our State. We believe also that when it comes to improving the quality of education for kids in at-risk communities, that teachers need to be freed up to be able to do their jobs, particularly in complicated environments that are different from some other parts of our State, and that the less bureaucratic red tape they have to answer to, the more freedom they have to be able to do their jobs. And they're the ones who can tell us exactly what their challenges are and what some of their needs might be, and they can go to a place, like their elected representatives, like their Governor, like a Department of Education that's accountable directly to you guys and to the Governor, and they can get answers and hopefully not get the burdens that they're getting today from a State Board of Education that, in the final analysis, is sort of an island out there that doesn't answer to anybody. By freeing up teachers, I believe that will make a big difference in terms of changing some of these achievement issues that you raise. But I still believe that, in the final analysis, if you're as concerned about what you just referred to as I am, the way to address this is to fundamentally reform the system.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, one more question, quick question.

SENATOR LIGHTFORD:

Yes. And I'll try to sum it up. I have so many, Mr. Chairman. This is a...

MR. CHAIRMAN: (SENATOR DEL VALLE)

We'll -- we'll get back to you. Sure.

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SENATOR LIGHTFORD:

...a very big issue. Thank you. Then, Governor, I guess still, what happens to the children now who are not being born and will benefit from your birth program to five with the book program, or children that are not in preschool, but the actual children that are affected by the stats that I just read that are in the fifth to eighth grade? I just haven't really heard how your plan will help their test scores and help them achieve higher standards prior to arriving to high school, because we all know the high school dropout rate is extremely high here in the State of Illinois. And so, in closing, let me just say that there was six problems with the Illinois State Board of Ed that your plan identified. And of that, I -- I saw how you would address reading in some areas and some of the burdens on schools, but I guess there were a couple areas that still were not clearly defined, in writing, in the PSAE, how you would bring up tests scores for ACT testing, and then I guess I will finally say in certifying teachers. I -- I did not recognize the difference in your plan proposed to what we currently have in the State of Illinois. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator. Governor Blagojevich, do you wish to quickly respond to that?

GOVERNOR BLAGOJEVICH:

I'll do it quick. Yeah. Thank you -- thank you. Again, let me say, what we're seeking to do, we're not saying that a new State -- a Department of Education is going to be in the classroom teaching the children. We leave that up to the teachers, to local school districts. That's their responsibility. What we want to do is create an environment that makes it easier for them and puts them in a better position to do that. We are seeking to build what we call a foundation of success for local school districts and teachers. If we're successful in some of the reforms we've suggested, if we're successful in having the ability to make some -- to help provide options to local school districts on how they procure materials for schools, health benefits and things of that sort, we believe we can save between one to 1.4 billion dollars over four years and then reinvest that money into the classroom, which means

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more teachers, smaller class sizes, reading specialists, particularly in those schools where kids are struggling, particularly in the early grades. Because if you -- if a child falls behind in reading before the third grade, it's awfully hard for them to catch up. I think we need more of that, and the way to get it is to shift some of the resources in the system today and put those where they belong. And having more control over that say-so, and therefore more accountability, will make it easier -- easier for us to be able to direct those resources where they should go, as opposed to going to that State Board of Education and having them have to do it. And I think many of you know how frustrating that has been.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor, before we go on to the -- to the next Senator, I just want to add something to what Senator Lightford said. She mentioned five hundred and seventy-seven schools that are on that dreaded list that the media has labeled as the failing school list, but it's actually a school -- a list of schools in need of improvement. Out of the five hundred and seventy-seven, three hundred and fifty-eight are in Chicago, two hundred and nineteen are in the rest of the State. Three hundred and fifty-eight in Chicago, two hundred and nineteen in the rest of the entire State. And yet we have a school system in the City of Chicago that was put under the Mayor, for the same reasons that you just stated, in order to have more accountability. He has been accountable. He's tried very hard, but obviously, trying hard is not enough. Over a nine-year period, there's also a matter of a lack of resources, and I think the Mayor would be the first person to admit that. Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. Chairman. Governor, in your State of the State attack on the State Board of Education, you said that your proposed Department of Education will sit down with local school districts, listen to them about mandates that they find most burdensome and they will -- or, your Department will, quote, "wipe them out", unquote. What specifically did you have in mind the day that you made those remarks, or what do you have in mind today about mandates, and what specifically would you wipe out?

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MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Yes. Thank you, Senator. Thank you, Senator. First of all, I know that the previous administration under Governor Ryan conducted a commission to implement the School Code and streamline that School Code and make it more efficient. So we're very much in support of the recommendations of the commission to better streamline the School Code. With regard to the mandates that we would be interested in removing, this, again, points to the fundamental difference between the current system and what we're proposing. We think -- in fact, we hear the voices of those at the local level who teach our kids - school superintendents, local -- principals at the local schools, certainly teachers and others - how frustrating it is to get mandates from the State Board of Education and not get -- have any say-so in how those impact their local schools. We want to convene discussions with all the different local school district leaders from around the State, because there is no one-size-fits-all approach to this, and have them be able to give us some sense of the burdens that have been placed on them and the mandates that exist that make their jobs difficult or, in some cases, impossible to do.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

With all due respect, Governor, in the interest of time here. So you don't know which mandates -- I mean, it would be fair to say you don't know which mandates at this point in time you'd like to abolish. Is that a fair statement?

GOVERNOR BLAGOJEVICH:

Can I answer?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Oh. Thank you. Yeah. No, I wouldn't -- I wouldn't categorize it that way. Yeah.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

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SENATOR CRONIN:

Governor, in your State of the State show for the cameras, you railed against the twenty-eight hundred pages of rules and regulations. You remember that prop that you put up there and it was on the front page of every newspaper across the State. Which of the twenty-eight hundred pages would you eliminate? Page a hundred and eighteen? Page twenty-seven ninety-nine?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you, Senator. First of all, my muscles are bigger today than they were before I did that. As I said, we're different from the State Board of Education, what we're proposing. We're not dictating to the experts in the field who teach kids, who are responsible to the parents and the taxpayers at the local level, on what they have to do without first consulting them, talking to them, hearing about their challenges. A mandate that impacts a school in Jackson County, for example, may be one that doesn't work there, but it could very well be one that local school district leaders in DuPage County say are actually helpful. We think it's important to -- to talk to them and get a sense of what their concerns are before we pass judgment and dictate to them what they know better than we do, which is what they need to be able to teach kids.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Senator del Valle. Or, thank you. In this speech, Governor, ironically enough, after condemning the State Board for their inefficiencies and their blow to bureaucracy and its overregulation of our schools, you went on to propose a number of new regulations and new mandates. Specifically, you said that physical education will not be subject to the waiver law. Correct? The -- you were mandating food content. You were going to define junk food and -- and banish it from the schools. You were mandating community service in the schools. You were mandating a social service model called Project Success. Now, these new mandates in your speech that you were railing against

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mandates, how many new pages do you think will be added to the twenty-eight hundred with what you proposed? Would it be fair to say maybe another one hundred pages?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Senator, the first one was what that you referred to?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Just explain to me the irony of making in one speech, on the one hand, talking about how much you're opposed to mandates - a very popular statement to make, and a statement that gets printed in all the papers across the State - and then in that very same speech, proposing maybe half a dozen new mandates that will be more burdensome, create more rules and regulations. I mean, the FDA - you were in Congress when you passed No Child Left Behind, one of the biggest mandates in the history of education on our local schools - you know the FDA defines junk food. I think there's about a hundred and seventy-five pages to -- to talk about what junk food actually is. Fat content. Sugar content. So, I guess I'm just a little confused. We want to abolish mandates, and yet, you want to implement new mandates. What is it?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor -- Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

The first mandate that you refer to is not a mandate. The request to have local school districts perform physical education is one that I said is a goal, something we want to work closely with the local school districts to implement, because I happen to think that, particularly today with children and child obesity, the onset of diabetes in kids, the fact that some experts, and one in particular from an Ivy League school - in fact, at Yale - suggests that this generation of children runs the risk of being the first generation in recent memory that would actually have a shorter life expectancy than its parents, I think it's critical for us, when you're dealing with an issue of public health, when it comes to kids, to put aside,

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you know, whether or not there should be a mandate or not and do what you -- what you think is right for the health of children. Regarding nutrition, it's the same principle. I happen to think that for whatever a local school district might be able to pick up in some extra money - and I know the Mundelein School District, for example, complained because they -- they're out two thousand dollars in their local school district because of a decision that they would have to have healthy alternatives in vending machines for kids - it seems to me when you're thinking about healthy children, nutrition for kids, that -- that the old way is to think like a bureaucrat and say, "But this is costing us two thousand dollars," at the expense of the health and wellbeing of children. I think we lose sometimes what our priorities are. So, I think there are some dictates, there are some requirements that we must implement because they're important to the health of children. Regarding -- community service, I think that's important so that kids learn that they have a responsibility in our free society, in our free country, in our great democracy to give something back, to understand that they have a responsibility to the community at large in our democracy, and that should be instilled early on in our school system. But as I said in my remarks that day, that is something we want to work with the local school districts in terms of how you implement them. We are not, like the State Board of Education, telling them this is how you have to do it, chapter and verse. Instead we're saying, "We'll work with you and deal with your unique challenges to help you implement the program." And then Project Success, it's a good project. It's a good program started by Governor Edgar, and for a small investment, it nets a lot of good things for families and kids. And it goes towards the other, broader societal question, and that is, how do you get parents more active and more involved in the education of children? We can't do everything for families from the vantage point of government, but we can motivate, inspire, help parents play a more active role. Project Success, which Governor Edgar started, helps us do that.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin, last question for now.

SENATOR CRONIN:

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Okay. Well, let me just point out this. It -- it's -- it's wonderful to sit down with the local schools and talk to them, as you say, and -- and that sounds great. But we in the Legislature, we have to roll up our sleeves, we have to get our fingernails dirty. We have to actually deal with the details. We have to draft bills that actually have an impact on schools. You know, you talk about your commitment to local control and mandate waivers. You talk about your -- the Chicago School Reform as a model. You talk about funding. I mean -- and you've come to us today and asked us for our support, yet we don't have substance. We don't know how to put pen to paper to draft the bill on local control, because all you've offered us are popular platitudes. You know, what we need to do is look at the record. And with all due respect, Governor, when we look at your record on mandates, that's all we really have to go on substantively. And if you look back, you know, the only mechanism we have right now to address the issue of burdensome mandates is the mandate waiver law, which, I might add, has been quite effective. It's waived over thirty-six hundred requests of burdensome laws, rules and regulations over the six- or seven-year period it's been under way. Ironically enough, you voted No on that bill. When you talk about the Department of Education and -- and the virtue of it, you have repeatedly talked about it and used the Chicago School Reform Act as a model. You know, if you pull out that old Chicago School Reform Act, Governor, it places an eighteen-month moratorium on school strikes. I seriously doubt that you will want to put that in your Department of Education if you really and truly hold the model of Chicago school, but that was in the Chicago School Reform Bill. The Chicago School Reform Bill also prohibited subjects from collective bargaining when it came to decisions involving charter schools, contracting with third parties to perform services done by Board employees, decisions to lay off, or RIF, employees, class size, staffing, assignments, calendars, hours, places. It allows the Board to lay off employees replaced because of privatization contracts. I mean, there is substance in that bill that we talked about and we worked together with Governor Edgar and we implemented and we all came together. And you know what? It did have an effect. We don't have substance. We don't have details. All we can go

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on is your track record. And again, Governor, with all due respect, my friend, you voted No on Chicago School Reform - this model, and you voted No. Mandate waivers, the only ability that local schools have to relieve themselves of burdensome mandates - you voted No. And yet, when you were in Congress, you -- you had an opportunity to work on No Child Left Behind, the bill that is the most regulatory, punitive bill, which it has many wonderful parts, but I read the congressional debate. There's nothing in there from Representative Blagojevich about these prohibitive regulatory schemes. So all we can go on is your record. You're asking us to trust you. I want to trust you. I want to be part of something. We all want to be part of something. But we don't want to play a game. We're not here playing legislator. We really are legislators. We really do want to solve problems. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich, would you like to respond? And then we're moving on to the next Senator.

GOVERNOR BLAGOJEVICH:

Thanks, Senator. Senator Cronin, your question's almost as long as my speech is. Let me -- let me address part of that. First of all, I'm inviting you and every Member here, men and women of both parties, to join us as we shape this new Department of Education. I invite you to bring your considerable ideas to this discussion. That's why this Committee on the Whole is so exciting. Everybody gets up and can talk about a lot of different ideas. This ongoing discussion is part and parcel of what we want to build. We don't have all the answers in terms of how that Department of Education ought to look. We want you guys to help us put that together. We do know that we want to change the system and build more accountability. We have a lot of ideas on how to do it, but we want you to help us shape that so we're inviting you to do it. We also, however, recognize that as much as you all know and as much as -- as much as we believe we want to change, we want to make schools better, in the final analysis the principals and the school administrators and the teachers know a heck of a lot more about what it takes to educate kids than we do here in Springfield, than we do here in government. And we

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want to build a structure that looks to them for a lot of these answers, that looks to them for their real-life experience, that looks to them in terms of their real challenges. Give them a voice in how we develop this new program, this new Department, so that their practical challenges are addressed instead of keeping a system that essentially dismisses them, dictates to 'em, and doesn't hear what they have to say and doesn't implement their real-life practical challenges. And so all I can say to you is come and join us and help us put this together. You've been a leader on education reform in the past. You would play a vital role, I think, at some of your ideas. And come along, 'cause we'd love to have some of your thoughts.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Governor. At this time, I want to recognize our President, Senator Jones.

SENATOR E. JONES:

Yeah. Thank you very much, Mr. Chairman. First, Governor, let me commend and congratulate you for having the will to come to the Committee on the Whole. It is historic. The first time in twelve years that we have come together as a Committee of the Whole. I want to commend you for having the courage, really, to put forth this legislation and -- whereby all Members will have a opportunity to have input in a issue that has been discussed and debated ever since I came into the General Assembly. You've been standing there quite some time now. I've -- I know the Chair limited you to fifteen minutes in your presentation 'cause you're known for giving long speeches. So -- so, I know you're -- you're getting tired, but I did have a few questions I wanted to ask. But I know sometimes some of your staff can answer some of those questions, because -- as relate to the governance, the independence. Illinois is a very competitive state politically, and you heard my remarks about independence. And so how do you feel that -- or, do it concern you that the politicizing of educational funding and policy may -- perhaps not in your administration, but perhaps in some administrations that may follow you, will sometime put political gain over the education of children. And that's why I always spoke about independence. And that -- that had concerned me quite a bit that you, perhaps, may do the right thing as relate to funding and so forth, but

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someone come behind you and -- and again, this is a very -- very fiercely competitive state politically; it's always divided. So the next administration may not be as willing to non-politicize the funding and policy. How do you respond to that?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you. Thank you, Senator Jones. Thank you. That's a -- that's a very important question. I believe what we're proposing will provide more independence, not less, because it provides more accountability. Because all of us ultimately have to answer not only to our God, but we have to answer to the people who hire us. And I believe the fact that we have a system of checks and balances and separation of powers, that if my administration were to abuse its prerogative by putting patronage and waste and inefficiency in the Department of Education, I'm very confident Senator Cronin and many of his colleagues would be all over me for doing that, and rightfully so. To me, that's a healthy check. And of course, we all know that we have the men and women from the fourth estate who keep tabs on the things that we do. This, too, in my judgment, is a very healthy dynamic. What we don't have today in the current system is that sense of accountability. The State Board of Education has, you know, a variety of different people on there. They have superintendents. They come from different places. They move from one state to the next. They get their big contracts, and if it doesn't work out in Michigan, they come to Illinois. If it doesn't work out in Illinois, they go on to Iowa, wherever they may end up. And so, therefore, they don't have that real vested interest in making sure they answer to the people who want to hold us accountable. And we have a system that, in my judgment, is without accountability. So if you have a new approach that provides more accountability, necessarily, in my view, creates more independence. And if any Governor or men and women of the Legislature were to politicize something like that, I believe that would be, rightfully so, not only a -- a kiss of political death, but it would be something that would leave a legacy that would tarnish the reputation of people, and

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I think all of us really want to do something good and leave something behind that we can be proud of.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Jones.

SENATOR E. JONES:

Yeah. Yeah. Thank you, Governor. Just as a follow-up on the -- the -- in the School Code, currently prohibits the State Board of Education from giving the State Superintendent the authority to withhold payments or -- or not recognize a school district unless otherwise specified by law. In the proposal that is -- my colleague have here, that language is not in there, as relate to the Governor's Department of Education. And the whole thrust of that is to keep it as nonpolitical as possible. Sometimes -- but those are things, I'm quite certain, that we can work on and we can resolve those type issues, because that -- that is there for a reason - to keep education truly independent, but not put the persons in authority in position to penalize a particular school district just because they may not like the way they're doing business. And that's absent in the -- in the -- in the Senate Bill 3000, which we extended the deadline on, and so these are some things that I'm quite -- quite certain that Members would like to discuss. So I will -- I have many other questions, but I believe the others can answer. I really appreciate your opening up the debate. We would not have had a Committee of the Whole had not you given that statement in your State of the State Address and -- and Senator Demuzio hadn't put that bill in. Someone called it a pig in a blanket. I don't know who the heck did that, but -- but had not you done that, we would not be in a position today to deal with the critical issue of education. So, I thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, President Jones. I also want to add, Governor, that there are two areas that I think should be totally free of -- of politics and cannot be tainted in any way, and that is the collecting of data on finances of school districts and the reporting of that data in order for us to really be able to trust the information that's coming forth to the general public, and the other area is the area of assessment. Test data has to be free, objective and free of any political manipulation. And

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one of my concerns is that within a Department of Education that is under you that is going to want to put the best possible face on the status of education in the State of Illinois, that -- that there will be pressures, political pressures, to project the best light, and I don't think that's in the best interest of the children of the State of Illinois. The Governor has been with us much more time than what we allocated. I am going to take one more question. Senator Luechtefeld was the first one after -- Senator Cronin. We're going to then finish up with Senator Luechtefeld's question and move on to the State Board of Education. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. Chairman. First of all, Governor, I -- I think it took some courage to come here. I'm not real sure I would have come if I'd have been you, but... First of all, I -- you were really very hard on Superintendent of Schools -- Public Instruction here the other day, and so much so that I felt very uncomfortable, and I've talked to people on both sides of the aisle who were very uncomfortable with that. If you could do it over, would you get after him like that and -- and that Board like that? You know, we make the laws that they follow. Would you do that again?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you. First of all, I never said anything about him personally. I talked about the system. Was I hard on the system? Absolutely. Was this system in place long before Mr. Schiller came here? Absolutely. Did I feel bad for him sitting right there listening to all of that? Of course. But it wasn't personal. This -- the attack is always focused on changing the system. And I have no doubt that he's trying to do the best job he can within the confines of a system that I've already dubbed in a light that I don't think is very favorable, because I believe that system is everything I've said it is. And one thing it's -- it is, it is not accountable.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

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Well, I'm not real sure that the people who listened felt that way about a personal attack. But a couple things. First of all, you know, you talk about the -- the percent that the State pays has -- you know, we've done some things last year and you intend to do something this year. I really believe that if you'd re-look at the numbers, the percent that the State pays is going to get worse and has got worse last year compared to what the locals pay, and will get worse probably again this year because of our budget. Couple things. You have proposed some things such as a book for a child under five, and you even mentioned that again today. I -- I think it's very hard for some of us to understand how you can start new programs, and we can't pay for the ones we have. You know, we're -- we're struggling the way -- way it is right now, and unless you're willing to endorse some other form of -- of maybe an income tax or whatever it might be to fund a lot of this stuff, things are not going to change much in the funding area unless -- unless we can come up with huge amounts of money. And -- and are you endorsing an income tax, and are you going to really push the -- the book-a-month club to -- to those people under five?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you. Thank you, Senator. First of all, let me address the broader question on funding and -- and then talk about the book club idea. First of all, I think we're doing a real good job during very difficult times in finding new money for schools. Last year, after I inherited a five-billion-dollar budget deficit, with the help of many here in the Senate, we were able to balance that budget without raising the income tax or sales tax and invest four hundred million dollars in new spending for schools. This year I'm proposing another four hundred million dollars in new spending for schools, while balancing a 1.7-billion-dollar budget deficit, without raising the income tax or sales tax. That's eight hundred million dollars in two years of our administration. Compared to Governor Edgar's entire first term, it's twice the amount of new money invested in education than what Governor Edgar did in his entire first term. To give you even more perspective, it's more money

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in the first two years of my administration than what Governor Ryan did during four years of his administration, the first two years during times of economic growth. One more point to give context: When Governor Edgar inherited a 1.3-billion-dollar budget deficit in 1991 - his first year in office - what he did on education spending was actually cut it by six million dollars. We had a five-billion-dollar budget deficit and we found four hundred million dollars in new spending for schools. So to answer the question about looking forward, we can find new money for schools, but we have to make hard decisions. So what I would suggest we all do is keep closing these unfair corporate loopholes and take that money and invest it in the schools where we can make a real difference. About the kids and this reading program, I think you got to be able to know how to read to have a chance to do well in school and get ahead. I look to my own life experience. Senator del Valle rightfully points out the importance of testing, making sure that the testing system is accurate, that it's not politicized. All of that's legitimate. But if I believed in standardized tests, I wouldn't be Governor today, 'cause my standardized test scores were mediocre at best. But 'cause I always knew how to read, because my mother instilled in me a love of reading, you can have a bad year or two in school, but you can always make a comeback when it's time to buckle down. I want to do everything we possibly can here to make sure kids understand from early on in life, when their habits are formed, the importance of reading. And we know from child psychologists that kids learn more between the ages of three and five than they do during any other time in the development of their minds. So why not put books in their hands? Why not give their parents books so they can have those books for their kids? Why not, in a subtle way, on the one hand, and then with public pronouncements and all kinds of other things we can do, encourage parents to be more active in reading to their children and helping them learn?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Okay. Senator Luechtefeld, last question. And here's what we're going to do. There are a lot of Members who wanted to be recognized. We're going to try to squeeze in a few more Members, but we're asking you to limit it to one question or, if

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you don't have a question, a comment so that we can get as many Members in as possible. I think the Governor has graciously agreed to answer a few more questions. And so, Senator Luechtefeld, could you close with your last question? And then we're going to move on to Senator Hendon.

SENATOR LUECHTEFELD:

You know, first of all, Governor, I really believe that there's an awful lot of -- you know, we're beating up education. There's a lot of good education going on in this State right now. There's no question about that. All you have to do is look a lot of places, you know. And many of the problems we -- we face in education have absolutely nothing to do with the State Board. I mean, there are social problems that have -- are created that we really can't do a whole lot about. If you have some answers for those, then -- then I think we need to do it. My -- my concern with -- everything you've talked about, everything you've said is -- can be done. If we want to bad enough, we can do that with the present State Board that we have. And -- and -- and you know, I -- I am concerned about you say we need to build trust in people. You know, if -- if the Governor's Office is going to be in charge with that -- of all that's happening, even construction money and whatever it might be, I can't help believing that that trust in southern Illinois is not going to change. In fact, it may get worse. We could do everything you want to do if we want to bad enough. The State Board will be accountable to us if we want to bad enough. And we can do it with the State Board. And -- and I just don't see the necessity for putting this under -- under the Governor. If we want to do it, we can do it.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. Governor Blagojevich, thank you for coming. Let me say from the beginning that I am supportive of what you are attempting to do. I do have question, however, and a matter of concern. You stated that the taxpayers have the right to get credibility -- regain credibility in the system before we deal with the funding issue and the disparity. And being a taxpayer in Illinois and a citizen, I would hope that

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you would extend that same to Senators. In addition, you stated that the citizens have been burned by elected officials in the past over and over again. You said that. And I agree with you. And I want to point out to you that in my elected capacity, I've served under three mayors, two Presidents of the Cook County Board and three Governors. And I must let you know that Governors -- I have been lied to by Governors, by Presidents of Cook County Boards and by mayors, at every level of government. So I'm asking you to not say to me, "Trust me later", because I've trusted people in executive position a number of times. We have a problem that you have acknowledged. Why can't we deal with the achievement gap problem and the funding problem? Because it's very clear even in the City of Chicago - Mayor Daley's done all that he can - that my schools are on the Watch List, Warning List, spelling list, in dire need. So, how can we trust you when we've been -- also have been burned in the past. Lastly, do you agree -- will you agree - because in your original proposal, the new Board would not have had to come before this Senate for advice and consent - do you agree that the new Board would have to come before the Senate for advice and consent and that the terms will be staggered to avoid politicizing the Department of Education? Could you deal with those two -- that two-part question on the funding and on how you see the Board and its relationship with the Senate?

MR. CHAIRMAN: (SENATOR DEL VALLE)

I will remind Members that we have several lights on and we're trying to accommodate as many Members as possible. So please keep your question brief. And I said question, not questions. Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you, Senator. I'll try to make -- answer this as quickly as I can. Senator del Valle is right. There are a lot of lights flashing. A lot of people want to get a piece of the Governor. Let me say this, I hope we're not in a position where we have to discuss a board. I hope there is no State Board of Education the way it is today. I hope it's what we would like to see it, and that is as an advisory board thinking about ideas on how to creatively innovate new ways to teach kids. That's what we envision for a State Board. In terms of the

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appointments, you guys can have as much of a say in it as you feel is necessary. We invite you to, you know, develop a program on how the members of that Board should be confirmed or not confirmed. I -- I certainly would be very happy with the Senate confirming that version of a Board. But we want to fundamentally change the role of the Board as it is today and have a Department of Education that would manage schools.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Burzynski.

GOVERNOR BLAGOJEVICH:

...and the funding. I'll try to weave it in, Rickey.

SENATOR BURZYNSKI:

Thank you. Since the Governor's going to try and weave it in, I'll try and weave in a couple into one question myself. Governor, thank you for being here today. We've had a lot of discussion already on mandates. We've had a lot of discussion on local control. We've had discussions relative to the process, an open process of trying to put people together in the same room to do some things. My question really deals with a couple of issues. But first of all, there's the question of, how does your initiative ensure more local control, more decisions made at the local process, when so far all we've heard from it are more things being centralized in the Governor's Office or CDB relative to school construction grants or anything else? And the other thing is, relative to the process then, over three weeks ago we were in your Office. We talked about having a point person to work as a Senate Republican point person. Has there been a meeting - because I don't believe if there has, that our individual has been a -- a party to that - relative to trying to talk through some of these issues, where we're going, what this whole plan will look like? And if there hasn't been a meeting, are there any scheduled? We've got eleven weeks left in this General Assembly, in this Session. This is an issue that's important to every person in the State of Illinois, and in eleven weeks, we're going to have a plan developed that changes the face of education for years to come. Seems a little difficult to me, Governor.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

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GOVERNOR BLAGOJEVICH:

Thank you, Senator. Brenda Holmes, our point person on our education plan, has been meeting individually with legislators. We certainly would invite the Republican Caucus in the Senate or House to -- to recommend point people to be part of a discussion on how we develop a Department of Education. We're interested in that. Regarding the first part of your question, Representative {sic} Burzynski, on local control, let me just give you an illustration. The idea, for example, to save money by having a more centralized procurement process doesn't dictate to local school districts the decisions on what the school district buys. Instead, we would provide a menu of options. You can buy Elmer's Glue at this price, which we believe we can help them get a wholesale price. The local school districts will be free to make their own decisions. But because there's more accountability in the system, they'll have to make decisions where they're answerable to the people back home, and if they're wasting money on Elmer's Glue when they could have bought it more inexpensively through the menu that we're going to provide, they'll have to answer accordingly. They'll be the ones who don't have as much money that they ought to have to put into the classroom. I believe that kind of pressure will create an environment where local businesses, who we encourage local school districts to do business with, will try to keep up with the marketplace and have competitive prices, and the school districts will have more choices, not less, bring down costs and hopefully have more money into the classroom.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Burzynski, thank you for that question. I just want you not to feel bad because there hasn't been any communication with the Chairman of the Senate Education Committee either. Senator Meeks.

SENATOR MEEKS:

Thanks, Governor. Good afternoon. Governor, I have the five poorest districts -- or, the five poorest cities in the Chicagoland area. And so when we go back home and say to our superintendents - and many of them are here today - that the plan in the State of Illinois is to first clean up our own house, put ourselves in a position of trust, and then after

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we've cleaned up our -- our own houses, then we'll look at the funding issue. And then they ask me the question, what is the timetable? Is there an answer for the timetable?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you, Senator. First of all, I -- I don't believe one comes before the other. I believe one is necessary before the taxpayers are prepared to take a serious look at some of the options that may be available in terms of the inequities of the funding formula. This discussion on funding ought to be happening now, as -- as it is, thanks to you, thanks to Senator Hendon, thanks to Senator Lightford and -- and so many others here. This conversation on reforming the way we manage our schools and how we fund them, I think they go hand in hand. So this is -- ought to be part of the discussion. But we're not suggesting that we tell your school districts - and I -- certainly know the nature of the challenges that you confront in your neighborhoods, particularly in the south suburban areas on a low property tax base - that they should wait and unless and until we pass this, we're not going to make a commitment to education funding. I would only remind you and everyone else here that in spite of difficult budget times over the last two years of 6.7 billion dollar -- dollars worth of deficits, we have proposed investing or invested eight hundred million dollars in new spending for schools, and the way it was done last year, a large proportion of that went through the school funding formula, which helped districts like yours. So, in the -- as we try to make these changes, we still want to keep investing more money in education. That's why we have to make a lot of hard choices and tell some of these others who've been benefiting from the system, that they can't get the money now 'cause we want to put it into schools.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Governor. We're trying to move quickly here. Senator Winkel. And then Senator Martinez.

SENATOR WINKEL:

Thank you, Mr. Chairman.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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One question. Quick question, please.

SENATOR WINKEL:

Yes. I will. Governor, I, too, agree that we can do better. I've tried to keep an open mind on Senate Bill 3000. I've got some concerns. As I've told you, I'm very concerned about its impact on local control. This is a very sweeping and fundamental change in governance. I'm very concerned about the future role of regional superintendents. And I'm most concerned about how we change education for the future. We've got school districts downstate that are on the -- on the edge financially too. But a nagging question that keeps coming back, a recurring question and a real concern I've got is the constitutionality of what's being proposed. I mean, you likened this Body -- this meeting of the Committee on the Whole to the 1970 Constitutional Convention, but of course, although this is an august Body, we are not the Constitutional Convention. And I'm concerned that we're not going through the process of changing our Constitution, because this is a sweeping -- it's not just changing the face. This is a sweeping fundamental change to the governance of education K through 12. I mean, the State Board of Education is appointed by the -- the Office of Governor. That body is supposed to be a strong and independent body to help implement policy for education K through 12. And also, they're the ones that then appoint and hire a State Superintendent, who is then supposed to independently implement school policy, working with our local school districts.

MR. CHAIRMAN: (SENATOR DEL VALLE)

The question, Senator.

SENATOR WINKEL:

The question is, Senate Bill 3000 changes in a sweeping and very fundamental way and renders absolutely meaningless the State Board of Education and the State -- the Office of State Superintendent for the future. What role would the State Board of Education have in the future and the State Superintendent? And because it would be rendered meaningless, does that not contravene the State Constitution?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

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Thank you, Senator Winkel. I'll briefly answer that and I'll ask Susan Lichtenstein, our legal counsel, to give you more details on the constitutionality, because I got a C in constitutional law when I went to law school. About the big picture, the current structure, as you defined it, has left us in a situation where one in seven kids drop out of school, thirty-eight percent of third-graders can't read. For every dollar spent on education by taxpayers, fifty-four cents of it goes to something other than the classroom teaching kids, a system that I would argue isn't working and needs to be changed. We can keep coming up with a million excuses on why we should leave the status quo. And my feeling is, if you feel the system is working as it ought to, then it ought to be left as it is. But I don't believe, when you look at the realities of it, that we can sit back and continue to allow these kinds of results to occur. Therefore, what we're proposing is real meaningful and it is constitutional, because the State Constitution says two things about the State Board of Education. Number one, there ought to be a State Board of Education. We propose that. We believe it ought to be more like a think tank, developing ideas that can be implemented and suggested to local school districts. And number two, there ought to be a Superintendent of Schools. Under our proposal there would be one, as well. In the -- with regard to more detail on constitutions -- constitutional questions, let me ask Susan...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor, we are going to hear from your Chief Legal Counsel after the Governor is done. So that issue will come up again and we'll have another opportunity to address that question. Senator Martinez.

SENATOR MARTINEZ:

Thank you. Thank you, Mr. Chairman, and good afternoon, Governor. My -- my question -- you know, I agree that we need to reform the ISBE. I really believe that we need to make some serious changes. Does it need to be dismantled? I don't think that that is the answer right now in the short period of time that we have. The plan that you have -- my -- my question I'm going to direct it to just one 'cause I have questions -- I have millions of questions, but it's on the construction program.

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When you talk about -- we have a serious problem of overcrowding, especially in the minority communities. I mean, our schools are overcrowded. When I have schools in my district where children are actually being taught in the basement of the schools or being taught in the auditorium, and then we talk about the construction money. I don't see anything here, as far as overall, how we are going to look at the -- the overcrowding issue and what schools in the -- in the Chicago area are going to be given priorities, because, you know, my school's been waiting for almost twenty years for some money to come in for -- for expanding. When you talk about the children and the children learning, creating a pre-K and kindergarten, right now we have a lot of schools -- a lot of schools that right now have children only going at half -- half day because there is no space for them. So I -- I -- I just need to know, what is the formula or what are you going to do as far as this construction aspect, and how are you going to break this down and start really seeing the money go to where it's really needed? And that's in the overcrowding, especially when you're asking our kids that in the third grade need to start reading at a third-grade level and that should happen at the kindergarten level.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor Blagojevich.

GOVERNOR BLAGOJEVICH:

Thank you, Senator. Number one, we are investing another five hundred million dollars. We're suggesting that in the capital improvement for -- for new schools. The money goes to the local school district. I know you're in a neighborhood not far from me, so that decision would be made by the Chicago Public School System. And so you need to lobby them to get them to get your fair share of money in your district. Secondly, we can save a lot of money if we have access to some of the decisions that are being made now with regard to construction projects. Currently, a seven-percent project fee, management fee, is being charged by these contractors who do business with the State Board of Education. Our experts tell us that we can do that for -- for a one-percent management fee, which will save taxpayers literally hundreds of millions of dollars, something like two hundred fifty, three hundred million dollars, money

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that can be then reinvested in schools, building new schools, more money to the local school districts. So we're very determined to try to find those efficiencies so there's more resources to address the concerns that you just raised. We'll do our part and then, of course, you've got to ask the Chicago Public School System to make sure it gets to your schools.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Last question. Senator Geo-Karis. Last question. One question, please.

SENATOR GEO-KARIS:

Mr. Chairman and President of the Senate, Emil Jones, Governor Blagojevich, I'd like to congratulate Senator Jones, our President, for arranging this Committee of the Whole. I think it's a healthy situation. And we talk about improvement. We all need improvement. I need improvement. You need improvement. The Governor, everyone needs improvement. The only thing is, we don't want to disregard the fact that you have good people on the State Board of Education. And I cannot see why we cannot have you work with them. If you wish to establish another board, as you say, why not have them work together? But get their output as meaningful, because they're there because they are interested in education. The people in my district are overloaded, let me tell you. I have more calls, "Please protect education." So, Governor, I'm leaving it up to your good judgment, because I do feel you have good judgment. I don't always agree with you, but this is one time I want to tell you that I know you're interested in children. I'm interested in children. The point is that whatever you do, I think you should fuse your request of your Bill 3000 here with the State -- present State Board of Education and let these people work meaningful with you, rather than ignore them and cut out their funding.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator Geo-Karis. Governor, we want to -- if -- would you like to respond to that and then we'll close?

GOVERNOR BLAGOJEVICH:

Thank you, Senator. I'll be very brief. Our plan for the new Department of Education, if given the authority and the ability to do it, is not to get rid of all the people at State

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Board of Education. Instead, it's to ask all those committed educators, people who are committed to do good work, to move into this new Department of Education with new rules, new accountability. There will be some management positions that will be reduced, 'cause that will save money. But the lion's share of the men and women who will work at Department of Education will be the ones who are at the State Board of Education now, 'cause they're the experts. They're the educators.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Governor, I want to thank you. I apologize to the Members who had lights on. We have gone much, much longer than what was scheduled here. We will next hear from -- from the Superintendent. For those of you who had questions, please hold them, because you can ask those questions of other -- other witnesses. But at this point, I'd like to thank the Governor. Governor, let me say to you that I have never, never questioned your sincerity in terms of your commitment to dealing with -- with public education in the State of Illinois. And your leadership this year is -- is more than welcome and -- and long overdue from the Governor's Office. And so, I really thank you for the time that you've given us, for coming before us, for being willing to answer the tough questions. And I just want to leave you with this: We are legislators, and I think the Constitution says that ultimately we are the ones responsible. We are the ones that have the authority to limit powers of the State Board of Education. Without our vote, you cannot take action. You have the final word, but you cannot take action if you don't get legislation. And so it is important for us to be full players in the process. And that's what we're asking for today, because we want to stand with you to improve public education in the State of Illinois. Thank you very much, Governor. Thank you. There were questions regarding the constitutionality. As the Governor departs from the Chamber, in order to move along here, we have a -- a witness who was not on the schedule, and we weren't aware that the Governor's General Counsel wanted to testify. So the next witness, for very brief statements, and maybe we can get one or two questions regarding the issue of constitutionality, is Susan Lichtenstein, who is

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General Counsel to the Governor. Susan... Susan Lichtenstein.
Thank...

MS. SUSAN LICHTENSTEIN:

Thank you. Chairman del Valle, thank you very much. And Ladies and Gentlemen of the Senate, I appreciate the opportunity to talk about the constitutionality of the Governor's proposal. This question has been around ever since the State of the State Address, and I've had the opportunity to talk to a number of you individually. I'm pleased to have the opportunity to -- to talk to you all together. I want to -- I will keep my comments brief, but I want to apologize in advance for the lawyerly tone of them. It's a little hard to talk about whether something is constitutional without sounding like a lawyer, but I'll -- I'll do my best. Article X, Section 2 of the Constitution sets up the Board of Education and the Superintendent. And there are only two things that are required in that Section. Only two things: That there be a Board and that the Board select the chief educational officer of the State. There is language in that same Section about the potential duties of the Board. It says that the Board, except as limited by law - that's an important clause - may establish goals, determine policies, et cetera, et cetera. And all of that language is cast in terms of what the Board may do and expressly as limited by law. None of it is required of the Board. This could hardly be clearer. I have enormous respect for the Members of the General Assembly, and I've worked with many of you in drafting legislation over this past year and more, and I know how carefully these words are chosen. I know that the Members of the General Assembly know what they're doing when they make something mandatory, when they use the word "shall", and I know that the Members of the General Assembly know what they're doing when they use the word "may" and make something simply permissive and not required. And in this Section, the word "shall" is used twice and the rest of it is the word "may". Every first-year law student knows the basic rule that when the language is that clear, we don't have to go any further than that. The courts don't go further than that in determining whether it's constitutional. Here though, even if it weren't so clear, if you look at the debates from the Constitutional Convention, it is abundantly clear that the

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delegates anticipated, as Senator del Valle just said, that the General Assembly would have authority over the Board's duties, responsibilities and powers. When Article X, Section 2 came out of committee, it described the Board's duties without this limiting language about except as provided by law. It simply said the Board shall establish goals, policies, et cetera, et cetera. But if you look at what happened then, Delegate Mathias, who was the Chair of the Education Committee, who was telling the Convention about when the Education Committee went before the Committee on Style and Drafting, here's what he had to say. He said, "They", meaning the Committee on Style and Drafting, "asked whether we planned and whether we were recommending that this Board have powers that could not be changed or were not subject to the powers of the General Assembly. In the opinion of the majority of the Committee, we did not." So Delegate Mathias proposed the language that ultimately appears in the Constitution. Delegate Mathias put in the amendment that says that the Board, except as limited by law, "may" have these various duties, and took out the "shall" have these duties language. During the debates, here's what he had to say about that. He said -- he -- that this amendment made it clear that putting in the words "except as limited by law", this is a quote, "makes it clear that the General Assembly can override a determination by the Board." "The Board would not have powers that the General Assembly could not override and not abrogate." Now, opposing that amendment, Delegate Parker complained that this language could "wipe the Board out". That was his phrase.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Can you bring your remarks to a close, please?

MS. SUSAN LICHTENSTEIN:

I will. I will. Thank you. He could wipe the Board out, and Mathias responded that the Committee feels that the General Assembly has to have control over the Board. Numerous other amendments, same thing happened. The Mathias language was adopted. The General Assembly governs the powers of the Board of Education. So, you know, a number of you have analysis from LRU that discusses all of this in great detail, and they don't exactly conclude that the Governor's proposal is unconstitutional. They do conclude that the delegates of the

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Constitutional Convention probably envisioned that the Board of Education would run the schools. And the Governor's proposal envisions something different that this Body could adopt. I think it's correct that the delegates of the Constitutional Convention envisioned a Board that would run the schools, but it is absolutely clear that they also envisioned that if that wasn't going well in the way that it was originally set up, the General Assembly could fix it. Thirty-four years later, there cannot be much disagreement that there are substantial problems that need fixing, and that's what the Governor has come to the General Assembly to ask you all to do. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

We're going to take...

MS. SUSAN LICHTENSTEIN:

If there are questions, I'd be happy to answer.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Yes. We're going to take a couple quick questions and then, as soon as we get him down here, we're going to change the order a bit, since this was introduced after the fact, and we're going to hear from an actual delegate to find out what -- what Delegate Malcolm Kamin has to say. So, before we take questions, let's call Delegate Malcolm Kamin. And I apologize for going out of order here, but because of the request of the Governor's Office to respond to questions regarding the Constitution, I thought we'd handle this together so that we could then move on to the Superintendent. Malcolm Kamin, Delegate to the 6th Illinois Constitutional Convention, member of the Education Committee.

MR. MALCOLM KAMIN:

Thank you for letting me appear here today. Let me say first that I have absolutely no ax to grind and I am representing no one but myself. By way of background, I was...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Can -- excuse me, sir. Can we have some quiet at the back of the Chambers? Can you take the conversations off the Floor, in the back of the Chamber? Except for the Governor, of course. He can speak anywhere he wants. Please proceed.

MR. MALCOLM KAMIN:

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By way of background, I was a delegate to the Constitutional Convention from the near North Side of Chicago. Dawn Clark Netsch was my running mate. She was from George Dunne's 42nd Ward. I was a precinct captain in the organization of that well-known reform politician, Paddy Bauler. I'm here because in a somewhat astonishing display of modesty, Dawn told a few people that I knew more about the Education Article than she did. I served on the Education Committee of the Convention and participated in a lot of the drafting. If you stop and think about it, giving eleven people nine months to draft four paragraphs, a lot of time gets spent playing with words, and that's what we did. My message is simple. A strong case can be made for making the Governor accountable for the educational functions of State government, just as a strong case can be made for making the Governor accountable for what goes on in the Attorney General's Office or the Secretary of State's Office, as in the federal government. But rightly or wrongly, delegate proposals to have what is called a "short ballot" in Illinois failed in the Convention. Similarly, there was a proposal on the Floor to have the Governor appoint the chief state school officer for the express reason - and I am quoting Delegate Johnson - "...to fix the responsibility of the execution of the State educational program with the Governor." This proposal did not even have enough support to merit a roll call vote and failed on a voice vote. For better or for worse, the Convention and the voters have believed that the executive power should be divided up amongst a number of officers so that all executive power is not vested in the Governor. One of the constitutional officers who has constitutional executive power is the chief state educational officer, whom the General Assembly has chosen to name the Superintendent. Under the Constitution, it is clear that this person must be appointed by the State Board of Education. Now, did any of you ever wonder why the chief state educational officer is identified in the Constitution with lowercase letters rather than capitals? This was, I may say, my idea, because we wanted it to be clear that we were defining a function and not a title. In particular, we did not want to use the word "schools" in the description of the chief state educational officer because we wanted to leave open to the

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General Assembly the possibility of having all educational responsibilities, including those at the university level, vested in one board, if that was the wisdom of the General Assembly, because that was the way it was done in at least five other states, four of which, according to our counsel to the Education Committee, was working pretty well. We did not want any title given to the chief state educational officer to be read as a limitation on what responsibilities could ultimately be delegated to him if the General Assembly wished to expand the scope of his duties beyond traditional K through 12. Now, I'm sure you are all aware that there is a long line of cases in the Illinois Supreme Court to the effect that the General Assembly cannot take away from a constitutional officer the powers given him or her by the Constitution, nor relieve him or her from the duties of that office. When the duties are not spelled out, the court has said that the duties are to be implied from the nature of the office. If the Supreme Court continues to apply this line of reasoning, then the conclusion is inescapable to me. The General Assembly cannot make either the Governor or anyone appointed by him the functional chief state educational officer without first amending the Constitution and deleting therefrom any reference to the chief state educational officer who is appointed by the Board. It's -- the definition of -- to make it simple, the definition of the chief state school officer was a functional definition. Whoever that chief state school officer is, whoever is going to be the person who is ultimately accountable to the General Assembly and to the people for carrying out the executive function of the school policies of this State, is a person who must be appointed by the State Board of Education. I respectfully submit that the conceptualization of having a Department of Education, which duplicates all of the functions that the State Board purports to be performing now, but not have that Department headed by a person who is appointed by the Governor, but rather have that Department headed by somebody who is now the chief state school officer appointed by the Board of Education, is a rather preposterous situation. I know that is not the proposal, but that, in effect, is what I believe the Constitution would require, unless the Constitution is amended. As to the underlying intent of the delegates, and I

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think of the State, it is fair to say that no proposition came before the Convention that had such unanimity of support throughout the State as the conceptualization of potentially removing educational policy from elected politics. The only group in the State that opposed that in 1970 was the Teachers Union, and they, at least, are consistent in that position. I think one of the reasons that the public opinion polls have suggested skepticism with the Governor's plan is that every group that we heard from said this is the way to go. It was an idea, according to our -- the testimony before us, that had started in 1907. They were trying to get rid of the elected superintendent of public instruction, and it took them sixty years to do it. So, in -- again, in conclusion, yes, of course, the General Assembly can limit the authority of the State Board of Education. I do not believe the General Assembly can limit the authority of the chief state educational officer, other than to -- and make somebody else not appointed by the Board of Education the chief state educational officer on a functional basis. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you -- thank you, Mr. Kamin, for that testimony. We're going to have one question from each side here, for either witnesses, and then we're going to move on to the Superintendent. Senator Silverstein.

SENATOR SILVERSTEIN:

Question for Mr. Kamin. Correct? I'm a little -- I'm not a constitutional law expert. I got a C+, I think, in constitutional law. Yes or no, and I'm going to ask the question for Ms. Lichtenstein too. What the Governor's doing, is this constitutional, in your opinion?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Mr. Kamin.

MR. MALCOLM KAMIN:

In my opinion, as presently drafted, the bill would not be held constitutional by the State Supreme Court if they apply the precedents that they have heretofore applied to constitutional officers.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Mrs. Lichtenstein. Same question.

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MS. SUSAN LICHTENSTEIN:

I think the answer is yes, for this reason. Mr. Kamin and I are in -- in agreement that this Body can reconfigure the duties of the Board. So, the only question, really, in which we are in disagreement is whether this Body can alter the authority of the Superintendent, and those -- that authority is implied in the Constitution, as Mr. Kamin said. The -- the authority implicit in the Constitution, we believe, is to think great thoughts about policy and make recommendations on best practices and to be a progressive thinker for our schools about education. It -- the Constitution does not require that it must be the State Superintendent who ensures we're getting the best price on paperclips and who settles labor disputes, if there are those, and who keeps the lights on in the school buildings and so on.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Silverstein, last follow-up question.

SENATOR SILVERSTEIN:

...question. And you're right. A lot of us received this report that Senator del Valle asked for, and -- and unfortunately, kind of disagrees with some of your opinions. But it has one sentence here which is -- is -- which -- let's say, hypothetically, this does pass. Hypothetically, knowing our State, someone will file a constitutional challenge to this. According to this report, I'm quoting, it says, "The only court case that appears even somewhat relevant..." -- "...somewhat relevant approved a legislative restriction of powers of the Board of Education but did not involve a transfer of almost all the Board's powers to another body." Is -- is there any other cases that you know of that would do something like this? Just case law. Forget about constitutional law. I mean -- I mean...

MS. SUSAN LICHTENSTEIN:

No.

SENATOR SILVERSTEIN:

...let's not -- excuse me. Let's rephrase the question. Forget about the legislative intent. Forget about all the -- the bickering that was going and the delegates here. Is there any cases that would support your position today, if this was...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Ms. -- Ms. Lichtenstein.

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MS. SUSAN LICHTENSTEIN:

I -- I agree with LRU that there is nothing much out there in terms of case law.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. Chairman. For the Counsel for the Governor. Ma'am, I listened to you talk a little bit about some of the debate that went on at the Constitutional Convention. I assume that you reviewed the Legislative Research Unit's response to Senator del Valle's inquiry.

MS. SUSAN LICHTENSTEIN:

I did. I did.

SENATOR RIGHTER:

Okay. On page 12 of that, I want to go through three specific points that were made by the LRU and ask you to respond to -- to each of those. At the top of page 12, LRU notes that there was an amendment, Amendment 2, proposed that would have allowed for the State Superintendent to be appointed by the Governor that was rejected.

MS. SUSAN LICHTENSTEIN:

Correct.

SENATOR RIGHTER:

Okay. Second, which is the next point on there, that there was an amendment agreed to and added that added the words "as limited by law", but the -- Chairman Mathias' point there was to override a public policy determination made by the Board to change its policy, not to strip away the Board's powers altogether. The third point with -- is -- is the next one: The Convention rejected by 14 to 60 an amendment which would have allotted the State Board only whatever powers the General Assembly chose to give it. And the third of those is the most important. I mean, the argument that you're making here is that "as limited by law", that those words allow the General Assembly to do pretty much whatever we want with the State Board of Education as to its powers. But there was a specific -- an amendment proposed at the Constitutional Convention that would have provided you with that authority, and they rejected it overwhelmingly. And the question I have for you is, how do you

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arrive at the opinion you're arriving at when we have LRU telling us that this is actually what was said at the Convention? Thank you, Mr. Chairman.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Ms. Lichtenstein.

MS. SUSAN LICHTENSTEIN:

Thank you, Senator. I will -- let me -- let me go to your third question -- your third point first. Because if you look at the complete debate and not just the portion that is excerpted in the LRU piece, it was really -- this -- this issue of whether it should say except as provided by law or shall have only the powers the General Assembly gives it was really sort of a chicken-and-egg question. There was a lot of discussion in the debate about, if we say that the Board shall only have the powers provided by the General Assembly, then they won't be able to do anything until we get around to passing all the laws that empower the Board. And so, it was done the other way around so that the presumption would be they had the authority to do pretty much whatever they wanted, unless the General Assembly said otherwise. So, if you look at the full debate, it was really more about practical concerns about just how is this going to work if -- if we have to pass an entire School Code before the Board can get up and running. So, that's -- if you look at it in context, that's the answer. The -- let's see. Your -- your first question had to do with the Superintendent being appointed by the Governor. Is that correct? And the answer is, the Governor doesn't want to appoint the Superintendent. He hasn't proposed that he will appoint the Superintendent. And he conceives of a very meaningful policy-oriented role for the Superintendent, which is -- if you look at the language of the Constitution, it speaks entirely in terms of policy. That really is what the Superintendent ought to be doing, and leaving the nuts -- the Governor's proposal is to leave the nuts and bolts of running this massive organization to the Department of Education, but maintaining a meaningful policy role for the Superintendent. And you had a third point, but I'm sorry, I've lost it.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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I -- I -- I -- I... You do have follow-up questions?
Senator Righter.

SENATOR RIGHTER:

I appreciate, on the first point I made, the -- the technical legal distinction between the Governor's not wanting to appoint the State Superintendent. The point is, the Governor's wanting to appoint the person who's going to be in charge of education in Illinois, and I think that's the concern that's out here and that was the concern of the delegates in the 1970 Constitution. They were trying to remove the authority for what controls education in Illinois from politics. Period. Now, if we want to make a determination in this Body and the Governor wants to do that, that, no, we want it back within the realm of a political official, then let's change the Constitution. But I think that what we're doing here is trying to take control of policy in fact, maybe not by saying that in words. And the distinction you made is correct but it doesn't go to the heart of the issue, and that is, who's going to control the policy? And under this proposal, the Governor appoints the Secretary of Education. That person is going to wind up being in control of educational policy in the State. I mean, under your bill, the State Superintendent is relegated to some kind of long-term taxpayer-funded think tank organizer and not much else than that. So, I appreciate the legal distinction, but I think we're concerned about the public policy and the practical effects, which would be just that. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Well, and -- and as a follow-up to that, you indicated a meaningful policy role. But if you read the bill, in the description of the new role of the State Board of Education, the word "suggestion" is used. The Board is relegated to making suggestions. It doesn't use the word "recommendation", policy recommendation. It says "suggestion". Then it says that, on every single education matter, it has to consult with the new Department of Education. So, I agree that the role is not -- is not meaningful. I want to thank the -- the... I want to thank the witnesses. We're going to move on to the Superintendent. Thank you very much. The Superintendent and three State Board of Education members. Superintendent Robert Schiller, Board

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Chair Janet Steiner, and Board member Greg Kazarian. We're going to start with Dr. Janet Steiner, who is the Chair of the Illinois State Board of Education. Thank you. Dr. Steiner.

DR. JANET STEINER:

Good morning. I want to recognize President Jones and Chairman del Valle. And esteemed Members of the Senate, I want to thank you for allowing me to speak here today. My name is Janet Steiner and I am the current Chairwoman of the State Board of Education. Thanks for proving that education is on your priority list. What we have before us today is a proposal that contradicts the intent of our Constitution. The delegates of the 1970 Constitutional Convention, from whom you've just learned, devised the Board structure to insulate education from the political winds of the day, and in the last couple of months, I think we've seen more of those political winds than ever. There are currently nine seats on the Board of Education; however, one seat has been vacant since last May, and the State laws dictate the composition of the Board, ensuring proper representation from all areas of Illinois. The Board is balanced with members from downstate and the Chicago metropolitan area. I am a retired educator from Carlinville, Illinois. The other members include Vice-Chair Bev Turkal, who is with us today, I'm sure. She is from -- a retired educator from Robinson, Illinois. Secretary is Richard Sandsmark, a former teacher and current businessman from Belvidere. Dean Clark, a businessman from Glen Ellyn, who was a local school board member, as well as a member of the Education Funding Advisory Board. Ron Gidwitz, from Chicago, a businessman and longtime education advocate. Judith Gold, of Chicago, an attorney. Joyce Karon, a librarian from -- Barrington. And Greg Kazarian, an attorney from Lake Forest, who is with me today. We have businessmen, attorneys and educators making up the Board. There is no political majority, and our passion for education is our common thread. We have a dual role: To advocate on behalf of our eight hundred eighty-eight school districts to ensure that we get the maximum amount of funding possible, and then to hold them accountable for each and every dollar spent. We are advocates and accountants, and all eight of us take this responsibility very seriously. The Constitution

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crafted the Board to be independent of the Governor, but our very formation is dependent on the Governor, as well as this Chamber of the General Assembly. When the Governor appoints members, their service is contingent upon Senate approval. The Governor also has the ability to appoint a Chair. Despite remarks that the Governor does not have the ability to influence the Board, the opposite is true. In the next year alone, he can make three appointments, in addition to the one seat he has filled -- he has failed to fill since last year. The next Governor, in 2006, will appoint three members, and another three members in 2008. I ask all of you to see my appointment as Board Chair for what it was and what it is. It was an opportunity for the Governor to express to me what his priorities are in education. Unfortunately, it never has been that, but it could be. The Governor's current proposal to replace the State Board's role with the Department of Education and the Secretary of Education swaps one administration for another, and in the end, will remove the legislators' ability to control the terms and makeup of the Board, as well as the Senate's ability to approve their appointments. As you know, you confirm each person who -- who gets on the State Board. Stripping the Legislature of its ability to dictate the makeup, terms and members of the Board ensures the undo influence -- that undo influence will occur. Senate Bill 3000 ignores our Constitution by eliminating the State Board's intended role and subsequently dismisses the Legislative Branch from education as well. The future is in your hands, because you know that the kids in this State, about which we do not talk enough, are the future of this State. And I know that you people will do the right thing. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. We're going to hear from our three witnesses before we open it up for questions. Greg Kazarian, also ISBE Board member.

MR. GREG KAZARIAN:

Senator del Valle, thank you. Thank you to the Senators, and -- and in particular, I can't come to this Chamber without acknowledging my adopted Senator, Senator Geo-Karis, who's been a friend for a long time. Senator del Valle, my name is Greg

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Kazarian and I am a current member of the State Board of Education. I'm here today to speak to the merits of an independent Board of Education. The Governor asked the wrong question. It's not whether you are happy with education today. It's do you think the road to improvement is brighter when you introduce the pressures of elective politics into the process? As a Board member of fourteen months, I believe we do play a vital role in education in this State. People recognize that the Board is insulated from politics and come to it because they know their issues will be heard and, in many cases, subsequently advocated by the Board based on the merits, not the politics. The Board's role is outlined in the Constitution. An independent Board serves to provide check and balance to various political interests. For example, recently, in the context of this debate, the Chicago Tribune reported that Illinois' teachers' unions contributed over a million dollars to the Governor's campaign fund. A million dollars. That contribution, according to the Tribune, and the union leaders, secured for them unique access to the Governor's education policy team, access even Senator del Valle, the Chair of this Body's Education Committee, could not get and was not provided. Now, I recognize that it is the right of those unions to support candidates they agree with and to fully participate in the political process, but a million dollars is a lot of support. It seems to scream for an independent Board of Education, which is free from the clear risk of being inappropriately influenced by the political pressure which frequently accompanies million-dollar campaign contributions. Independent, nonpartisan boards with staggered terms of appointment have become an important tool to provide the public with assurance that power politics don't overwhelm prudent policy. For example, just last week Senate President Jones suggested that a decision of the Illinois Gaming Board was, in his opinion, so misguided that the Illinois Gaming Board ought to be replaced. And our Governor responded, and I quote, "I don't know if we can do that", Governor Blagojevich said. "They're given terms. The Board has got to be independent. We shouldn't be meddling in it." Are we really going to tell the people of Illinois that independent, nonpartisan decision-making is important in the supervision of

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gaming but not in education? Finally, the Governor's plan suffers from a truly fatal flaw. It violates our State's Constitution, and I think you've heard competent testimony on that this morning so I won't go any further into it. Now, I know our State's -- Constitution is over thirty years old and I know that there are a whole lot of people across this State who would -- who would not admit to a working knowledge of its key provisions. But you in this Chamber understand the difference between amending our Constitution and amending a statute. If you -- if you decide to pursue this change, you must go to the people of Illinois and secure their approval. Finally, let me talk for just a moment about the selection of our -- State's chief education officer, one of those clear constitutional duties our Board has, and why it is critical that he answer to an independent Board and not to an elected official. Education Week reported just this week that the chief education officer is rapidly becoming one of the most demanding and hard-to-fill jobs in the country. Educational leaders of Dr. Schiller's caliber are rare. We have a structure today that is attractive to those leaders because it provides Board stability and does not eliminate anyone based on their party affiliation or clout. Talented individuals can take the job as our State's chief education officer knowing that their singular focus will be to advance the interests of this State's 2.2 million children without the caveat that they must do so in a manner consistent with the interests of the Governor's political sponsors or own political interests. They won't be told to draw a future of -- better educational opportunity for our children but only use basic colors. They will be free to use the whole box of crayons. I want that bright future for our children. Finally, let me say, with respect to the issue of accountability, I'm feeling pretty accountable to you-all today. It seems to me that this Board is very accountable to this Body, and I think it's a -- disingenuous, at best, and patently misleading to suggest that the members of this Board aren't responsive to you, aren't responsive to the public, aren't responsive to the constituencies, because you-all know that to be true. You know it by our conduct and you know it by the pattern of our open meetings, our transparent processes. Look, I'm a teacher's kid

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and a product of Illinois' public schools, from kindergarten through my law degree. At the University of Illinois, I got two degrees, all public education. It's a core value in my family, and I consider my service on this Board a repayment of my debt to the dedicated educators who prepared me for my adult life. If I thought for a minute that this bill would make schools better, I would support it. It doesn't, and I can't. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Before we take questions, we'll hear from Superintendent Schiller, and then we'll open it up for questions for the three witnesses. Superintendent Schiller.

SUPERINTENDENT SCHILLER:

Thank you, Senator del Valle, Senate President Jones. Ladies and Gentlemen of this esteemed Chamber, I come here today to encourage a thoughtful reflection on the constitutional roles of the State Board of Education and the chief state education officer. This crucial matter goes beyond the personalities and the actual individuals who serve in these respective roles today. The State Board provides a voice and a forum for citizens and all stakeholders in education to come forward, share their thoughts, their needs, their concerns - needs that would most likely be neglected under the current proposal. The State Board, with its constitutional design, thoughtful bipartisan approach, provides advocacy for 2.2 million children and a -- policy-setting arena that ensures focus stays on educational outcomes and policy that's consistent and sustained over time. Senate Bill 3000 eliminates this advocacy. You know, the -- the Governor has created a general perception that education is failing across the State. To create that impression, that all of education is failing, has served no positive purpose. Also, it is untrue. It is demoralizing to the dedicated educators and the many fine students of schools who are high-achieving across this State. We have many of the highest-performing schools and the finest school districts here in Illinois that you could compare to anywhere in this nation. And I will tell you, we need to keep them that way. We need to assure they have the resources to continue with their fine programs and continue to excel. Yes, there are aspects of our educational system that do

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need improvement, and listen carefully, folks, because the gaps between the higher-achieving and lower-achieving schools and students are too great. There's a lack of capacity to improve lower-performing schools and districts and to help the schools who are underachieving, and particularly, we have a lack of capacity to help the children, especially minorities, many of whom come from elements of poverty. There's a lack of capacity to improve lower-performing schools. We must provide assistance to build capacity, capability and make available necessary resources so they can achieve at higher levels. Senate Bill 3000 does not address the critical needs of improving our lower-performing schools and students. Senate Bill 3000 does not address ways to improve education for students who are black and Hispanic and to close achievement gaps. Senate Bill 3000 does not address the critical fiscal needs of our schools, especially those that are underfunded and with little local capacity to do otherwise. We must devote our time and attention, like today's setting, to find pathways that lead to school improvement and fiscal improvements. The State Board has set forth sound strategies to address these matters and accomplish these boards {sic}. Last month we sent to you a copy of our Condition of Education. Contained in there is a vision for education of how to address each and every one of those problems and issues that I have articulated here. Three weeks ago I was before the Senate Education Committee and went through each and every one of those initiatives. We have to spend our precious time not in a war of words in a struggle over eliminating a State Board of Education and exercising political control of an agency, but we need to create an opportunity, like today, to talk about how we move education forward in the most positive ways. Ladies and Gentlemen, we ask ourselves: Why are we not doing well on the ACT scores and as well as we want to do in math and science? I will tell you: We have the lowest graduation requirements in math and science of almost any state in the nation. When students can graduate from our schools with but one year in math, do we expect them to do well when they take the ACTs? We are not investing in professional development to assist our teachers in helping students read and write critically in middle schools and high schools. We're not providing the extended time

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that our students need, who are falling behind, during the summers or after school. We're not providing the adequacy of assistance and resources to the schools that fall behind and fail to make adequate yearly progress. The answers to improving lower-performing schools and students lie not what's been proposed to you in Senate Bill 3000, and until we address those substantive issues, educational improvements in our schools will not occur. The State Board has proposed ways to help improve schools in their performance. And I can tell you, we can find ways to be more economical in our districts and allocate State resources in more prudent ways to support teaching and learning, and we can -- and we can restructure how we fund the current inefficient system of transportation reimbursements. And we can fund a per capita weighted system for special education students and programs, and we can also make meaningful changes in the State statutes to eliminate the cumbersome statutes and rules that are established for certification and recertification. We can all -- do this -- all of this and more, but not in the context and environment where superintendents are pitted against each other, where a Governor's staff is pitted against a State Board of Education and where constituent groups are pitted against each other. Now, I have to tell you, I cannot fathom how a Senator can consider a piece of legislation, Senate Bill 3000, that undermines the Constitution, certainly to be legally challenged if enacted, which simply has no substance attached to it. And I can't fathom how a legislature can consider such legislation as Senate Bill 3000 before the critical issues of funding, solving the State's educational fiscal crisis and helping schools improve are first addressed. And I cannot understand how you would strip a constitutional Board of Education and the chief state education officer of its constitutional authority but maintain two other State boards, the Board of Higher Ed and the Community College Board, in existence that are not -- that are not constitutionally required. Let's talk about Senate Bill 3000. That legislation does three things and three things only. Number one, it substitutes a department without a State Board of Education for an agency with a State Board of Education for governance. Number two, it strips the constitutionally established Board and

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the chief state educational officer of its constitutional roles. And the third thing it does, it eliminates the State Board from being -- the State Superintendent from being the statutory President of the Teacher Retirement System. The legislation does those three things. Where is the sweeping change that the Governor's speaking about in that legislation? It is not there. The Governor likens his plan similar to that of the governance of Chicago. Chicago Public Schools has a Board appointed by the Mayor. The Mayor is able to overarch the Board and direct the activities of each of the schools in Chicago if he so chooses. But, thankfully, Senate Bill 3000 does not vest day-to-day responsibility for over four thousand schools or eight hundred and eighty-eight school districts under the Governor or Secretary of Education, so that remote control change in local schools and districts do not emanate from the Governor's desk. The -- the Governor says he wants to be accountable for education. Ladies and Gentlemen, you are accountable for education, the Governor's accountable for education, I am accountable for education, eight hundred eighty-eight schools districts are accountable for education. If it is so critical that the Governor -- to the Governor that a change be made, that the State Board be abolished and education be directly under his control without a Board, then let's not do an end-run around the Constitution. Allow the people of Illinois to decide, just like they did thirty-four years ago. Put it on the ballot, November 2004. If the people of Illinois want to endorse such a change to the Constitution, then those changes would go into effect at the same time that you're proposing in Senate Bill 3000, July 1, '05. That's the right way to do it. That's the honest way of doing it, and I trust the people of Illinois to make a responsible decision. You know, I'm closing out now, and this is what I really want to drive home, folks: being accountable. We hear that word. It means working together to find a shared solution to problems. It means working together to celebrate shared successes, solving shared problems and accept responsibility for shortcomings. Being accountable is through shared governance. In Illinois, we have a system of governance in place, actually a model of shared governance, that is foremost in the nation. Why not let it work as intended? Thomas

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Jefferson said: It is not by the consolidation of power but by the distribution of power that good government is effected. There's a lesson to be learned in that statement, Ladies and Gentlemen of the Senate. Senate Bill 3000 is neither good government, nor good policy. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Superintendent. We will now take questions. Again, for the Members, what I am attempting to do here as Chair is to pick one -- to alternate between each side of the aisle. How that order comes out, in terms of whether or not people are speaking in favor or opposed, is not something I'm aware of. For the benefit of those Members who are already complaining about that, we are trying to alternate. We're trying to be fair. How Members respond is not something that I am privy to, and therefore I cannot predict. So, even though your lights go on and you might not be called because we've run out of time, it doesn't mean that we're trying to ignore you or keep you from speaking. I want that to be a matter of record. Senator Ronen, for what purpose do you rise?

SENATOR RONEN:

For a point of information. I thought that...

MR. CHAIRMAN: (SENATOR DEL VALLE)

State your point.

SENATOR RONEN:

Thank you, Mr. Chairman. When we started this hearing today, the -- what we said was, we were going to hear from one person in support and one person in opposition, and I think that's the way we should begin to operate, although we weren't operating that way, from this point on. And I think there's a way to do that, is to ask for one -- for one -- to ask somebody when they're speaking whether they're speaking for or against so that we can have that balance.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator...

SENATOR RONEN:

That's what we intended to do and I think we should start to do that.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Senator, that is not -- that is not what we intended to do. I -- at no time did I state that we were going to hear from one opponent and one proponent on each matter. That is not what I stated. What I stated was we were going to hear from each side, and that's what I'm attempting to do. And so we will move on. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. Chair. Thank you. I -- if Senator Ronen would wish for me to yield to her, I'd be happy to do so, if we could come back to me.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR RONEN:

Thank you, Mr. Schoenberg, Senator Schoenberg. The -- hearing from each side means hearing from each side of the issue. I think that's clear. And while you do acknowledge that we didn't do that in the beginning of the hearing, I think we should start doing that now, hearing from each side and asking a person if they wish to speak in favor or in opposition. Otherwise, we have no balance.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, questions are being asked. I cannot predict whether someone's question is going to be favorable or unfavorable. I cannot predict that, and so, therefore, we will continue to give Members an opportunity to ask questions. Can you wrap up? Senator Cronin {sic}.

SENATOR RONEN:

Thank you, Mr. Chairman. I'm not asking you to predict; I'm just asking you to ask.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, I will not be asking individual Senators who want to ask a question, prior to asking that question, whether or not they are in favor or opposed. We would be here forever if we do that. And so, I will continue to try to alternate between the two sides of the aisle, because I think that's the fairest thing to do. Senator Schoenberg. Senator -- Ronen.

SENATOR RONEN:

Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Sorry.

SENATOR RONEN:

I just want to make one point, that this is not -- this kind of underscores the issue that this is not a bipartisan -- or, a partisan issue we're talking about. There are Members on both sides of the aisle that support this notion. So, I -- I -- so, this is not a partisan issue. It's bipartisan, and I think your comments reflect the fact that -- the nature of the bipartisan-ness of this discussion.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Well, I -- I agree with you, Senator, and that's why as we call on Members, it's likely that we will have proponents and opponents on both sides of the aisle. So, we will proceed here. Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. Chairman. I would like to make one observation procedurally, and then I would like to address one -- address a question to Superintendent Schiller, and I have a separate question for Mr. Kazarian, if that's okay. The procedural observation that I wish to make is that when we convene in individual committees, and not a Committee of the Whole, when we ask people to testify and provide prospective in those committees, we ask them to reflect whether or not they are a proponent, an opponent or whether they have no position on the merits. And I would like to go on record with Senator Cronin -- I'm sorry, with Senator Ronen and to say that I'm -- while I applaud President Jones for convening this important Committee on the Whole on this critical issue, and let I say that if we had had similar leadership from the preceding Senate President, we wouldn't be talking about the very school funding reform issues that have been so prevalent in today's conversation, because it would have happened because that issue would have had the time of day.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator.

SENATOR SCHOENBERG:

All right. Now I'd like...

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Before you proceed, just for clarification: Again, in committee, that question is asked of witnesses. You are not a witness; you are a legislator posing questions. So, please proceed with the question.

SENATOR SCHOENBERG:

Thank you. The question I have for -- as I said, I have one question for Dr. Schiller and I have one question for Mr. Kazarian. The question I have for Dr. Schiller -- you'll forgive me for being a bit parochial, but as you know, Evanston thinks of itself as a leader in many respects, and as you're also -- Evanston has tried, in a very progressive manner, to deal with significant achievement gaps and has had some measure of success. However, within recent weeks, members of the Evanston School District 202 have actively begun public debate on whether they should accept -- whether they should -- whether they should opt out of the funding and participation in No Child Left Behind because of a concern that mirrors a larger problem that they have, that they are -- that teachers are being forced to teach around the tests versus instituting best practices in the classroom. What is your view on what we tell not just Evanston 202, but all the other school districts that will find the grossly underfunded No Child Left Behind program to be too onerous and burdensome? What -- what is your counsel and advice to them on what they should do and whether -- and how they should teach their children based on the constraints that are placed upon these individual districts?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Schiller.

SUPERINTENDENT SCHILLER:

Yes. Thank you very much. What I would tell districts is what I have been telling them. Those school districts who have adopted and implemented, day to day, the Illinois Learning Standards, which were established in 1997 - and about one-third of those school districts have done that statewide - the test scores in those districts are exceedingly higher than those school districts who have not adopted those Learning Standards. The No Child Left Behind legislation requires for us to test, as you know, each of our children in each grade beginning 2006. There are school districts in states that are debating the issue

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of whether or not they wish to accept the funding. Let me tell you this: We receive eight hundred million dollars, as a state, under NCLB. School districts receive that money under a formula. Evanston, if it chooses to opt out of that receipt of that money, would still be required, under State statute, to test the children according to our ISAT and PSAE, and it would also be required, under our State statute, to be eligible for -- if they did not make progress according to our Accountability Act, they would be eligible to be on the Academic Warning List or Watch List. What NCLB does, Senator, for the additional money that they get, they would have to offer choice and supplemental instruction for those children who are not making adequate progress. That is really the only difference, before the reauthorization took place, as it comes down to the districts.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. Thank you. And before I turn to Mr. Kazarian, I -- I want to point out an observation as well. I feel very strongly about accountability issues, as most people here do, and I -- I have to say that I think that Ms. Lichtenstein's interpretation of where the legislative prerogative exists is an accurate one. And I think that to suggest that we are treading into uncharted constitutional waters, with all due respect, is a scare tactic and one -- the last time I -- and one which doesn't have merit. Now I wanted to ask Mr. Kazarian a -- a question, if I may, Mr. Chairman.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you. Mr. Kazarian, during your -- during your most recent unsuccessful campaign for the State Senate, you made a great effort to talk about applying business models to government practices and how we needed to do more of that. Do you agree or disagree that when a chief executive inherits an outdated business model, that they indeed should have the prerogative not only to restructure that business model, whether it's in government, in the private sector or in the non-for-

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profit sector, and indeed be able to ultimately have some bearing not just on -- more direct bearing on their personal management team, as well as where the spending policies and priorities are articulated?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Mr. Kazarian.

MR. GREG KAZARIAN:

Thank you. Thank you for acknowledging my attempt to serve with you in this Chamber as well, Senator Schoenberg. I -- I wish I'd been successful. And I understand the hard work you-- all put in every day to get here and I respect your service. Senator, if you spend time in education, you'll realize that probably the most aggravating and annoying thing you could say to a principal or superintendent is -- is to be a layperson or a businessperson sitting on a board and say, "Well, let me tell you how I do that in my business", because education isn't a business. Education doesn't have the same market pressures that a business would. At least education the way we talk about it today doesn't have those same market pressures. So, you have to be careful. There are examples where I think we could apply some business principles. Senator Schiller -- or... I just elevated you, I think. Superintendent Schiller talked about the need to look at our spend in transportation and asked a very prudent business question of, are there savings that we can derive from that transportation spend if we do it in a different way? And we're having that debate within our Board right now. Board member Turkal, who's from downstate Robinson, reminds us to be careful, those of us with the suburban perspective, because in her area there's very limited things that can be done to bring that transportation spend down because the districts are large, there's only one route, you can't double up route; where in your area, in Evanston, there is more opportunity for creativity in how we spend transportation because public transportation might be available, density is better. So -- so the -- the answer to your question is, there are very important business principles and places where that's appropriate, but I think it's -- it's inappropriate to say, "Well, let's just look at this like a chief executive." It doesn't fit that box.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Senator, last question.

SENATOR SCHOENBERG:

Thank you. This is really an observation. I heard that argument as part of the massive pushback against Chicago school reform several years ago, one in which I found myself vilified for crossing the aisle and supporting a then Republican majority in the Illinois House to support. That vote which gave Mayor Daley more direct accountability for how spending practices and policies were made, that is a successful business model that we are seeking to emulate on a statewide basis with our chief executive, Governor Blagojevich. Why doesn't our State's CEO have the opportunity to configure his business model so that we can achieve better outcomes?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. Chairman. You know, I'd like to ask a question of some of the witnesses, and in doing so, I -- I can't help but offer some response to the previous speaker, much like we do frequently in committee, since this is a Committee of the Whole. I posed some of those questions to the Governor, and frankly, Senator, I'm not sure whether or not he really embraces the Chicago School Reform Act. I mean, aside from the fact that he voted No on it - he didn't have the courage that you did back then - the bill, as you know, and the law had some pretty tough management reforms in it, or management powers. I seriously doubt that the Department of Education is going to place an eighteen-month moratorium on school strikes across the State. I seriously doubt that the Department of Education that this Governor proposes is going to prohibit from collective bargaining decisions involving charter schools or contracts with third parties to perform services -- privatized services, decisions to lay off RIF employees...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator...

SENATOR CRONIN:

So on, so forth. You understand the point.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, we -- we won't...

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SENATOR CRONIN:

All right.

MR. CHAIRMAN: (SENATOR DEL VALLE)

We don't want to get into Members responding to each other's points.

SENATOR CRONIN:

All right. Well...

MR. CHAIRMAN: (SENATOR DEL VALLE)

So, let's state the question for the Superintendent.

SENATOR CRONIN:

I appreciate that. And forgive me. I'm sorry, but... You know, Superintendent Schiller, the State Board of Education has been a popular and easy target of criticism over the years that I've been here, fourteen years. Some of it has been deserving, quite frankly. And I -- I got to ask you: Over the last several years, we have seen some significant budget reductions at the State Board, and they have been so dramatic in their effect, with the layoffs of employees and with the lack of resources, that do you think there has been some concerted effort to make the State Board ineffective over the last few years, or has the bottom-line effect been, of the budget cuts, that you can't really do your job based on a lack of financial support?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Schiller.

SUPERINTENDENT SCHILLER:

Yes. Thank you. Since the last State-elected Superintendent, the staff on the Board has been reduced by two and half times. Today we have four hundred and ninety-one staff members. Since my predecessor three years ago, the staffing has been reduced by two hundred and ninety-three people. The overall General Revenue Fund that supports the agency's salaries and operations have dropped from seventy-seven million since '01 to 28.1 million. All of the jobs, since I came in nineteen months ago, every job that we have that's performed by our members of the agency is anchored into either, specifically, the federal program that they are administering, of which we have two hundred and thirty people, or the School Code and funded by GRF, of which we have two hundred and sixty-one people. We are

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barely able to assure that all of the functions required under the federal and the State Code are being covered. What has been lost, Senator, is a -- is over a hundred and fifty-one people in the program side, in the last three years, who are the direct assisting -- assistants to the school districts. We have lost thirty people in certification just this year alone because of the cutback by the Governor's vetoes in regard to the Revolving Fund of the fees of the teacher's certificates that have been received. And I could go on. But my judgment is that this agency is underfunded at this point and does not have the staff to be able to reach out and do all the things that we need to do to improve schools. We are underfunded by approximately one hundred and forty people. Our funding level should be six hundred and forty. If I might add, I've done research in looking at all the other states similar to our size. Looked at their organizational charts, looked at the staffing funding, whether it be Pennsylvania, whether it be Texas. Ohio is the greatest -- we are underfunded and understaffed significantly compared to other state agencies who are serving student populations and school districts similar to our size. So, sir, we do not have the staffing level. We have four hundred and ninety-one very committed staff members. We have four hundred who are covered by the unions. They are doing a job and a half, each one of these people. But we are not able to do all the things that we would like to do to assist schools.

MR. CHAIRMAN: (SENATOR DEL VALLE).

Senator Cronin, last question.

SENATOR CRONIN:

Superintendent Schiller, we've done a lot of work in the Legislature here - Senator del Valle, all Members both in the House and the Senate - to try to implement change in education, and I think there's some good things to talk about. We implemented, way ahead of other states in the -- across the nation, standards - learning standards. We -- we had some problems with the testing - no question about it - but I think we finally have a test that is aligned to the standards. The test scores are trending upward. Is that correct? And -- and the second part of my question is, do you expect that test scores will continue to improve and student achievement will

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continue to get better if we stay the course, if we, naturally, do more that we need to do? We need to reach out to those that are not performing, intervene, give them the tools, the resources. But the question is, our student achievement levels, do you expect they will continue to trend upward?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent.

SUPERINTENDENT SCHILLER:

Absolutely. Our student achievement levels are trending upward in many respects. We have reached the highest level in the nation with regard to the Advanced Placement Test. Over sixty thousand Advanced Placement Tests are taken by our students. We have the highest scores in the nation. We have seventy points over the national average with regard to the SAT scores in reading and in math. In our -- and our ISAT scores in math, for five consecutive years they have increased at every grade level. Our reading scores are flaccid. They are not increasing as we would like to see them. We need work in that area, particularly in the middle grades. We have reached the highest level of achievement scores in our alternative assessments, in the assessments for children with limited English proficiency. We have reached the highest level of our graduation rates, the lowest level of our dropout rates and the highest level of attendance in the State's history. Test scores are increasing, but it's going to require - school by school, classroom by classroom, district by district - implementation of the standards and the professional training of the teachers to assure that they are preparing children in terms of what is needed to know and to be tested on. I fully expect, and as we will see, and there's nothing that would lead me to believe otherwise, than what -- an upward trend in our test scores in each of our grades. I would also point out, we have started to see some closing of the gaps between achievement scores of white students and minority students.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. Chairman. I do have a couple questions to direct to you, Dr. Schiller. I also want to thank Greg

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Kazarian, who's here from my district, Lake Forest - he's a neighbor of mine - for being here. And -- and some of the comments that you made, Greg, I just want to bring up and -- and point to the fact that Illinois is a regional State. We can't really look at education as a one-size-fits-all approach. Having said that, you talked earlier on, Dr. Schiller, about increasing the requirements for schools, whether it be number of years of math or science, or -- or -- or whatever, that should be applied to schools across the State. Having at one point in my career, representing the most diverse district in this State - I -- and you and I talked about this in Education - by doing that, by keeping the standard at the highest level and asking all of the students in the State to comply with that, knowing full well that you're taking local control away from the schools, because in some school districts, as you know, we've talked about vocational training may be more important than four years of math, and I -- I worry -- and these are the reasons why I think some of us who do support much of what the Governor's saying hits home. I worry about having this one-size-fits-all approach and relying so much on standardized tests and increasing the requirements, 'cause it sure looks good and it sure sounds good and it's hard to vote against things like that. But just looking at our students in our State and the regionalism and the disparities and -- and the diversity, it worries me that you're not being more specific in allowing for local school districts to make those kinds of decisions.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

Yes. Senator Garrett, I've enjoyed always, for the last couple of years, the conversations we've had about education, particularly curriculum. I appreciate that. Ladies and Gentlemen, let me -- let me go back to something the Governor said, which I agree with a hundred percent. Too many of our students are going on to higher education who need to take remedial courses in math and science. There is a five-point gap on the ACTs between the students who take the core curriculum and the ones who do not. We only require one year of math for graduation, and a year of technology may be substituted for the

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second year of math. The only policy lever you have available to you as a legislator is through the School Code, is to adjust the graduation requirements. I cannot say to what extent we will be able to assure that we can close the gap for students in terms of math and science unless we expose more children to more rigorous courses that they would take in high school, but we first have to be able to provide the training in middle schools. That is the one policy lever that you have. We can talk about "please implement the standards", but when we have states like Kentucky and Arkansas and Louisiana and Mississippi and Delaware, and we can go on, that are requiring three years and four years of math, three years of science, requiring algebra, plane geometry, we do not have that requirement for all of our students. Those students who are taking those rigorous courses in our -- in our high schools, locally selecting those courses, are doing so well, as you know. But those students who are selecting other courses are graduating from high school unprepared for jobs and unprepared for the military and unprepared for college. You're right. It's difficult with regional. I'd like to work with the Legislature, with you in your committee, of how we can mold a way to raise the rigor to assure the students are doing better. But like the Governor, I agree: We must do better when it comes to the preparation of those students. And frankly, you have two policy levers: the graduation requirements and your assessments. The rest of it is by eight hundred eighty-eight school districts, how they schedule children.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Garrett, last question.

SENATOR GARRETT:

Yeah. I want to go back to the No Child Left Behind. As you know, I've -- I've not been a strong supporter of that, and while other states are voting to opt out, I would like to know what your opinion is - if you, in fact, think that the State of Illinois has benefited from the almost eight hundred million dollars that we receive from the federal government, and also, notwithstanding the dollars, are we benefiting from imposing this program in the State of Illinois.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Dr. Schiller.

SUPERINTENDENT SCHILLER:

Thank you, Senator. Thank you for that question. Senator Garrett and Members of the Senate, the No Child Left Behind legislation is simply a reauthorization of the Title I legislation of Elementary and Secondary Education Act. It brings money to the school districts that is an entitlement money with regard to the number of children who are identified in the censuses and free and reduced lunch. That money goes to the schools. What has changed with the law are two basic requirements: One, that if a school does not make adequate progress, they must provide supplemental service provider instruction and they must provide choice. Those are the two major differences of what it was before. Another major difference is that we -- by response of receiving this money, we must now add additional grades to be tested, as you know - grades 4, 6 and 7. We are getting twelve million dollars a year in order to implement so that we will test students every year. In my -- in my -- regard, one, No Child Left Behind legislation has put a spotlight on the fact that too many of our children - black, Hispanic, limited English-speaking children - have been left behind, and now we need to focus on how to improve that. Number two, it has generated more revenue for our State in this title program than we've ever received. And thirdly, Illinois has had an accountability system long before NCLB, that quite frankly, when we brought the recommendations for adjustments last year to you, they were quite minor. So, in my judgment, as onerous as it may be in some respects, and some respects I disagree with, I do not see where rejecting eight hundred million dollars in these times of needs, by school districts, is our best course of action. Rather, I would like to continue working with the Secretary of Education and our congressional legislation -- legislators in order to change some of the mindless regulations that have been put upon us, particularly with the way that -- with regard to assessment of special education children and particularly with the way of some of the calculations.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, last point.

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SENATOR GARRETT:

Last point. On the seven hundred, eight hundred million dollars that we're receiving, have we analyzed how those dollars are being spent, either in our classrooms or within our school districts, and is there some sort of a report that's out there?

SUPERINTENDENT SCHILLER:

Yes. We -- you -- that question was asked a couple weeks ago and we did send that information to you, in terms of the statewide reporting and what -- how the money is being used. And that was delivered to you and to the Senate. I'd be happy to personally review that with the committee, if we could do that.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Luechtefeld. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. Chairman. Dr. Schiller, you know, you've -- you've heard an awful lot about why we should change. And I guess my question to you is, would it be possible to do a lot of the things that the Governor wants to do and keep your -- keep the State Board intact? Would you be -- you know, we talk about doing away with a lot of mandates and a lot of bureaucracy and a lot of paperwork. Is it possible for you and your staff to sit down and -- and -- and tell us what should be done away with and what could be done away with and maybe operate with the same -- with the State Board and do many of the things that we'd like to accomplish? Is that a -- is that possible in the State Board?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

Senator, I would welcome that opportunity. The State Board and I would welcome the opportunity to partner fully with the Governor and his staff and the -- and the Office of Management and Budget and the Deputy Chief of Staff for Education. I think together it would be a very powerful force to bring about many of the changes we all desire. For example, we have rules, as we've talked about. I've analyzed those rules. I have them with me today. Twelve hundred and twenty pages apply only to school districts, not twenty-eight hundred. There are ninety pages of those rules that are no longer valid because they're no longer

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funded programs. I can't take them off the books. We can do a lot of the streamlining. More importantly, we can move collaboratively together to improve education. You need not change the structure of the Board to do that. In fact, I think with the powerful commitment the Governor has to improve education and to fund education at a higher level and with the strength of the State Board and with the knowledge of his staff and our staff, we can move our educational system in this State ahead dramatically, if we pull together and do it together. And I think that opportunity has been there. It stands there, and we can do that. Now, there may be some philosophical difference that exists, but let's put the philosophical differences aside. This is about children and our future. It's not about adults.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Luechtefeld, last question.

SENATOR LUECHTEFELD:

One of the things, obviously, that I think has given this some momentum is the fact that probably every legislator and also many superintendents have, at one time or another, had a -- maybe a run-in with the -- with the State Board. And you know, my -- my -- you know, if -- if the State Board continues and operates, you know, I think there needs to be a -- a tremendous effort made to be more client-friendly, and I think sometimes that's not been the case. And of course, you need good people to do that. But that I -- would be one suggestion, if this -- you know, if the change doesn't happen, that should be a high priority. Thank you.

SUPERINTENDENT SCHILLER:

Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Okay. Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. Chairman. Good afternoon, Superintendent. I guess my questions that I asked of the Governor early -- earlier will be the same questions that I would ask of you. Considering that I believe that this is a forum to gather as much data as possible so that we can make good and concise decisions, I'm not acting as an opponent or a proponent. I do recognize that change is necessary and I do believe that the State Board of Ed has

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fallen in some areas of not being as strong as they should. So let me say this: You mentioned that the achievement gap, you saw improvement shown. Well, I disagree with that. The figures that I'm reading from, actually there was a three-percent increase in the achievement gap amongst minority students. Can you just defer to me where you see the improvement shown in the achievement gap?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

Yes. Thank you. The closing of the achievement gap over the last several years has been modest. It is not what it ought to be. I think we recognize that we have to take some programmatic steps forward at the local level through support and resources at the State level in order to truly recognize that these children need to not be left behind, and that we need to be able to put into effect some of the recommendations the State Board have come out with, to realize that when children are falling behind in the early years, the best research tells us the more time they can spend in extended days and summer school programs, the summer Bridges Program, the less likely they're going to continue to fall behind in reading and math in those first three critical - four - years. We need to invest more so there. Other states -- we have done this in other states. The research is very clear. In order to intervene early and to assist those students, they need extended time, extended programs, in order to be able to close the gap. That the State Board has endorsed and, I would say to you, is the answer to closing our gap.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Lightford, last question.

SENATOR LIGHTFORD:

Yes. Then I guess I don't clearly see that in this past two-, three-year period or maybe even five years that I've served on Senate Education..

SUPERINTENDENT SCHILLER:

Right.

SENATOR LIGHTFORD:

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...where there has been a consistent effort to close the achievement gap. I -- I still have to stand firm on reading the data and understanding all of the information that I've gathered, that the State Board has not -- that you've actually failed to improve the achievement gap. And then closing, Mr. Chairman, there is a -- a plan, the ESEA plan, that you submit to the United States Department on Education, and as it stands now, I don't believe that you bring that plan to the General Assembly for approval before you submit that on to the U.S. Department on Education. So, I do have a slight concern there, because when we talk about No Child Left Behind and you defer that there is eight hundred million dollars there available, but we also know that after two subject matter hearings on the subject of No Child Left Behind, that the system is not working, that choice is not working, that supplemental service is not working. And I -- I still have not felt a comfort zone in your answer to how you're going to improve our system, our State education system, and address the needs of No Child Left Behind. So, I do have concerns there. I know -- I probably have, like, ten questions, Mr. Chairman, but if you have a -- if you get the feel of where I'm leading, can you please respond?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, we've asked the Superintendent to remain with us, and hopefully we'll be able to bring him back, time permitting, to answer additional questions. So, please respond to -- to the last question. And then Senator Hendon.

SUPERINTENDENT SCHILLER:

The last question with regard to the implementation of No Child Left Behind, two areas we talked about in our hearings, the supplemental service providers. The role of the State is to generate and -- and approve providers. The role of the local districts, according to the No Child Left Behind Law, is to make available and work out the contracts with those providers for the students and to make sure that parents have the opportunity to have that tutoring take place. The State Board has encouraged, it has recruited supplemental providers. We have twenty-nine on our current list. It is left to the local districts to implement, and that's what we need to be able to do more, is to supervise more effectively the overall effort made

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at the local district level. I agree. Number two is that we, at the State Board level, identify the schools who are eligible and required to offer choice. It is left to the individual school districts' superintendents to make available to those parents the opportunity to choose. We do not, at the State level, direct that. We cannot. The law is very clear the way it's written. It is the role of the -- of the local education agency or the local board to make available the choice options. Again, I think it's the delicate balance between our oversight and the implementation at the local level - the State oversight, the local implementation. And so, we do not individually place students into choice or into supplemental providers. That is the local board's role to do that. My discomfort is your discomfort. We do not see enough children taking full advantage of those two options at the local level.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Superintendent. And I want to remind the Members that we do have a long list of witnesses that are patiently waiting to be called. We're going to take a few more questions, but try to limit it to one quick question or quick statement. Senator Hendon, and then Senator Soden.

SENATOR HENDON:

Thank you, Mr. Chairman, and you've done a great job on this historic meeting. I know it's difficult. Superintendent Schiller, the State Board of Education has been in existence for thirty-four years, you said. Is that right?

SUPERINTENDENT SCHILLER:

In 1970, that's when the State Board was -- through -- through the Constitution...

SENATOR HENDON:

Thirty -- thirty-four years. And you've been there nineteen months. The district that I represent, in that entire thirty-four years and your entire nineteen months, the achievement gap has only gotten greater. The -- the -- the funding levels have gotten worse. The children simply have not been educated, in the entire thirty-four years. So, even though I have problems with the Governor's proposal, which I do, how can you -- and what is your answer of why you-all haven't done anything or why you haven't been able to correct, the State

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Board, this -- this achievement gap in thirty-four years? So, why shouldn't a -- a -- a Senator like me who comes from a -- a -- a district where everybody is failing and dropping out in astronomical numbers and can't get back in school, why should we stick with -- with the State Board of Education and not take a look at what the Governor is trying to do, if you admit that you've failed to educate my children for the last thirty-four doggone years?

SUPERINTENDENT SCHILLER:

Well, first of all, I don't think that I would admit...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

...that we have failed to educate the children. The reality is, as you know, Senator, you have local school districts with local school board members who are elected, who appoint a superintendent, who have the authority to hire teachers, have the authority to evaluate the teachers, put in programs. What the State Board has done was to establish the learning standards of what all children should learn. We do not -- we do not teach the children. We -- we take the funds that you provide as a Legislature; we distribute them according to your statutory requirements. We give those funds to the school districts. We provide the learning standards to the school districts. We provide the certification standards. They determine what books they choose to use to teach. They determine the daily schedule. The local school board determines the principals, who they hire, how they evaluate the teachers. They determine the length of the day in -- in excess of the minimum. The -- the point being is that whether or not the Governor has a Department of Education or the State Board of Education remains, neither -- we -- we have a local-control State that vests the responsibility for teaching and learning at the local community level. We report the results of the tests. We do not teach the children.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Hendon, last -- last point.

SENATOR HENDON:

Very quick. You know, Superintendent, it's not directly at you, but I -- Senator -- I've even said on this Senate Floor to

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Senators, I am sick and tired of us abdicating our responsibility because of local control or home rule or anything like that. We run the State, the entire State, from the -- from the bottom to the top. If the State Board of -- does the State Board of Education have a responsibility to every child in this State when it comes to their education, yes or no? And if you see a failing situation, do you have a responsibility to correct it or not?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr...

SUPERINTENDENT SCHILLER:

But not the authority.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER.

Not the authority. Responsibility, yes. But your statutes do not give the State Board the authority. And there's a difference between responsibility, which we will not shirk, but we do not have the authority. I do not have the authority when a school is not performing, to go in there and to change it personally. I do not have the authority when students are not achieving, to go in to evaluate a teacher. You have not -- if you want to fundamentally change education, it is not the State Board that has the authority to do it. Do it through the statute. We will administer it for you. But I would point out: Fifty states in the nation, not one state has the authority to do what you're telling me to do. Every state has local school boards who have the authority to run their educational programs. Do you want a centralized, one superintendent who's going to direct eight hundred and eighty-eight individual school districts? That's not the way we're funded. That's not the way we're founded. I would point out, sir, I'm as frustrated as you when I go to a school - and I've been to schools recently - where I've been in classrooms and I do not see what should be taking place in those classrooms. But you know something? We cannot do that unless you give us the authority to do something with it. No Child Left Behind ultimately does give to the State and the Legislature authority, after -- after six consecutive

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years of schools that are not achieving and meeting annual progress.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

...you, Mr. Chairman. Superintendent Schiller, my concern is about the book program from zero to five. Twenty-three million dollars has been estimated that that would be the cost. If you were to inherit this, how would you administer that program of giving a book to every child from zero to five?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

If, indeed, the Legislature found the funding in order to support that program, first my understanding was that that would be administered by a separate foundation that's outside the State of Illinois. If it was vested in my responsibility area, what we would do is obviously work with each of the hospitals and each of the agencies in the government that has jurisdiction over child -- children before age five and then to try to manage an operation by which we would identify each of the children who are born and the address of the parent and then to be able to work out the logistics for delivery of -- of selected books that are age-appropriate for them and their parents. As I said, this program that's an initiative of the Governor, as meaningful as it may be, has not been identified that would be vested here in the State Board in order to administer. They've looked at a similar program run by a foundation in another state.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Soden.

SENATOR SODEN:

Thank you. How big a staff do you think it would take to -- say, let's estimate a hundred thousand people in that program, to make sure that that book is being utilized? In a follow-up to that, we have many ethnic groups in the State of Illinois. Are you going to print books in Polish, Hispanic, Italian, for people and parents? We have parents that can't read or speak English. How do we adjust that program?

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Dr. Schiller.

SUPERINTENDENT SCHILLER:

Senator, I cannot give you the details because it was not the State Board's initiative. I would defer that to a member of the Governor's staff who might be able to answer those questions. You raise very important, strong logistical issues. The one area that I would like to address would be that, as meritorious as that program may be, in a time of very limited resources, when many of our schools currently do not have enough money for textbooks and many of our children today in grades three, seven, eleven do not have textbooks, you have to first determine where you want to put your priorities with what money is available.

MR. CHAIRMAN: (SENATOR DEL VALLE)

All right. Thank you, Dr. Schiller. We're going to have to move on. We're going to call a couple more Members, but I want to remind the Members and the witnesses that are waiting to testify to try and focus on the issue of governance. We are covering a lot of ground here this morning. We're raising a lot of good questions about No Child Left Behind and other matters, but if we discuss the overall status of all of education, we're going to be here for the next few days. So, I -- I ask you to please try to stay focused on the issue of governance and the content of Senate Bill 3000. We're going to call a couple more Senators, then we have to move on. Senator Welch. Is he -- is he still on the Floor? Senator -- Senator Demuzio?

SENATOR DEMUZIO:

Thank you very much, Mr. Chairman. Superintendent Schiller, I notice that Senator Luechtefeld's not here. He asked some questions a few minutes ago, but let me say that the governance issue that we're talking about today doesn't go to you personally at all. The fact of the matter is, is that you've been a great Superintendent, and I would not quarrel with -- with -- with that at all. I think the quarrel, and you and I have talked about this for a number of -- of times, is that you're caught up into a situation here where over the last three gubernatorial campaigns, we've had a Board appointed by the previous Governor who's chosen the Superintendent. I think that has led, more than anything else, to a lack of -- of trust, I

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suspect - I don't even know if that's the proper word - but -- with -- with the administration. And I think that's been unfortunate, because all this past year, we -- Senator del Valle and I tried to -- tried to get somebody to communicate with you so that we've made you our point person with downstairs to try to figure out what we were going to be doing during the Session. But apparently it's inherent in the system. When you have a -- a Board -- and I don't want to characterize or cast eyes -- any dispersions whatsoever upon the members, because they're all good members. The fact is, is that we have a situation where the makers of the 1970 Constitution never envisioned -- that the Legislature, once we adopted the program that we're embarked upon, that we would have members of this Board from the previous administrations running the operation. And there's no -- little or no input from the Governor or the Chief Executive Officer, and I think that's been unfortunate. I think if we had modified these -- these terms like I'd wanted to do over the last several years, we wouldn't be in the posture that we are in today. The fact is, is that you're in an untenable situation here with these proposals. Hopefully, somewhere along the line, we'll be able to compromise on a number of these issues that are before us today. Senator del Valle and I and others on both sides of the aisle have talked about the fact that we need to try to figure out how to mesh some of these programs together. But I want the record to reflect that the comments that have been made are not at all attributable to you personally {sic}. I don't -- I don't take them that way. I take them as a -- as a general comment because I know you and you are a friend, and I think you've -- in some manner, have been uncharacteristically chastised because -- and take the blame for the whole system. But for the most part, that's one of the changes that we probably could make. It may have some over -- overall impact on this, and that is changing the members of the Board. No due respect -- all due respect to the Board, but at some point, you have to have, during the Governor's term of office, at least a majority of the members appointed by the current Governor, regardless of party. Somebody has to share the same view, vision that he does, and I think that's why we got into this situation. It doesn't take any comment from you, but I just

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wanted those to be reflective of -- of the feelings that I have toward yourself and the -- and the process that we are in.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. Chairman, Ladies and Gentlemen of the Senate, Dr. Schiller, I think what could be implemented in this -- new proposed legislation, from what you said, you have the responsibility to look into the schools that are not doing well, but you don't have the authority to do something about it. Is that correct?

SUPERINTENDENT SCHILLER:

Yes, sir -- yes, ma'am. The...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

I'm sorry. Ma'am, the -- the authority to do something about it is now only vested by the NCLB requirements and what your new legislation does, but that is after a school fails to make annually progress after six consecutive years. We do not have other intervention from the State. Rather, the locals have requirements to do school improvements and to make significant change.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I might add that the -- the present Board - and I'm sure my colleague, Senator Demuzio, will agree with me - are all good, solid people who are concerned about education. Whether they were appointed by this Governor or the former Governor, at least the appointments are good people. The other part that I'd like to inject here is, why cannot Senate Bill 3000 be amended to cover the responsibility and the authority of the -- the State Superintendent of Schools so that he would have the authority to do -- as my colleague on the other side suggested, go in and clean up some of these schools? And the fact that you have eight hundred and eighty schools, is it? Is that correct?

SUPERINTENDENT SCHILLER:

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Eight hundred eighty-eight school districts, forty-two hundred schools.

SENATOR GEO-KARIS:

Well, we have over two hundred and twenty-five thousand apiece in this house. So, I think you should be given more authority under Senate Bill 3000 and it should be amended accordingly so -- to put the responsibility where it should be, on you and your School Board.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Thank you very much, Mr. Chairman. Superintendent Schiller, I don't have any questions. I'm a proponent of Senate Bill 3000. I just have some comments for you and the Board. You referred some moments ago to the lack of adequate funding over the years to do your statutory duties, and I would -- would agree that that's a problem for you and your Board and your staff. I would suggest to you that one of the reasons for that is, there isn't a feeling that the Board has a constituency in the Legislature because you are not accountable, directly, to an elected officer. It's been the hallmark of the American educational system that school policy is set, as you know, by elected officers. School superintendents locally are elected -- or, I'm sorry, are appointed by elected officers. The President of the United States, who was elected - or, at least we presume he was elected - appoints the Secretary of Education. Twenty-eight states have some form of gubernatorial control over educational policy. Just as our Majority Leader said, in a much better way than I'm doing now, it's imperative, I believe, at this juncture in history, to have an accountable voice for education, and the officer that carries that mandate out is necessarily the Governor. And there isn't anything wrong with proposing that educational policy be set by the chief executive officer of the State, who is also the chief law enforcement officer because his duty is to see that the laws are faithfully executed, and that should apply to education, as well as everything else within his or her realm. Now, I'm -- as a gentle rebuke to you - and I do share Senator Demuzio's high regard for your performance, and I'm relatively new here - but I

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think it's inappropriate to battle the Governor openly on some of these questions, as you and the Board are doing. And this -- it was proposed -- a question was proposed to the Governor -- or, asked of the Governor earlier when he was here, asking whether he could work with the Board. And I think the more appropriate question is, shouldn't the Board and the Superintendent be showing a greater degree of deference to the one who was elected statewide to carry out educational policy, one who has, in your words, a strong commitment to funding education and improving it? So, I would like to see less heat and more cooperation with the -- the -- the Governor on implementing these -- these ideas. Thank you, Chairman.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller, would you like to comment on that?

SUPERINTENDENT SCHILLER:

Both my wife and I would love a lot less heat. We would like -- I would like, very much, a lot less heat. This State Board stands ready to meet with the Governor and has requested to meet with the Governor on numerous occasions. Together it could be a very powerful force. And I believe, as Senator Demuzio had pointed out -- and it's left to this Body. It is left to you to determine terms of State Board members, whether or not they should be elected or selected. That is your legislative prerogative. What has taken place is that over time, with the way the Board has evolved with -- of appointments, that this particular administration did not have that opportunity to appoint three new Board members in this first term. The reality is that this -- that Governor Blagojevich has had an opportunity to appoint a Board Chair, Dr. Steiner, which he has done. He has had an opportunity to appoint a vacancy to the Board from Chicago, which has not been done since June. There are two -- and -- and the Governor has an opportunity to appoint three new Board members January 1 and would have an opportunity that in 2007, should he be in office at that time, to appoint three more Board members. I do believe a Governor has the major role in setting education policy through the State Board. There are but three states in the nation that do not have state boards. You'll learn about this from ECS. One is where there's an elected state superintendent,

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in Wisconsin; one is in Minnesota, which is starting to move back to having an -- a board; and a third is New Mexico, who had had an elected board up until this past November when Governor Bill Richardson went - a constitutional question - before the people of New Mexico to decide whether or not there should be a secretary of education reporting to the governor and to eliminate a state superintendent who was appointed by an elected board. Otherwise, there are forty-seven states with either an elected, an appointed or some kind of a hybrid between elected and appointed boards. That's your prerogative.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Doctor. We -- we have to move on. Now, we had scheduled a half an hour for ISBE and the Board members. We are now at an hour and ten minutes. We have lots of witnesses waiting. I'm going to call on one more Senator, and I ask the other Senators to please hold their questions and comment. We'll get you in, in the order that you appear on the board, after we hear from the next witness, who should speak for no less -- no more than five minutes. And so, the next Senator -- or, the last Senator, Senator Maloney.

SENATOR MALONEY:

Thank you, Mr....

MR. CHAIRMAN: (SENATOR DEL VALLE)

And then we'll let the State Board go.

SENATOR MALONEY:

Dr. Schiller, after the Governor's Address in which he questioned your role, particularly in -- in the State Board of Education, I talked to many of the superintendents in my district about his proposals. And while -- you know, nobody was in total agreement with all the concepts, there was -- seemed to be consensus on a couple of things, and one was on the certification and recertification process. This -- this -- this goes to governance. And while they all agree - and certainly I, as a -- a career educator, agree with the concept of professional growth and continuing professional growth, as -- as a professional, both as a teacher and as an administrator - they are particularly frustrated by the idea of the process. They -- they kind of like the idea of a separate certification board. Is the frustration, in your view, due to the -- the rules and

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regulations relative to certification? Is it due to lack of staff? And how could this be streamlined? Because this, as I said, is a particular source of frustration for people.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Dr. Schiller.

SUPERINTENDENT SCHILLER:

The -- thank you. The method of moving from initial to standard and, of course, recertification needs to be streamlined. We have worked with Members of this house, as well as the House of Representatives, in order to bring forward some changes along that line. We are bound by what you will do statutorily, number one. I believe it does need to be streamlined. I, frankly, do not believe that you should separate the roads department from the Department of Transportation much less than separate teaching from learning. To separate teachers and teaching and certification and the standard-setting from the State Board would be bifurcating the process. I happen to believe that the State Teacher Certification Board, the way it's constituted now, and with broad representations who make -- of which I chair and make recommendations to the State Board - and I would point out that every recommendation that has come forward since October of 2003 has been unanimously endorsed by our State Board - that that system is working. We need to streamline, principally, the statutes and then the concurrent rules that make this onerous process of certification/recertification easier for everyone.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. I want to thank the Superintendent and the Board members, particularly the Board members, for -- for their service as volunteers, and I thank you for coming here and responding to all the questions. Thank you very much. Senator Art Berman, someone who we're all very familiar with. Senator Berman.

SENATOR BERMAN:

Thank you, Mr. Chairman, Senator del Valle. Minority Leader, Senator Cronin, is he on the Floor? I -- there he is. I'm -- you see, I'm -- timing is everything, because when I left the Senate, I had your title, "Minority Spokesperson". But -- Senator Watson and Senator Jones, the Leaders of this great

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Body, I want you to know, I've been listening very carefully. I was observing when we -- when we first started here. And I am moved again because I'm watching, and I'm saying to myself that this hearing today, the Committee of the Whole, is a wonderful example of what a great legislative Body the Illinois Senate is. And I want to compliment you, compliment your Leaders for going through all of this, because I know that the bottom line is what's going to be best for our children. I want to tell you that I appreciate the opportunity to appear here today, a place - the General Assembly - that I called home from 1969 to January of 2000. Thirty-one years in elective office in this Body. I'm here today wearing several hats. I am the Legislative Policy Advisor to the Chicago Board of Education, and I've concentrated in the area of education for the years of my -- for all the years of my public service. In the past few years, I have served on a number of boards that many of you have been involved in, including the Education Funding Advisory Board - EFAB, the Governor's Commission to Revise the Illinois School Code, and I'm still an active participant in what is now called A+ Illinois, campaign to reform Illinois school funding. I had the great privilege of serving with most of you in this Body, and I hope that my remarks today, as a former Senator, hopefully lights a flame that can be translated to needed reforms on behalf of our 2.2 million Illinois children in our public schools. I think that the Governor should be commended for undertaking this very heavy responsibility of supervising education in Illinois. Each of us in this Chamber recognizes the power that our voters give us when they elect us to public office. Virtually no appointed -- official has the leverage or power that elected officials in Illinois possess. It is the enrichment and the embodiment of the American democratic - with a small "d" - democratic process where the voters' voices are heard through the ballot box and you listen to that, come down here, and represent your constituents. Regrettably, the education statistics for Illinois are outrageous. A great State like Illinois regrettably ranks 48th in the funding of our children's education, and Illinois was given an "F" a few weeks ago by a national education research body indicating that Illinois flunks - "F" for flunks - when education funding

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standards are evaluated nationwide. Is that the heritage that we wish to carry forward? I don't think so. In keeping with the power of the people through the ballot box, we have seen what an elected official, namely the Mayor of the City of Chicago, has been able to accomplish when the responsibility of Chicago schools were placed on his shoulders as the elected Mayor. Since 1995, Chicago schools have improved their test scores, their attendance, school safety and the physical facilities of the Chicago public schools. Again, I point out that this was accomplished when an elected official was given the responsibility of our public schools in Chicago. Governor Blagojevich is willing to undertake that with a similar responsibility. God bless him. I want to clarify that neither I, nor my bosses - Arne Duncan, the CEO of the Chicago Public Schools, or Michael Scott, the President of the Chicago Board of Education - have any complaints with the Superintendent, Robert Schiller, or the current members of the State Board of Education. But they do have to answer directly -- I'm sorry, but they, Schiller and the State Board members, do not have to answer directly to the voters of Illinois. Governor Blagojevich does, and you, the elected legislators who represent the parents and children of Illinois, should take advantage of this opportunity and support the Governor's initiative to restructure the educational system and to make the Governor responsible for that system. That will give you and the voters of Illinois greater leverage to make the system work better for our children. I don't want to overlook - because we've all lived with it for more years than we want to acknowledge, - I don't want to overlook the issue of school funding, but I think we have to take this one step of structuring at a time when the system recognizes that this structure change may be the first step moving towards funding reform. We've all been frustrated by the lack of compliance with meaningful changes to funding reform. Based upon my many years of experience where a system was not answerable directly to the voters and did not make changes to either the structure or the funding mechanism, I think that the Governor's proposal gives you the opportunity to start to make long overdue changes. You and I have labored too long without success. Let's move forward with a new plan, under

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this new Governor, for the children of Illinois. Every child in Illinois is entitled to a quality education, regardless of where they live. The Governor's restructuring is the first step to accomplish that goal. Thank you for allowing me to spend some cherished time again with all of you. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator. President Jones.

SENATOR E. JONES:

Thank you, Mr. Chairman. And welcome home, Senator.

SENATOR BERMAN:

Thank you, Senator, my President.

SENATOR E. JONES:

You were -- I -- I recall a little more than thirty-one years ago when I was a freshman in the House and you, I believe was the Minority Spokesperson on the Education Committee and -- at which time the issue of funding was up, the resource equalizer formula and all those things that were -- contained in that bill. And it was so complex, and so I turned to you, Art, and asked you, I said, "I'm reading this analysis and I'm still confused." And you said, "Just vote like me, then you'll be okay." But if there's anyone in the State of Illinois that know education, you are -- you are that person, Art. But I -- I'm getting somewhat confused as I listen to the debate on the issue as it relate to governance. We're talking about governance, and I heard many refer to the Chicago school system and the changes made therein and talking about governance. How many school districts, Art, are there in the -- in the State of Illinois?

SENATOR BERMAN:

I think it was said, eight hundred and eighty-eight, approximately.

SENATOR E. JONES:

And Chicago is one of those -- that number?

SENATOR BERMAN:

Correct.

SENATOR E. JONES:

Now so, Chicago is one district. There are eight hundred and eighty-eight other school districts across the State of Illinois. In the -- in the proposal that we are given, is the proposal to take over the local controls of the schools, as far

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as our governance is concerned, the way Chicago did, have its governance?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

Thank you. No, sir.

SENATOR E. JONES:

Okay. So who runs the school districts in the State? The local school districts run it.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

That's correct. And that still would be the way under Senate Bill 3000.

MR. CHAIRMAN: (SENATOR DEL VALLE)

President Jones.

SENATOR E. JONES:

Well, see, I don't want the misconception out here that governance is going to change all the policy issues at the local school level. The -- is it a fact that the local schools make the decisions as to how much money go in classroom, teacher-student ratios, or is that made by the State Board?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

It would be made, essentially, at the local level.

SENATOR E. JONES:

Right. So, I -- I'm -- I'm trying to see, what impact would it have to bring about this change if all the decisions are already being made at the local level and the -- the State Board or any other board is just a pass-through, more or less. For all the policy makings at the local level is made by the local elected school board members. So, it's not analogous to the Chicago school system. And people keep making references to Chicago, but Chicago is just one district.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

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Thank you. Let me explain why I drew the analogy between the Governor's bill and the Chicago school system. The Mayor was given the authority to make decisions. He's not in every classroom, and he doesn't pick, personally, each principal or each teacher. But his Board sets policy, and he is answerable to the voters of Chicago. The Governor, under Senate Bill 3000, would set policy through the new State Department of Education. The Governor is answerable to the voters of Illinois. You and I and most of us here have lived with the existing system, and we are frustrated by the lack of positive movement on behalf of our children. We have to make changes. This is a meaningful, I suggest to you, a meaningful change, because without Senate Bill 3000, without this change where we have an elected official willing to take the heat...

SENATOR E. JONES:

Senator...

SENATOR BERMAN:

...we're not going to achieve anything.

SENATOR E. JONES:

Now, I understand what you're saying but when you're talking about governance and setting policy in the local schools it has been my belief all along that the local elected school boards in the -- all the school districts make all those decisions at the local level. Now, how will the Governor, in his -- in his Department of Education, change that? The local schools in the district, they -- they decide where they're going to purchase supplies from, they -- they decide to support their local businesses. And -- his bill calls for centralizing, which will save money. And, you know, you and I went through this when we were talking about consolidation. We saw the big fight that we ran into. But I don't want the misconception out here when you -- when you keep making analogies to the -- to the -- reference to the Chicago school system, this is entirely different - entirely different - in that the other eight hundred and ninety-eight or eighty-nine, how many other school districts there is, this does not supersede -- who decides how much money get into the classroom? Do the State Board or do the new Department of Education make that decision? Or is it the local school?

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MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

There will -- there will -- there will be decisions made at the local level. What this bill does is to give an elected official the responsibility of setting State policy for education.

SENATOR E. JONES:

But -- but -- no...

SENATOR BERMAN:

That -- that responsibility has been sort of avoided...

MR. CHAIRMAN: (SENATOR DEL VALLE)

President Jones.

SENATOR BERMAN:

...and -- and invisible...

MR. CHAIRMAN: (SENATOR DEL VALLE)

President Jones.

SENATOR BERMAN:

If I walked out on the street and asked anybody, "give me the name of the State Superintendent of Education", "Give me the name of any of the members of the State Board of Education", nobody could give me an answer. And...

SENATOR E. JONES:

But -- in the -- in the local school districts, the local people know the local superintendent. They know the principal of the school. So, this does not change that. That's the only thing I'm trying to figure out, 'cause you keep making those -- about governance and the power therein. But the major decisions are made at the local level and not at the State level. That's the only thing I'm saying.

SENATOR BERMAN:

Senator Jones.

SENATOR E. JONES:

And these people are elected. So, how is this going to supersede? That's -- and that's my problem.

SENATOR BERMAN:

Senator Jones, you and I have worked for decades to try to improve funding for education. We have a Governor who's willing to undertake an -- an obligation regarding responsibility for

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school policy that, I suggest to you, very well may be part and parcel of a meaningful school funding reform. And let's work with this Governor to achieve both those goals: an elected official responsible for our children's education and a new funding mechanism that will give a quality education to every Illinois child.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator, I don't -- Senator -- President, I don't mean to interrupt you, but because we cannot cut off the Secretary's mike, I have to acknowledge the speaker for transcript purposes. Otherwise it will be difficult to do these transcripts. So please slow down a bit. So -- President Jones.

SENATOR E. JONES:

I do appreciate you coming, but only thing I -- I was simply saying is this, I understand about making a person responsible and so forth, and the elected official is the one that should be responsible. But having that responsibility and being able to implement such is a horse of a different color. Now, I know this is where the politics come into play. Independent educators recognize the needs of the children, so they're going -- they're going to hopefully make that decision independently, not concerned about the politics of it down the line. For example, the -- the -- the State Board -- the State Superintendent says, "Well, we need X amount of dollars to meet the educational needs" - you know what I'm talking about - which may be contrary to the Governor's request and need, and the Governor may come in with a lower funding amount. Therefore -- therefore, the Governor may get blamed for underfunding education, not meeting its needs. But if you have a department -- this is when you politicize the issue. You have the Department of Education concerned about the politics of it, recognizing that you may need additional funding, which may call for politics, and so the decision will be made political, rather than the educational needs of children. I think that was the -- the wisdom of the -- delegates to the Constitutional Convention looked at that one point. So, I -- I -- I'll try to keep an open mind on this issue, but I don't want to be confused. I don't want the -- the parents across the State of Illinois to be confused as relate to their children, because these decisions,

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as relate to classroom, are made by the local school boards, not the State Board. So changing -- changing the governance at the State level does not change the funding level in the various school districts throughout the State as to how much goes in the classroom, how much the State -- how much the Superintendent's paid. I don't care -- not -- not unless the legislation is going to usurp the powers of the local school boards, it won't have any impact. And that's the problem. And perhaps, Art, you the man that know all about education in Illinois and all those rules and regs. Some legislation I passed. Some schools don't like those laws that we passed, but we passed them because we felt there was a need, like I believe all the dollars should follow the children. You remember, I fought that battle? The local officials didn't like that. But you must have certain rules and regs to implement the laws that we pass. So, in order to make it less cumbersome, how you going to get rid of those rules and reg? You going to recommend that we -- we get rid of all the mandates that we passed in the General Assembly? I want to know.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

I'll make it -- I'll try to make it short. Whether Senate Bill 3000 passes or doesn't pass, the Illinois Senate and the Illinois House will still be in existence. Each of you - see, I can say you, not us - each of you are elected to set education policy through the Legislature. You determine what is -- decisions are going to be made at the local level and what decisions will be made at the State level, and then you have to go home and justify those -- your votes on those issues. All I'm suggesting to you today is that we have got, for the first time in many, many decades, a Governor that's willing to undertake the responsibility of having his own agency supervise education. That's a -- departure from our history. I compliment the Governor for willing to undertake it, and I suggest to you that with this open door, we start what may be what we've all been working on for more -- for too many years, a whole change, not only in governance, but also in funding to satisfy the needs of our children. Let's try it.

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MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator -- Senator Cronin, followed by Senator Ronen, followed by Senator Roskam.

SENATOR CRONIN:

Thank you, Mr. Chairman. It's good to see Senator Berman. Once a Senator, always a Senator. I've always had great respect for you. And when I came down here, Art Berman, you were "Mr. Education", and -- and I respect your thoughts and your -- your view. You've had a lot to do with the development of the School Code. You could probably advise the Governor on those twenty-eight hundred pages because you had a heck of a lot to do with those twenty-eight hundred pages. But, you know, if I could pick up where Senator Jones has left off, isn't it quite possible that what the Governor is engaging in here with this proposal is really a false promise? Isn't there a huge risk here - and no one's unwilling to take a risk here - but, really, to create a system that would be worse and less responsive and more central control and more bureaucracy? I mean, you know, you talk about Chicago as the model. And -- and I've chided you on this before: You -- you didn't vote for it either. This great model of reform and great, virtuous piece of legislation that everyone who's talking about it today wants to create the Department of Education, but none of them ever voted for it. You know, I think your analogy fails because of some of the remarks that Senator Jones made. And I think, as I understand his point, that's one school district that was -- was directed to conduct itself in a certain manner. And your analogy fails because I don't believe that the Department of Education will ever implement the types of far-reaching, hard-hitting reforms that were included in the Chicago School Reform Act of '95. I don't want a Department of Education to tell my schools what to do. Senator Jones doesn't want that. Senator Soden doesn't want that -- you don't want that. It's a false promise. We need to support the local schools. We need to actually -- actually do what we say. We can't get away with praising local control on the one hand and then on the other, proposing and implementing all sorts of mandates and burdensome regulations, because that's -- that's not being honest. You know, you're a smart guy. You have a very smart political sense, I know. The

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Governor maintains, and you have reiterated it here today, that there ought to be new governance before we get to the question of funding. He believes that if you change the governance from a regionally based system, where downstate, the suburbs, the cities all has a share and some say-so in the distribution of money particularly, he thinks if you change that governance from a board to one guy - in this case, it happens to be a Chicago Democrat - who is going to hold those purse strings and distribute money as he sees fit with his board and he'll take the responsibility -- and trust him. Trust him. Even though he never voted for these reforms that he's proposing now, even though he never participated in any kind of reform effort or local control -- trust him. And you know what? I want to have an open mind. I want to help improve things. But you know what? The downstaters and the suburbanites and people who are genuinely interested in changing things, we don't want a centralized bureaucracy, and we don't want to walk hat in hand to the Governor's Office every time we need something for one of our school districts. I think changing the governance that he is suggesting will actually diminish his chances. He -- legislators here will be less inclined to take up the issue of funding reform, because they don't want to talk about more money given to one guy from one area of the State who has ultimate control about how that money's distributed. I think there's some serious problems with this proposal. I'm glad you're involved. Maybe you can bring some sanity. But, frankly, you and I have differed on how to approach schools, and I never thought centralized, powerful bureaucracy was the way to go. And so, I offer those thoughts to you. You're my friend, but I respectfully disagree with virtually everything you said.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Ronen.

SENATOR BERMAN:

Thank -- thank you. Dan, what's new? Thank you.

MR. CHAIRMAN: SENATOR DEL VALLE

Senator Ronen.

SENATOR BERMAN:

No -- no -- let me -- let me just...

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Senator Berman will respond because we can't cut off his mike.

SENATOR BERMAN:

All right. And I -- I can cut off my -- my successor. Senator Cronin, let me suggest to you this: First of all, the classic vote regarding the Chicago School Reform, I led the opposition to that bill on the Floor of this Body, for one reason - not what the bill provided, but the way the bill was presented. There was no, zippo, no input from any Chicago Democratic legislator in the framing of that legislation. I didn't see that bill as the Minority Spokesperson. As the Senate Democratic sponsor from Chicago. I didn't see that bill until a half an hour before it was presented to -- in the committee. That was why we were all upset with it, you know. So what's new, huh? But that -- that was -- but what I am saying wasn't the bill, but it was the responsibility that an elected official was willing to under -- to undertake. He didn't -- when the Democrats took back control of the Legislature, either one house or both houses, Richard M. Daley didn't come here and say, "Repeal that bill." He undertook the leadership and he has delivered. Is it perfect? No. Does he have a lot to do? Yes. And he's the first to admit it. But he undertook a gigantic responsibility. I see that similar kind of responsibility being willing to be undertaken by this Governor. We have lived with Governors. We were with Jim Edgar when -- I -- I supported his opponent, when he lamb-basted Senator Netch's proposal for school funding reform, and then Jim Edgar adopted it himself. And as I recall, this caucus on the Republican side of this Senate is the one that killed the bill. So when we talk about, you know, leadership, I suggest to you that we have lived too long without meaningful changes. This is a door opener to try to move forward with the same speech that every one of you have made to your constituents. "Education's my number-one responsibility." "It's my number-one priority." And, yet, we haven't delivered. Let's try it.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator -- Senator Ronen.

SENATOR RONEN:

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Thank you, Mr. President. Are you -- I didn't want to cut off the -- the Senator. It's wonderful to see you, Senator Berman. You -- you -- you talked about the various hats you're wearing today, but, of course, you did neglect to mention one and that is my -- the hat of my number-one constituent. I'm very happy to see you here. I don't -- I think everybody agrees that nobody represents education, nobody understands education, nobody is a better advocate for education and for children than Art Berman has been over the whole course of his career and continues to be today. So it's really gratifying to see you here, and let me just tell you that you've convinced me to support the bill. The -- and I -- I think there's nobody -- you're in a really unique position right now to talk about why this is important and -- and the analogies, and the analogy to the Chicago school, I think, is -- is correct. You know, we've seen reports in the press for the last several years about the Illinois State Board of Education, delayed school report cards, employees indicted around health care concerns, and the schools that they haven't acted on. I think I just read this week that there's a move to change the timing of the testing so that kids aren't going to have as much preparation time. So, I think all of these things speak to the issue of governance and speak to the issue of why we need change. And -- and -- and in reflection of Senator Jones' question about, you know, monies, the monies that we're not spending in -- on administrative costs -- we're not misspending on administrative costs could be directed into the classroom. And I -- so I think that things that you've seen in the Chicago schools, how those changes have been made in the Board, how monies have been saved by virtue of a more streamlined Board of Education and a more streamlined staff of the Department of the Chicago Board of Education are -- really are analogous. And so, I thank you for being here and would just ask you to comment, if you would like, but -- I -- I think you've made yourself very clear. And we do appreciate your continued support, and we know that we'll have your continued advice as we move forward on this very important piece of legislation.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

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SENATOR BERMAN:

I -- I just want to share with everyone, my successor, Senator Carol Ronen, refers to me in a very unique way. Whenever I call her, which is very frequently, or drop her a note, or send her an e-mail, she refers to me as "The Constituent from Hell" and she puts up with me. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank -- thank you, Senator. We'll have one -- one more Senator and then we're going to have to move on to the next witness. I ask those Senators with lights on to hold their question. Senator Roskam, and then we'll move on.

SENATOR ROSKAM:

Thank you, Mr. Chairman. You know, Senator Berman, when -- I mean, just -- I find it ironic that today you're championing a bill - and you may want to -- rethink your argument when you present this to other groups - but you're basically championing a bill and to quote your language, "In keeping with the power of the people through the ballot box, we've seen what an elected official...the Mayor of the City of Chicago, has been able to accomplish when the responsibility of Chicago schools..." was placed on the shoulders of the elected Mayor. "Since 1995, Chicago schools have improved their test scores, their attendance," their safety and their physical facilities. I mean, the irony is that two minutes ago you told Senator Cronin that that was a bill that you had absolutely no input on, but it has resulted in absolutely great things. Now, when the bill first came up for consideration, when the Governor first gave his speech, he came out and -- there's nobody more skilled than the Governor at kind of neat tricks, and coming down and shooting the political wounded, and jumping in front of a parade, and the whole deal. And he came and he had the twenty-eight hundred pages of regulations, as you know, and he put it down on the desk and said it was a problem of biblical proportions. Great line. But when my school superintendents heard that, they called me up and they said, "You know, the problem isn't necessarily so much the twenty-eight hundred pages or whatever of regulations that we're talking about. "Because you know, as a practicing lawyer, and I know, that twenty-eight hundred pages based on eight hundred or nine hundred pages of

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the School Code, that's not all bad. Senator Cronin made the point earlier this morning that the FDA uses a couple hundred pages to describe what is junk food. So it's a complicated business, as you know, making rules, interpreting statutes. The superintendents in my district said, "Don't waste time, Peter Roskam, just talking about these pages of regulation. Put it all on the table. Put the School Code on the table. Put it all on the table." And that seems to me sort of the fundamental weakness about what the Governor is talking about. He's talking about sort of government by bumper sticker, you know what I mean. The -- the willowy language that sounds great. And I'm sure they polled on this and they've tested the phrases, and they're very powerful phrases that he uses. But rather than messing around with the -- the regulations, why not put the entire School Code on the table and be transparent in the process and say, "Yeah, these are the things that we're willing to put forward." There has -- Senator Cronin has not gotten a response from the administration about what it is that -- that they're willing to offer, other than a pretty aggressive power grab and a -- and a -- and a -- it makes me shudder to consider what it would be like for my school districts to get the approval for the school construction grant -- programs, when we're having difficulties getting capital projects in other areas released. And I wonder as, basically, the author of the School Code over the past thirty-one years, the person that built it up, what's -- what's your feeling about -- about basically putting the baby on the table and letting people have at it?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Berman.

SENATOR BERMAN:

Thank you, Senator Roskam. I would point out, Governor Ryan appointed the Governor's Commission to Revise {sic}(on Revising) the Illinois School Code. That was done, I'll say, three years ago -- two, three years ago. We spent -- and I was appointed to that body. We spent literally thousands and thousands of hours of good citizens' time in putting -- in -- in eliminating -- duplicative language, outdated language, cutting down, I think, perhaps - and I haven't seen it yet - by hundreds

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of pages, the length of the School Code. There were some substantive changes suggested but not -- nothing that was outrageous. We submitted that to the Legislative Reference Bureau. They still haven't produced something that you, the legislators, can see to act on. So we have started to look at the total package of legislation. But let me tell you something, the -- principal sponsor of this bill is Senator Demuzio. He's been around a long time. I've heard him say and I heard the Governor say that they're willing to talk and discuss - I don't think the word "negotiate" was -- was used, but I'll use the word negotiate - to bring around the table some of the points that have been raised today. I compliment you. That was my opening line, to compliment you on voicing your opinions, your constituents' opinions, your school boards -- your local school boards' opinions to looking at this problem. Vince is ready to listen and discuss it, and I'm sure that he will bring the Governor and his people to that table to do it. I would love to be part of it. I don't have to be, but if the Governor and Vince see fit to put up with me again, I'll be happy to be -- to play a role in it. But all of this ought to be on the table. We're talking about eighty percent - 8-0 percent - of the school districts in Illinois today are operating at a deficit. Eighty percent! I'm not talking about some widget maker. I'm talking about the schools that are supposed to educate our children. We've got to do something. And at the moment, Senate Bill 3000 is the only meaningful new approach. Play with it, amend it, but let's move forward.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Senator. I think that's a good point to end your testimony.

SENATOR BERMAN:

Thank you, all. It's a great pleasure to be with you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you for your time and -- and for your dedication to the children of the State of Illinois. Thank you. Thank you. Our next witness is Dewayne Matthews from the Education Commission of the States, who will kind of give us an overview of what's happening across the country. Dewayne Matthews.

MR. DEWAYNE MATTHEWS:

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Thank you, Mr. Chairman, Members of the Senate. I am very glad to have this opportunity to be with you. I need to clarify a little bit about my role here. I represent the Education Commission of the States, which is a national organization of state governments, is created by law as an interstate compact by the states through legislation passed by all of the state legislatures, including Illinois, back about forty years ago. The Commission of ECS consists of -- of the governor of every state, members appointed by the governor, as well as legislators. Senator Cronin is a member -- a representative of the Illinois Senate on ECS, along with Representative McCarthy, who represents the House of Representatives. I'm not here as a proponent or opponent of the legislation, but was asked to give you some background information on education governance - state education governance - and some of the trends that are happening. Education governance has become a very hot political issue around the country. There's been a lot of activity around governance. You are not alone, if it's any consolation, in addressing these issues, and a lot of the concerns that have been expressed here are concerns that are being echoed around the country. I will not go through my presentation in detail. But I do have and you should have a copy of -- of my presentation, which is an overview of some of the basic options which exist, the various models for state education governance. Basically, your choices are fairly simple as a state. You have a -- in almost every state, a state board of education, which is either elected or appointed by the governor. And you have a chief state school officer, usually called a state superintendent, who is either elected, appointed by the governor, or appointed by the state board of education. In every state you will see combinations and variations of the patterns involving those, and that's what's detailed. I would refer you, however, to the back page of this presentation, if you have it, to talk just a bit about some of the trends and what we see happening. There have been a number of states which have changed their education governance at the state level in the last ten years. The basic trends are fairly clear. The trends are clearly towards increased gubernatorial authority over education. The states have been wanting to move more

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authority, more engagement of the governor in education change, and we've been seeing that happen around the country. However, only one state has gone to the extent of actually putting the entire authority of the education system under the governor, and that's the State of Minnesota. And even in that state, the Senate retains the authority over the confirmation of the chief state school officer. And in Minnesota this year, that is very much at issue, as to whether the governor's appointment for secretary of education will be confirmed.

MR. CHAIRMAN: (SENATOR DEL VALLE)

I need to interrupt. Some Senators are having difficulty hearing you. So if you could just speak directly into the mike and stay there. Okay? Thank you.

MR. DEWAYNE MATTHEWS:

All right. Thank you, Mr. Chairman. The reasons for this shift in terms of moving more gubernatorial involvement in education is, I think, fairly clear to understand. Governors today have because of what has happened in education accountability and state budgets, have clearly felt the need to have more direct engagement or more direct involvement in education. There's also, perhaps, been an effort to see more responsiveness in the education system, more clear the lines of authority. There's also been a move towards greater coordination between K-12 education and both higher education and pre-K education - also is a trend in a number of states. But, again, I mention that most states have not gone to the extent in moving the -- making these shifts in moving towards a direct appointment or making education a direct state department, as in the way that other areas of state government are operated. The reasons for that probably have to do with both the history of the desire to maintain autonomy in education, maintain some autonomy between education governance and the rest of state government, as represented by elected school boards and separate state boards of education, and the various regulatory responsibilities which continue to exist in states boards of education. Finally, Mr. Chairman, I'll just summarize by saying that there's one other trend which we see happening around the country, which I think is very important in this deliberation, and that is the shift that is taking place,

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as Superintendent Schiller mentioned, in -- in the actual responsibility of state boards and departments of education. We're clearly in the midst of a trend of a movement away from a more regulatory sort of model of state governance of education towards one in which the state role and the state responsibility is much more focused on school improvement and supporting schools and teachers to improve their performance. This is an -- an inevitable consequence of the greater reliance on standards, on assessment and on accountability, and as those systems continue to evolve and mature, we're seeing that shift. Creating a way to make sure that every state has a strong capacity to support school improvement has become a major issue in almost every state. Mr. Chairman, I think I'll stop there in the interest of time and see if there are any questions.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Are there any questions? Any questions? If not, thank you very much for your testimony and for agreeing to participate here today with us. Thank you very much.

MR. DEWAYNE MATTHEWS:

Thank you, Mr. Chairman.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Our next witness is Max McGee, Superintendent, Wilmette School District, and also former State Superintendent and member of the Governor's Task Force. Max McGee.

MR. MAX MCGEE:

Thank you, Senator del Valle, and you'll be glad to know that since I left State office, I've become much more brief in my remarks. I want to thank the Members of the Senate for your continued support of public education in Illinois and your commitment to providing the highest quality of education for each and every one of our 2.2 million boys and girls. I appreciate the opportunity to share my perspective on Governor Blagojevich's plan with you. Having been a superintendent in Illinois since 1985, including three years as State Superintendent, when I worked closely with many of you, I hope I can provide some information and some insight that will inform your deliberations. Though I have publicly endorsed the Governor's plan, I want to emphasize that what matters most to those of us in the trenches, to those of us who work everyday

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with boys and girls - teachers, paraprofessionals - is that the Illinois State Board of Education needs to provide service and support to improve teaching and learning. As one of a long line of Superintendents who has sought to transform the agency from one of regulation and reporting to one of service and support, I am convinced that such a change cannot be made without a change in the governance structure. To be sure, the State Board of Education employs many talented people and delivers many fine programs and services, such as early childhood education, an excellent financial rating system and pretty sound reading and mathematics assessment. These, however, are not sufficient, by themselves, to meet the needs of local districts that are struggling to close the achievement gap, that face significant financial pressures, and that strive to recruit and retain the very best teachers. Moreover, as my written testimony amply illustrates, the agency sits on a wealth of data that districts could use, and should use, to improve their schools; yet, obtaining that information in its current format, is almost impossible. It's a mighty, mighty challenge. Turning to the achievement gap, which I have called "public enemy number one", the State Board of Education has identified and can identify "Golden Spike" schools - high-poverty, high-performing schools that have closed the achievement gap - yet it has not partnered those successful schools with the ones that are struggling. There needs to be a way for struggling schools to replicate the programs and practices of the Golden Spike schools. Likewise, the State Board of Education has an excellent record in financial intervention. They saved Round Lake, they saved Hazel Crest, yet they have not done a very good job of preventing financial problems. Districts need support, they need service, they need assistance. In short, we are looking for a Board of Education that enhances the capacity of local districts to improve teaching and learning, becomes a catalyst to attract and keep exemplary teachers and administrators in Illinois, and acts as a partner for assuring and advocating adequate, predictable and stable educational funding and resources. In my opinion, the Governor's plan will change the culture and the function and the structure of the State agency more effectively and expeditiously than if the agency remains an entirely independent

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entity. Yes, the agency can change itself, but it will take the Governor's, I think, will to make it happen quickly and to make it happen effectively. I'll share three reasons why I like the plan. I like it because it makes a chief elected officer in Illinois responsible for delivering service and support to local districts. Accountability to the Governor, however, must be coupled with legislative oversight. This legislative oversight has to assure that educational improvement that you envision happens sooner than later, and it has to keep sensitive information, such as assessment and financial ratings, really separate and apart from partisan influence. Second reason I like the Governor's plan, because it will assure stable leadership. Illinois is well known for churning State superintendents faster than the Bears churn quarterbacks. It is no -- you like that, Vince? There is no question that the relationship between stable leadership -- in states like New York, Iowa, Massachusetts and North Carolina, the stable, long-term leadership there has been effective in helping these schools close the achievement gap and providing support to local districts. Finally, I like the plan because it is doable. I have a -- a thick packet of written testimony at your seats which talks about how a new Board or even the current Board could take decisive action to clean house and immediately implement a no-nonsense performance review system as recommended by Deloitte and Touche two years ago when they studied the State Board. The skilled, productive leaders and managers who deliver service and support need to stay. The rest need to go. How do I know this will work? Because as President of the Teacher Retirement System three years ago, the Board took decisive action. We cleaned house. We fired managers that were not performing. We insisted that our investment managers have returns, and TRS changed from a middle-of-the-pack pension fund to one in the top ten percent. In closing, I know we all fear that if the State Board is accountable to the Governor, education will become too political. As a former director of the independent agency, I have to smile at this, because I can share many stories over a -- a warm beverage or a cold beverage of your choosing about incessant and intense political pressures that face an independent agency. In the previous

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administration, the agency was subject to political coercion, to interest group influences, far beyond those of cabinet departments. As a cabinet department, the State Board could develop a consistent, stable, long-term agenda for service and support. As an independent agency, it will continue to be buffeted by competing agendas. Thank you again for both your kind attention, your leadership, and your vision for public education in Illinois. Working together with your local school districts, you are making a difference to each and every one of our 2.2 million children. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Questions from the Members? I would like to recognize Senator Lightford, who is Vice-Chair of the Senate Education Committee, and now will assume the Chair.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Chairman del Valle. Hi, Max. How are you?

MR. MAX MCGEE:

Good.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Maloney.

SENATOR MALONEY:

Thank you -- thank you, Madam Chairman. You know, I -- I know -- I, too, applaud the Governor for taking this issue head-on, Mr. McGee, and I know there are many nuances to his educational proposal. But as one who has spent your entire career in education, I would like to ask, what impact -- if House Bill -- or, Senate Bill 3000 is passed, what impact will it have - bottom line - on the delivery of instruction to the schoolchildren of Illinois?

MR. MAX MCGEE:

Well, I think using the regional delivery model that he has proposed, it can partner low-performing districts -- with high-performing ones. In other words, it can provide direct service and support to districts that are struggling. It -- it can happen.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman {sic} Maloney.

SENATOR MALONEY:

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And how will that be accomplished through? What -- what -- what is the -- is there any definitive plan to -- to -- to do that, to accomplish that?

MR. MAX MCGEE:

Yeah. I -- I have not seen a definitive plan. But, again, in -- in other states that have a strong regional supportive network - and I'll point to North Carolina, which probably has, really, done a great job of closing the achievement gap over ten years - all I can tell you is it's working in some other states, and it can work here.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Maloney, I did give you a promotion. But for the purposes of our transcript, please be reminded that I cannot control the mike and I like to recognize you before you speak. Thank you. Senator Miguel del Valle.

SENATOR DEL VALLE:

Thank you, Madam President {sic}. Great job. Thank you. Max, you and I worked together during your tenure. I thought you did a wonderful job also. I was sorry to -- to see you go, but then when Dr. Schiller came in, I thought that he was an excellent choice. So, I think we have been fortunate over the years to have good people at the helm. But I want to bring up something that -- that you and I discussed in private, and that is my concern regarding the reporting on the financial condition of school districts and regarding the reporting on assessment -- on test results. Those are two delicate areas, and those are two areas that should not be subject to any type of manipulation, any kind of manipulation that leads to an interpretation that becomes favorable to those doing the interpreting. And that's one of my primary concerns. I agree with the Governor that there's certain things that we've got to change, teacher certification being one of those. There are a number of things we have to change. But I think it's important that we not strip the Board of all of its authority. And I think that there are some functions that should remain with a semi-independent body, so that those of us who are concerned about the powers of the Board in assisting districts deemed in financial difficulty and the creation of the school district financial profile that is public information on the Internet for

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everyone to see, the -- the system for rating the financial condition of school districts - these are all areas that are extremely, extremely important. And, of course, the State Board, by statute, is required to report, on an annual basis, on the condition of public education. And in the statute, it clearly says that the State Board must critique and recommend, recommend policy changes. Now, that same report that's required in the Governor's bill is postponed till the year 2007. Therefore, if this bill becomes law, we won't know until the year 2007 what the overall financial condition is, because there won't be a Board to critique. And I don't expect that that critique would come from the Governor's Office and the newly created Department of Education. And so I ask you, what is your opinion regarding separating those two areas so that we can continue on the path of -- of -- of gaining confidence in the numbers that we see in terms of the progress being made by school districts either in the financial area or in the area of assessment?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

MR. MAX MCGEE:

Thank you. Thank you, Senator. I -- I'm going to reiterate one line from my testimony, is that sensitive information, such as assessment data and financial ratings, need to be kept separate and apart from partisan influence. So, I couldn't agree with you more. The -- the fact is that the No Child Left Behind Act will require assessment reporting every year, and I think there's some things we can do to improve that assessment reporting in a way that makes it more useful to school districts. Right now it is a -- a challenge, to say the least. The financial reportings, I agree. The financial rating system is -- came in under Superintendent Schiller's watch, one of the best things the State Board has put out. What we're looking for is not just reporting financial ratings, however, but helping prevent -- helping districts from getting low ratings in the first place. So, I -- I make a -- come back to your point. I agree completely. It needs to be separate from partisan -- those two areas need to be separate from partisan influence.

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MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman del Valle.

SENATOR DEL VALLE:

Just to be clear here. So you agree that those two areas should not be within a newly created Department of Education in the Governor's Office?

MR. MAX MCGEE:

They need to be -- in some separate entity. I know you and I talked even about the possibility of a university running the -- the whole assessment piece and the data warehouse. So, I -- I don't know where it should be, but it should be separate from partisan influence.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman del Valle.

SENATOR DEL VALLE:

Now -- last question here. You've heard a lot about the Chicago model and how we keep pointing to the Chicago model. And for the record - and I don't think Senator Cronin is on the Floor - but for the record, I was one of those who voted against that legislation. And I voted against it because I felt that it didn't have resources, a commitment for resources attached to it, and that the continuing call for accountability was one that was being used by some to run away from responsibility for increasing resources. And so, we proceeded, it passed, it was implemented. Here we are nine years later. Nine years later we refer to the Chicago model. And this is a difficult position for me to be in, because on the one hand, I want my Chicago schools to continue to improve and I certainly am appreciative of the leadership of the Mayor of the City of Chicago. The Mayor has tried very hard. I think the Mayor loses sleep over the outcomes in the Chicago public schools. I really do. So there's no question in my mind about his commitment. But the Mayor today, nine years later - nine years later - has not been able to totally solve the problem of overcrowding and insufficient teachers for early childhood education. He hasn't been able to solve the problem of performance at our high schools. Twenty-one out of thirty-three grammar schools in my district have less than forty percent of the kids reading at grade level nine years later. Twenty-one out of thirty-three.

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All of my high schools have less than twelve percent of the juniors - let alone those who dropped out because, of course, we know most of them drop out before they get to their junior year - less than twelve percent are scoring at grade level on the Prairie State Exam. Those are the kinds of results we're looking at. And we know that on the No Child Left Behind Law, most of the schools, sixty percent of the schools that we're talking about, are in Chicago. That's the model we're referring to. Now, does that mean that the -- that -- does it mean that the Mayor has failed? The Mayor hasn't failed. The Mayor has tried. The Mayor had complete control. Chicago public schools is practically an independent district in the State of Illinois. We block-granted everything. All the decisions are made locally. We -- we don't see the ISBE breathing down the neck of -- of the -- of the Chicago public schools. So given all that, we still don't have the performance, and the reason is the lack of sufficient resources. And the Governor's proposal does not address that issue. I was heartened by the fact that yesterday, for the first time, the Governor made a statement saying that he has asked his people to look at new revenue sources. What does that mean? I don't know. I'm just excited that there's a step being taken here. There's an acknowledgement that those dollars are needed. And so, given your experience and given what you know about the Chicago model, do you agree that in order for Chicago to be able to close the achievement gap, to be able to pull those three hundred plus schools off of the failing schools list, do you agree that additional resources are needed in order to deal with all the issues that I described?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

MR. MAX MCGEE:

Thank you. Yes. I agree that it will take both a change in governance and more resources targeted to the right programs and services.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman del Valle.

SENATOR DEL VALLE:

Yes. But -- but the issue -- I -- governance. The governance is already there. The Mayor has control. And it's

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not happening. At the rate we're going, we will not reach one hundred percent of the kids reading at grade level by the year 2014. I have schools that went from fifteen percent when the Mayor took over, nine years ago, to thirty percent today - a fifteen-percent gain over a nine-year period. We're not going to make a hundred percent unless we dedicate the resources that are needed. And I need for you to tell me, am I off track here, or is that the core issue that we need to deal with in the State of Illinois when we talk about education reform?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

MR. MAX MCGEE:

The -- the core issue, and you'll appreciate this, because it's in the last -- paragraph of my long-written testimony, is we need more money for education in Illinois. We -- my wife has worked in the -- James Weldon Johnson School in North Lawndale for over fifteen years, and she has seen improvements. And we've seen improvements, and there are Golden Spike schools in Chicago that have closed the achievement gap. They know how to use the money, and if we give them more money for the right programs and services, we will see -- we will close that gap and we will make a difference. But it is going to take more funding for reading, summer school, after school. You and I talked about afterschool programs for a long, long time.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman del Valle, additional questions? Senator Meeks.

SENATOR MEEKS:

Thanks so much, Madam Chairman. Just for the record, I've heard all morning about the Chicago model and everybody has talked about it for the last nine years. Is there anyway the Chair or this Committee of the Whole can prepare some statistical analysis from 1995 up until now so that we actually can see how Chicago has increased or decreased over the last nine years? I just wanted that for the record, so that before we vote on this bill, we could actually look at the Chicago model and look at the statistics.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

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One moment, Senator Meeks. Senator Meeks, thank you for the request. We will pass that along to staff and get back with you. Thank -- thank you. Senator Viverito.

SENATOR VIVERITO:

...Madam Chairman. One particular question, Mr. McGee. Were you the one that started the No Child Behind?

MR. MAX MCGEE:

No, I was not.

SENATOR VIVERITO:

You were not.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

SENATOR VIVERITO:

Well -- I -- I thought I was going to -- I really thought I was going to get you on that one. So it wasn't you?

MR. MAX MCGEE:

No.

SENATOR VIVERITO:

Well, obviously, going around and meeting with different superintendents, I've had the opportunity to do that, to learn a little bit more about education. And I've had the opportunity with Senator Radogno and others, and we had a number of superintendents there. And all of them cried out this No -- No Child Left Behind is not working, and it's causing our schools to be rated in a very poor way. Very difficult, when you've got physical, mental, language problems, to get them up to the bar. Why haven't -- and why hasn't something been implemented to change that?

MR. MAX MCGEE:

Well, I'll -- I'll tell you...

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

MR. MAX MCGEE:

Oh. Thank you. I apologize. Both Superintendent Schiller and I have worked very hard on that. I was one of twenty-two superintendents from across the country invited to meet personally with the Secretary of Education and his chief staff. He heard from us, "This is not fair, the way you measure special education progress." "It's not fair what you're doing for

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English language learners", and -- and, "We need some support." And, "We need" - to get back to Senator del Valle's comments - "more funding for the right programs and services." It is an -- significantly underfunded mandate. We're doing our best.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Viverito.

SENATOR VIVERITO:

Well, obviously, it's taken this long and nothing's been done. So we certainly need some change in that area. The other particular question, I don't know if you're responsible for it or not, but I'm going to ask you. The -- the State Board -- I mean, forty highest-paid managers make an average of ninety thousand dollars a year. Nine executives make an average of a hundred and twenty-two thousand dollars a year. The average is higher than the salaries of all but five agency directors, and more importantly, a lot more than teachers and administrators in Illinois schools are making. How do you justify that?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Max McGee.

MR. MAX MCGEE:

Good. Though I'd like to say I'm not responsible for it, probably during my watch, some of those people came in. And I -- I don't know -- I don't think you can justify it. And that's why I recommended in my comments that either the current Board needs the authority or a newly appointed Board, the first thing they need to do is clean house. And we did it over at TRS. I guess it was four years ago, now. And it -- it moved TRS from the middle of the pack to the top ten percent. It -- it can be done. So, I -- I will share some culpability in that, but -- and -- but to tell you the truth, I'm pretty -- I'm very happy in Wilmette, and glad I don't have to come back and make those decisions now.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Viverito, to close.

SENATOR VIVERITO:

I thank you for your honesty, but -- as one particular State Senator. And there's many, many other questions that I could ask you, frankly. And there's no question in my mind that change has to be done. Thank you very much.

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MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you. Any other questions for Max McGee? Well, thanks -- thank you, Max, for joining us today. Our next witness will be P. E. Cross, Regional Superintendent. Mr. Cross, welcome. You may proceed.

MR. P.E. CROSS:

Thank you. Mr. Chairman, Members of the Senate, thank you for this opportunity to appear before you on this issue of great importance to the schools, the educators, the parents and, most of all, to the more than two million public schoolchildren of Illinois. I will be brief and I'll be candid. As to the wisdom of the public policy concept carried by Senate Bill 3000, you have heard and will continue to hear many arguments about how well the students will learn under one governance structure or another, arguments about how the cost of education in Illinois will be reduced or not as a consequence of this policy. I will leave those issues to those who enjoy arguing more than I do. There is one consideration, however, that you and I are in a unique position to understand and to judge. That is the issue of accountability to the voters. All of us are honored to share the public trust as elected officials. All of us know what that means for our relationship with constituents, and we treasure our role in the great social experiment we call democracy. From my perspective as an educator, as an elected official and as a veteran for more -- for many years in the democratic process in Illinois, I believe Senate Bill 3000 is nothing less than a reaffirmation of the validity of democracy. It is a statement in favor of letting the citizens of Illinois hold accountable the elected officials who make decisions in an area of public policy of highest public priority, and that's the education of our children. In this regard, I suppose I'm saying that the framers of the 1970 Constitution of Illinois made a mistake. It is understandable that when the health of our politics is judged to be in a sorry state of disrepair, that honorable people would want to rescue a service area as cherished and important as public education from any ill effects, but it would have been far better for them to have reformed the political system itself and to make it stronger in the delivery of social services than to remove education from the democratic process. Would that

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have worked? To a believer in democracy, the question almost seems impertinent, but let me give you an example of the recent past showing that it would. Years ago, as most of you know, the Illinois State Board of Education come under the leadership of a single powerful constituency. Whereas its members previously had come from a broad cross section of society, in the early 1990s it came to be dominated by the business community. In fact, through the administration of the last two Governors, the Chairman of the State Board was always a corporate CEO. In 1993, the State Board and the business associations decided that the office of the regional superintendent of schools should go the way of the state superintendent of public instruction. It should be abolished, they decided, and placed with a statewide network of administrative offices that would be more accountable to the State Board. You did not let that happen. In my opinion, based on the last three decades of my experience in education, while many changes {sic} currently being leveled at the State Board may be exaggerated to some extent, they're generally true. There is in the agency an elitist view, often expressed directly, but more often expressed in subtle wordings of rules and in the application of policies more inflexible than you intended it to be, that State Board leadership knows what is best for the educators and the school districts and the elected local school boards of Illinois. Somehow they know what's best from a hundred miles away. Would a department under the auspices of an elected official as comprehensively responsible as the Governor function as autocratically? Would such a department simply not listen to those voices of those who are affected by its actions and decisions? I think the answer to that question is -- is clear. It certainly would not. In closing, let me reiterate my deep respect for those who tried to do what they thought was best in 1970. I'm particularly proud of our friend, Dr. Michael Bakalis, for his courage and candor at having to come to see what he believed in his heart was a good structure for educational delivery thirty-four years ago fail to deliver. It takes true character to take such a stance, and I applaud him for it. As to Senate Bill 3000, as you often hear, the devil is in the details. The Governor has shown foresight in appointing a task force to guide the transition

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from the current system to the more accountable structure he has envisioned. I am pleased that the regional superintendents are represented on that body and that the task force is -- composed of so many outstanding educators. I am confident that these men and women will guide us effectively through their understanding of what works and what does not. That, I believe, is the ultimate issue in this deliberation: what works and what does not. For me, I believe democracy works, and I believe this legislation represents a -- giant step back to democracy in the delivery of education in Illinois. This policy has my strong support, and you have my promise that I will work in every possible way to help make this reform effort successful for those most affected, our schoolchildren. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Regional Superintendent Cross. Questions of the Members. Senator J. Jones.

SENATOR J. JONES:

Thank you, Madam Chairman. Dr. Cross, one of my regional superintendents from back home, I appreciate you being here today. Really, a -- a little bit of a comment and -- and then -- and then a question from you. But I -- you know, last year, the -- the Governor came along and proposed -- you being a regional superintendent, one of forty-seven throughout the State of Illinois, you're one of the fortunate ones in southern Illinois to only have two counties. Most of my regional superintendents have anywhere from six to eight counties that they represent. But the Governor wanted to do away with you guys last year, and then he finally came to an agreement, I think, with your association that maybe we would just cut it down to twenty-two statewide. What I see in this bill is possibly cutting you down to twenty-two regional superintendents throughout the school but a lot more workload on the regional superintendents in carrying out the mission of the Department of Education under the Governor's control. And I also see that, you know, there -- we're not addressing the funding issue. You and I have had many, many meetings over the last ten or twelve years, in both of our capacities, and -- and tried to look at the inequity in school funding. And this does not address it, and I think it -- it's something that has to go hand in hand

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whenever we do something as major as this. I also think that the State Board of Education, that we can make some changes there and -- and still operate with that, without having two bureaucracies. But I guess my question to you is, is don't you see a bigger workload for the regional superintendents - and maybe just twenty-two regional superintendents left in the State of Illinois - with this bill?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Superintendent Cross.

MR. P.E. CROSS:

Thank you, Senator Jones. I would think that I do, personally, and the regional superintendents throughout Illinois, perceive that our role's been expanding and that's been true in the -- during the administration of Dr. Schiller, is that he's expanded the role of the regional superintendent of schools. I think in defense of the situation that arose last spring and as we deliberated our situation, where the Governor had proposed in the budget to eliminate the line item for the salaries of the regional superintendent, of course they continued -- contended that their intent never was to eliminate the regional superintendents of schools, not knowing, perhaps, that that would, in fact, do that. But in our negotiations, I would definitely see an expanded role of the regional offices, if, in fact, Senate Bill 3000 was implemented.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam Chairman. Mr. Cross, delighted you're here with us today.

MR. P.E. CROSS:

Thank you.

SENATOR CRONIN:

Maybe you can flesh out a couple of questions that I've had and some of my colleagues have expressed concern about. You're a regional superintendent. Governor wanted to abolish you last year, and you negotiated some sort of understanding that there will be a reduction to twenty-two. You may be kind of negotiating to make sure you might be one of the twenty-two, and that's -- that's entirely up to you. I understand. And -- but

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here's the point that troubles me. A lot of things trouble me, but the one point about your testimony. You were invited to be on this transition task force. Is it true that there's sort of a litmus test question that was asked of everyone that's on that task force that, yeah, you can be on the task force as long as you're -- you promise to support the Department of Education? And if that is the case, that you've committed to support the Department of Education, do you think there's really an honest discussion going on about how to form this new department if all the people in the room are people that have committed to support it?

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Superintendent Cross, before you answer the question of Senator Cronin, please recognize Chairman del Valle back in the Chair.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Cross.

MR. P.E. CROSS:

Thank you, Mr. Chairman. In response to your question, I personally received a call from Dr. Bakalis and -- and that was never a litmus test for me as far as being a part of that task force. I -- I do think -- I had the opportunity in the -- whenever Dr. Bakalis was planning to run for Governor, and he did, and to spend quite a bit of time talking about educational issues, and this was one of 'em.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Well, you're here as a proponent of this new department and your future as a regional sup is somewhat in jeopardy. So, I wish you the best of luck. If there is such a commitment and a belief in the electoral process, you know, that you have articulated today and that we heard from the Governor and -- and other representatives, you know, the electoral process is what created this State Board of Education. Many of us are not necessarily opposed to this proposal, but it -- it's sort of a process thing for a lot of us. Senator Brady had a bill a few years ago, and I think the Governor's talked about that bill. There's a right way to do this, and -- and the right way to do

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this really and truly is the most genuine commitment to the electoral process, and that is, if you want to effectively abolish the State Board, which was created by the electoral process, you need to go back to the people and put an amendment or a proposition on the ballot and have people vote for it. Are -- are you in favor of that or opposed to it, or what are your thoughts, briefly, about that?

MR. P.E. CROSS:

Well, I haven't done -- excuse me. I'm sorry.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Cross.

MR. P.E. CROSS:

Thank you. I have not researched that area, of the constitutionality of this proposal. I'd heard a lot of conversations this morning, however. And I do not recall specifically the deliberations that took place in -- in this Assembly whenever a former Governor had proposed a Department of Education in his administration. Now, I assume that there was some compromise reached and that we did, in fact, restructure the State Board and change the number of members and how that -- the chairman was appointed and so forth in response to that. I would -- I would say from -- from our position is, we would leave that for people that are more scholarly in law than they would be in education, perhaps.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin, last question.

SENATOR CRONIN:

Yes. My final question is really sort of sharing of a concern with you. You're a regional superintendent from a downstate area...

MR. P.E. CROSS:

Right.

SENATOR CRONIN:

For lack of a more specific way to describe your region. The Governor and many of his proponents have talked about the virtue of the Chicago model. Chicago is held out as the virtuous way to manage schools. "Chicago schools are the way we want to go." "Chicago management is what we need downstate." That's what the Governor is saying. Chicago approach to managing,

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learning and teaching and teachers and classrooms and unions and pensions and buying and consolidation and approved lists and contracting and interest groups, that Chicago's the best way to... Do you think that's the best way to do it downstate in your community, sir?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Cross.

MR. P.E. CROSS:

Thank you. No. I don't think that we have the common -- commonalities in downstate Illinois - and I'm talking about anything outside of the City of Chicago - that would be comparable to what exists in the City. We have individual school districts, which -- very much like you do have in DuPage County, that have their local governance structure, and I compare that very much to that of the City of Chicago. The thing is, it's just so much larger and -- and under a different structure than what the rest of the State is. I wouldn't think.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Thank you, Superintendent Cross. Thank you for -- for your testimony here today. Thank you. Our next witness is Kay Giles, Superintendent, Prairie Hills School District 144. Superintendent Giles.

MS. KAY GILES:

Good afternoon, Senator del Valle and Members of the Senate. I'd also like to recognize, at this time, my Senator, Maggie Crotty, from Country Club Hills area. Thank you for this opportunity to be here today to address this extremely important issue at this very vital time. I hope to provide you a perspective about governance from the trenches. My school district, Prairie Hills, educates children living on the southern suburban fringe of Chicago. Most of my students are African-American and most live at or below the poverty level. Our district has been recognized as a leader for our engagement in innovative teaching and learning methodologies. Our holistic approach to local school governance involves site-based management, collaborative decision-making. We have instituted broad-based school reform, including a successful partnership with the Consortium for Educational Change. With regard to my background, I've been in education thirty-four years and have

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worked at Prairie Hills for twenty-five years. I have been Superintendent for seven years. Presently in my role, I serve on the Governing Board of the American Association of School Administrators, the Executive Committee of the Urban Association of -- Superintendent's Association of America and as a JC Penney Afterschool Ambassador. I'm also one of the three superintendents that have been appointed to the Education Funding Advisory Board. The Executive Committee of the Illinois Community Education Association is another affiliation that I have. As such, I come before you understanding the big picture and how it is implemented locally. And as a statewide educational leader, I believe that it is my obligation to share with you my thoughts on this extremely important public policy, and I do so with no fear of retribution. If you take one message away from my testimony today, the issue is not about who governs the State agency who at this time, for the most part, administers federal laws such as those relating to special education, nutrition and No Child Left Behind, et cetera. Rather, the issue is funding equity. Changing the bureaucracy will not change the reality that our State ranks -- at the bottom of all states when it comes to equitable financing of our school system. While the Governor has provided us a view of his alternative education plan -- or, has not, what he has outlined forcefully in his State of the State Address to the General Assembly in January falls well short of what's needed to address the issue of educational equity for financially strapped school districts such as mine. His speech was about power, not equity, and not about what children and their schools need to succeed in today's school environment. A few facts about my school district that may help you understand my point of view: Prairie Hills Elementary School District has four -- excuse me, three thousand students in pre-K through eighth grade in eight buildings. Approximately seventy-seven percent of those students come from low-income families, compared to thirty-eight percent statewide. Our instructional spending per student runs less than thirty-seven hundred dollars a year. The statewide per-pupil expenditure rate is four thousand eight hundred dollars. Mindful of these disparities, I served as an ex-officio member of the Illinois Education Funding Advisory Board,

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charged with recommending State funding levels and supplemental aid and grants for school districts with high concentrations of poor children. After an exhaustive study, it recommended that the foundation level for per-pupil spending should be five thousand six hundred and sixty-five dollars, or two thousand dollars more per pupil than we have available now in our district. Now, how does that bad financial news impact the quality of education in District 144? Here's one example: The average teacher in 144 is paid forty-two thousand dollars a year, about ten thousand dollars less than the average teacher statewide. You better believe, when I'm competing for high-quality teachers, my schools are at a significant disadvantage. The combination of noncompetitive salaries for teachers and staff and a high proportion of children at risk of academic failure have consequences on academic performance. Our money is limited but we are judged in exactly the same way as resource-rich schools in wealthy communities. The comparison is devastating. It is our most -- in our most recent district report card, just forty-four percent of our students met or exceeded the Illinois standards. Statewide, sixty-one percent of all students met or exceeded standards. In other words, we can and should and -- do a lot better for our students in my district. But at the same time, I am very proud of the way our teachers and staff go about the business of education with tremendous dedication and concern for the well-being of our children. But all of us know that additional resources would provide additional important opportunities for our children. The Governor seems to believe that any dollar spent for something other than a teacher in a classroom is a wasted dollar. But I can tell you that my children must have a safe way to get to school every day. They must have nutritious meals. They must have counselors and other kinds of assistance to be in the classroom before they're ready to learn. We have to heat our buildings, repair leaky roofs, train teachers to improve skills and provide essential administrative services or we are not doing our jobs. The Illinois State Board of Education, the State's education agency, understands all this. ISBE closely -- works closely with us to find alternative funding sources, such as grants and other foundations. The State Board is and always

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has been a strong advocate for adequate and equitable State funding. ISBE gets it, in other words. What's more besides, ISBE is independent. ISBE gets the words. I find it to be a professional agency focused on ways to help districts do a better job. I am free to comment candidly on agency plans and programs. When we disagree, we do so as educators allied in a common cause and not as officials maneuvering for -- political advantage. I am concerned that a politicized State Department of Education reporting only to the Governor would sometimes, perhaps often, find it difficult to stand up for the needs of children and schools in face of other political tradeoffs and compromises. I believe the Governor truly does feel responsible for helping children obtain a good education, but I don't believe he really understands yet what that entails. In closing, the best thing the General Assembly can do for our neediest districts is ignore the Governor's window-dressing and, instead, make full school funding the priority that it deserves to be. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you very much, Superintendent. Any questions? Thank you, Superintendent Giles. Due to unforeseen circumstances, we've had to make an adjustment in the order here. We apologize to those who are waiting. We're going to get to you. And we also want to remind the witnesses to -- to keep their remarks to five minutes. Our next witness is Ralph Martire, Center for Tax and Budget Accountability, and then we will go with David Lett, Superintendent, Pana Unified {sic} School District 8. Ralph.

MR. RALPH MARTIRE:

Thank you, Senator, and I'd like to thank the Senate Chamber for meeting as a whole to address this very important issue and acknowledge the Governor's commitment to start looking at accountability in education and education reform. The Center for Tax and Budget Accountability, for whom I work, is a bipartisan organization looking at fiscal policy primarily and school funding in particular. When we looked at this governance issue, we thought about it a lot and decided we wouldn't take an official position on it. We did, however, want to put some of the governance stuff into context. Forty-eight states currently have a state board of education. Only two do not. The two that

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do not are Wisconsin and Minnesota. In Wisconsin, they elect a chief state official, and in Minnesota, the governor appoints it. There is no school board. In all the other states, there is one. Illinois' method of putting together the State Board of Education happens to be the most common method used by any state. Ten states have the same method for selecting a state board and a chief school official, as does Illinois. The other most common method, also used by ten states, only differs from Illinois in one small respect, and that is, the -- the chief state school officer is elected. The governor still appoints the board members. So we are -- currently have a government structure for education that is pretty common and falls in line with most states. As you are weighing a way to change that structure, you have to decide whether what we are gaining in increased political accountability, we are losing in independence. And I think as you look at that, one thing that becomes very important to keep with the independent body is review of data, collection of data, reporting of data and setting standards. One thing we've seen from No Child Left Behind is an attempt by states to meet standards by lowering standards. If you make a political accountability issue out of meeting standards, you run the risk that standards in Illinois would be lowered. I don't think anyone would agree that we'd be closing the achievement gap if, in fact, we lowered what it was to achieve in this State. Going forward, we really think the only way you are going to solve what happens in Illinois is to address fundamental school funding and tax reform. And, no, we don't just say tax increases; we say tax reform. The State of Illinois does not pay its fair share of funding schools because, quite frankly, its fiscal system won't allow it. We look at economic data in theory, and when we talk about economic data in theory, we mean economic data in theory proposed by conservative to mid-level to liberal economists. And they all agree you need five things for your State fiscal system to work appropriately. It should be fair, responsive to the real economy, stable during down economic times, efficient - that is, not distort important private economic decisions like where you buy a home or where you locate a business - and it should be accountable and transparent to taxpayers. And while economists may look for

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those five things, they unfortunately have to leave our State to locate any of 'em. Our tax system is "0 for 5" on the principles economists have identified for it to work. Because of that, we fail to fund education either fairly or appropriately in our State. We cannot make up for that failure unless we adjust our tax system, reform it. We have to get rid of the overreliance on property taxes, we have to enhance our State income tax, we have to enhance our State sales tax, and we have to provide refundable tax relief to low- and moderate-income families. I don't know if everyone in this Chamber realizes that under our current tax system, the bottom twenty percent of income earners in our State pay 13.2 percent of their annual income to support public services. The maximum income for that demographic is only sixteen thousand dollars; the average income is eight thousand nine hundred bucks. The top one percent of taxpayers in our State pay 4.6 percent of their income to support public services. Their incomes start at three hundred thirty thousand dollars and their incomes average 1.4 million. That is not the way to assess tax policy. In effect, what we do is overtax low-income working families and then underfund their schools. That's the wrong result. We will not fix how we fund schools, nor our fiscal system, nor, really, the disparity we have in the achievement gap unless we address State fiscal reform. If we do it intelligently and around sound economic principles, our State will have a more fair, more sound, more rational tax system that's sustainable over the long term, that will allow our school districts to actually have the capacity to address the achievement gap and implement accountability reforms. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Questions? If not, thank you, Ralph Martire. Thank you very much. David Lett is our next witness, Superintendent, Pana Unified {sic} School District 8. He will be followed by Randy Tinder, Superintendent, Forest Park School District 91.

MR. DAVID LETT:

Senator del Valle, thank you very much for allowing me to speak today, and -- and all of you Senators. I appreciate the opportunity. I think I've -- having sat through this, I'm --

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I'm very honored, on an occasion like this, to be able to speak to you, but I also came to a couple conclusions. First of all, this is a -- a very historic event today. And second of all, I believe you're all grossly underpaid, after having sat through this. So, I -- I have a unique position -- I have a unique position as Superintendent of Pana Community Unit School District No. 8, and it's unique in this regard: I have two Senators. I have Senator Demuzio, to my right. Well, Senator Watson's gone -- but, Senator Watson, to my left. We annexed -- Senator -- Senator Watson was added as my Senator when we went through a very unique situation in terms of annexing Tower Hill. So I have two Senators and I'm honored to speak before them as well today. The community of Pana - and a lot of people -- a lot of you northerners call us Pana, but it's Pana - it's located forty-five miles southeast of Springfield, and my discussion today is going to come from a local perspective. We have fifty-seven hundred residents as of the last Census count, and if you were to ever drive into Pana, one of the first things that smacks you in the face is that we're a poverty-stricken community. Pana has a median income of thirty-one thousand dollars and more than -- which is more than fifty-five hundred less than Taylorville and Shelbyville, two comparable cities to our immediate east and west. Upon becoming Pana's Superintendent of Schools, one of the first things I attempted to promote was working cooperatively with our community, to try to help restore a sense of pride, Pana Pride if you will, that I could see existed among many in the community but seemed to be lost in the despair that poverty often brings with it. While our school district's ISAT and Prairie State scores are reflective of a 43.9 percent poverty rate - six percent higher than the State average and grossly underreported because of the underreporting that exists at the high school level, where children are embarrassed to report that they qualify for free and reduced lunches - I'm extremely proud of my teachers, aides and support staff of our buildings and staying off of the Academic Warning Lists, of which twenty-five percent of the Title I schools in Illinois are already on the List. Unfortunately, our district, like the majority of districts across this State, will likely find itself on the List due to

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the fact that the "n" - for all you statisticians, the minimum group size - of forty for any of the eighteen subgroupings will be applied to the district level next year, not just individual schools. I'd be happy to meet with any of you individually to express my very strong feelings about the real purpose of the No Child Left Behind federal law, but today is not the appropriate time or place. The second thing I'm equally proud of, on behalf of my board of education, administrative team, teachers and support staff, is that we have stemmed the tide of an ugly deficit spending pattern in our district. This deficit spending pattern amounted to 2.5 million dollars' worth of deficit spending out of our education fund over a three-year period. In essence, the spending faucets had been turned wide open, and we were going to crash and burn if we didn't come together as a district to attempt to solve what appeared to be a monumental problem. I might add, it made me physically ill too. I am pleased to inform you that through the assistance of two distinguished gentlemen in this room - Majority Leader Demuzio, Minority Leader Watson - we were able to get a very minute line item, 1.7 million dollars for consolidation incentives, restored in last year's budget. This was small potatoes in the scope of a 4.5-billion-dollar education budget, but these were pledged monies which were absolutely critical to restoring the faith and trust of the people of Pana and Tower Hill for what can only be characterized as a highly emotional event for a community that loses its public school identity. As a result of -- the understanding demonstrated by many of you in this room, we are projecting a balanced budget for the next three years, and quite possibly beyond the incentives. We are proud of the fact that we have remained off of any financial or -- Financial Watch or Warning Lists and have gained from having been identified by ISBE as a district in need of our own internal financial review. And that has been exceedingly good, to be introspective with regard to reviewing our finances. A third area of immense pride for the community and school district of Pana is our extensive use of Lake Land Community College, Senator del Valle, located in Mattoon, Illinois. Dual credit offerings are a huge benefit to our school district. Lake Land serves fifteen county districts. Currently we have thirty-seven dual credit course

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offerings, and a student can potentially graduate from Pana High School just shy of an associate's degree from Lake Land Community College, transfer into a four-year university with nearly two years of credit. And that translates, for children that we have regularly sent to Millikin College, to a fifty-thousand-dollar savings to those students and those families. I would be remiss if I did not use this platform to mention two huge priority issues for the community and school district of Pana. Number one, the community of Pana, as well as many other southern Illinois communities, needs the last seventy-five miles of Highway 51, from Pana to Centralia, completed soon. This is the distance that remains in connecting the most direct four-lane highway between Canada and New Orleans. Priority number two, building an 8.7-million-dollar Lake Land Vocational Training Satellite Center in Pana, in the very near future. I commend Senator del Valle for a similar vision with his proposed bill to raise the dropout age -- age to 17 years old. Senator, I would love to have a discussion with you on the intent of this proposal, and I commend you for your intent, and I quote you: "The intent here is to try to work with kids as long as possible. The idea is to be flexible as possible. We'd like to work with the community college system and allow a student to enroll in vocational education programs." Now for why we are really here - and, yes, I -- I know why we're really here - and my interpretation of the truth as I believe it to be, which is money, power and control, and not necessarily in those -- in that order of importance. Before dealing exclusively with the school governance issue at hand, I would like to thank our Governor and the General Assembly for making education a priority last year and again this year. Given the magnitude of facing a combined 6.7-billion-dollar deficit, Governor Blagojevich and the General Assembly are to be commended for continuing to make education their number-one priority by backing that up with four hundred million last fiscal year and again asking for four hundred million this coming fiscal year. Despite, potentially, another eight hundred million going to eight hundred and eighty-eight school districts across this State over a two-year period, many districts continue to struggle financially; however, we do not want you to think or

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feel that we are ungrateful for your help. But as you've heard again today, your help continues to not be enough until we - and that's a collective "we" on both sides of the aisle - have the courage to fix a broken school funding system in this State. I would also like to express my appreciation to President -- Senate President Jones and the Governor for making sure we received the twenty-third and twenty-fourth General State Aid payments in June last year. And yes, that's right, we're going to need them again this year, so your continued support of those payments this coming June will once again be greatly appreciated.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Can you bring your remarks to a close, please?

MR. DAVID LETT:

Despite my appreciation of this administration's unquestioned financial support of public schools, I have strong reservations with simply turning over the keys of school accountability and funding to any administration, Democrat or Republican. The first problem I have with this is the concern I have with the further erosion of local control of our public schools in this nation. This nation and our State have a long history of local control of its schools dating back to the Common School Movement of the early 1800s. As a practicing local superintendent, I have seen the wisdom of our forefathers in creating a seven-member elected board of education to help set policy and serve as a check-and-balance system for running a school system. My board of education consists of a director of operations for a multi-million-dollar construction company, a territory manager for an HVAC distributor, a large area farmer, a city water superintendent, a teacher's aide for emotionally disturbed special education students, a pharmacist, a wife of a farmer who also doubles as a receptionist in a local dental office. These people are the pulse of our community and provide me with invaluable perspective as to what a community expects from its educational system. Supporting local control was the intent of our forefathers and, as we've heard today, the will of the people at the 1970 Illinois conventional -- Constitutional Convention. The State Superintendent, who functions as the chief education officer for our State -- there can be little

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debate that trying to minimize local control was not the intent of our constitutional forefathers. Would we ever consider revising or doing away with any of our First Amendment constitutional rights? Why, then, are we so willing to further chip away at the fundamental principle of local control of public schools? In the interest of fairness, and again, my interpretation of the truth, I would like to point out some inconsistencies which our Governor has recently said with regard to ISBE. Illinois State Board of Education is a regulatory agency, as we've heard today, charged with regulating laws sent to them by both the Legislative and Executive Branches. This agency, as is the case of any regulatory agency, is left to figure it out as it relates to creating rules and regulations for some pretty restrictive laws and unfunded mandates. Characterizing ISBE as a, quote, "Soviet-style bureaucracy", while the agency's head count has been reduced from a high watermark of seven hundred and eighty-eight employees under former State Superintendent McGee to its...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent, can -- can you bring your remarks to a close, because we have many people that are still waiting to testify.

MR. DAVID LETT:

Okay. I will. I'll wrap it up. I'm going to talk about, to conclude, school funding. I leave you with my final thought on this issue and an old adage that my English teachers would cringe hearing me say, but it goes like this: If it ain't broke, don't fix it. Ladies and Gentlemen, I'm here to tell you today that we do have a funding system that is broke, and we do need to have the courage to fix it. I'm just naïve enough to believe that if we decided to fix this together, with representatives of the General Assembly, School Management Alliance, IEA, IFT, ISBE, the Business Roundtable, the public at-large and, yes, the Governor's staff, we could fix a broken funding system with no one left holding the blame bag. We need a system that provides property tax relief while replacing that relief with an indexed system reliant -- reliant upon either an -- increased sales or income tax. Thank you for allowing me to testify today and for your continued support of public schools.

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MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Superintendent. And please leave a copy of your written testimony. I know that you had to rush through it. The entire testimony will become part of the record. So, I thank you for your -- for your testimony. And I remind those waiting to testify that we're trying to limit it to five minutes. In addition to the list that was distributed, we have other names of individuals who've signed in to testify. We're trying to get to everyone. We are now entering the beginning of hour number six of our hearing, and we still have quite a few left. So I thank the Members who are here for hanging in there. Randy Tinder, Superintendent, Forest Park District 91. Yes. Thank you.

MR. RANDOPLH TINDER:

Good afternoon. My Senator is Kimberly Lightford and my former Senator is Vince Demuzio, but I've been around here a long time. And I've been a superintendent twenty-one years, and I've had the occasion to work with many of you, including Senator Watson, Senator Cronin and many others. But this is the first time I've had the chance to talk to you, and I appreciate that very much. I will make my remarks brief. I think it's important that you understand this issue as we view it in the field. The battle to decide who controls public education may have already been lost in Illinois. The federal government, which pays less than ten percent of the cost of public education in Illinois, has removed most vestiges of local control of our schools through the enactment of NCLB. We have all been given our orders in terms of achievement, resource allocation and punitive measures. Clearly, this law is an all-out assault on the future of public education. Our discussion of how to more effectively govern public education may be moot. We have already seen moves toward a total focus on "The Test". The worst part is that we cannot succeed in this effort. It is not possible for us to achieve the demands of NCLB. Public schools may be destined to be the province of poor and minority students who cannot afford to pay for private schools. But assuming there's something left to govern, I will address some of the points of Governor Blagojevich's plan which can make a difference to us. I recognize that changing the system of

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education governance in Illinois would require a change in the Constitution. I also realize how difficult this is, having been on the short end of a proposed funding change in the early nineties. I was one of those who sued the State over funding inequities. We lost the battle for a constitutional amendment by less than two percent. Changing the Constitution will not be easy. In many ways, the State Board of Education is the devil we know. It's been a strong and generally positive agency for us to deal with for many years. In the last few years, however, the agency has seen the retirement of many of its most effective staff members and leaders. Budget cuts have further decimated the ranks. I can truly say that what we see now is a shadow of the ISBE that I first knew twenty-one years ago when I became a superintendent. The bureaucracy of ISBE, like many other bureaucracies, including some local school districts, has not kept up with change for a variety of reasons. But they are doing better, and we appreciate that. I applaud Governor Blagojevich for his keen interest in public education. It's been a long time since we've had such a strong voice for public schools in the Governor's Office. Many of the Governor's initiatives are ones that we have been benefiting from for several years. The School Construction Grant Program is one of the best State programs ever enacted. However, you don't have to scrap the State Board of Education to make it work. You just need to fund it. As you consider the proposal, there are a number of suggestions I could make. One is to be very cautious about implementing rules and regulations that are more stringent than required. In the area of special education, we have seen the imposition of rules in Illinois that go well beyond what's required by federal law. This is unnecessary and can cause confusion as well as additional costs to local districts. Speaking of rules and regulations, one of the areas for which ISBE has been most criticized is the volume of rules and regulations it's published to implement the laws that you have passed. Please be aware that the school-related bills that have been introduced this Session in the General Assembly will very likely add another hundred pages or so to this staggering total. I would ask that you consider issues of local governance as you debate this issue. We each work for a locally elected board of

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education. They have been chosen by their friends and neighbors to set policy for our schools. They know their communities far better than you are able to. While the concept of a statewide purchasing pool may sound great, many of us know that our local vendors expect our business as well. They can be competitive based on cost, they demand far less paperwork, they're faster in meeting our needs, and they pay the property taxes which support our schools. We go to them when we have a fundraiser. They cook the pork chops on the square in Carlinville to help raise money for the football team. They deserve our consideration. My point, however, is that our schools in Illinois are crying out for leadership from Springfield. We need an advocate here for us as we confront the federal government over NCLB, IDEA and other issues. We need a strong voice to speak for us in the General Assembly here with you. We need consistent leadership, and I don't mean from Dr. Schiller, who's done a good job for us, and I don't mean from Governor Blagojevich, who wants to free us from red tape. I mean leadership from you, those who were chosen to set State policy for all of our endeavors. We need strong advocacy for public schools and the children we serve. We need leadership, not squabbling. We don't help kids when we feud over soda machines and holiday waivers. We welcome accountability. Bring it on. But leave the target alone once you set it. Give us a chance to aim before you move it. We look to you for leadership on the issue of the future of governance for Illinois' public schools. I ask you to seriously consider the Governor's proposal, not by accepting it carte blanche, but by carefully examining it to determine the impact on school kids. In closing, I challenge you to move politics aside. Senator del Valle made this point very well in his recent position paper. We live in a political world and we know that there are things to be gained and lost because of our political system. However, when politics enter into resource allocation, testing requirements and local efforts to supplement inadequate State funding, kids are often left out. Children are first in the minds of every teacher, principal and superintendent in Illinois. Will you put children first as well? If you implement the Governor's plan, you must be willing to make a commitment to stay the course with the effort, even if

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the next Governor doesn't share Governor Blagojevich's passion. We must have dependable, consistent leadership from Springfield. The children of Illinois deserve your support and commitment. Thank you for your attention.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you, Superintendent. We have three questions. Senator Righter, Senator Welch and then Senator Cronin, and then we'll move on to the next witness. Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. Chairman. Sir, first, you're a member of the Governor's task force, is that correct?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent.

MR. RANDOLPH TINDER:

Yes, I am.

SENATOR RIGHTER:

So, you're in favor of Senate Bill 3000, is that right?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Tinder.

MR. RANDOLPH TINDER:

I think the -- the bill has merits and I think that it has issues, and I'm, very frankly, on the fence. And probably being here today, having slipped in as an opponent, will get me kicked off the task force. But you know what? I think there are things I had to say that you needed to hear.

SENATOR RIGHTER:

You slipped it as a -- an opponent?

MR. RANDOLPH TINDER:

Yes.

SENATOR RIGHTER:

Okay. Because -- and I guess -- thank you for helping with that, because I heard you say things like -- that you think that the State Board of Education has generally been a positive body and in the last couple years, has drifted maybe, but you seem to attribute that largely to funding issues. You talked a little bit about how you thought that if we were going to do this, probably a constitutional amendment would be necessary. You talked about continuity in education policy, which I don't know would be brought about by maybe a change in the administration

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every four years, but would be brought about maybe by staggered terms in the State Board, which is what we have now. So, I guess -- I'm -- I'm asking, you do sound very much on the fence and you sound like that there's a great deal about the State Board of Education, in your mind, that -- that is -- that is worthy. What is your goal to be, as far as sitting on the task force? What -- what are you going to be trying to do?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Tinder.

MR. RANDOLPH TINDER:

My goal is to make sure that the people making the decisions understand what we're faced with in -- in local school districts in Illinois. You know, my comments suggested today that maybe some of you don't know exactly what we're doing either, and I don't believe that the Governor's staff knows everything they need to know to make this decision. I think we're all in this together, but I think you're the ones, ultimately, who are going to provide the leadership for this. Because if you don't pass the bill, he doesn't get to sign it.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Righter, last question.

SENATOR RIGHTER:

Yes. Do you know when the task force is supposed to meet, the next scheduled date?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Tinder

MR. RANDOLPH TINDER:

We were supposed to have a meeting -- couple of 'em in the last couple weeks, and Dr. Bakalis has been ill. I believe that the first meeting is Monday in Rock Island.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

Yes. I have a question for the sponsor {sic}, and the question is this. You said that you thought that instead of centralizing purchasing, the local businesses were expecting business from the schools because they make -- they cook the pork chops. Now, if we can save twenty million dollars statewide by centralized purchasing to help children - not the

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businessmen in the district, but the children in the classes - you don't think that's a good idea?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent Tinder.

MR. RANDOLPH TINDER:

That's not what I said, Senator. What I said was I think that's something that needs to be considered. Certainly, we have centralized purchasing now. We can buy a lot of things through CMS. But to say that we're going to save a billion dollars and put it back in the classrooms, I'm not sure that that can happen.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Welch.

SENATOR WELCH:

This component isn't going to save a billion dollars. I said twenty million dollars. You're not willing to save twenty million dollars to -- to take care of the children in the classes because some local businessmen, some of whom cook the pork chops - the others just are there for a free ride - think that they should get business from the schools. Is -- is the purpose of the school to help the local businesses or to help the kids? That's what it comes down to.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent.

MR. RANDOLPH TINDER:

I think it's a mutually beneficial relationship, Senator. I've been superintendent in Harrisburg, Illinois, in Carlinville, in Assumption and now in Forest Park. I've covered the entire State, and I will tell you that the expectations of local businesses in Forest Park, which is twelve miles from the Sears Tower, are considerably different than they are in Carlinville or Harrisburg. But when the major taxpayers, who pay the freight for those kids' education, sell the same things that the State does, and if they can do it in a cost-effective manner and I can get in my car and drive two minutes to pick 'em up, as opposed to filling out a ream of paperwork to get 'em from the State, I think it's a better deal for us.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Welch.

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SENATOR WELCH:

But it's not a better deal for the children you're supposed to teach. That's the whole point of what the Governor was doing here, was trying to get more money in the classroom, and this is a -- I think, a pretty good example of that, because this was money that would go to the kids instead of local businesses. You know, in my area, we've got a lot of manufacturers. You can't go to their manufacturing company and -- and get a -- a -- you know, some siding. You can't go to their manufacturing company and get their wallboard or the nails that they make. Those are the major taxpayers, not the local office supply store. I think this is a -- I think that this is totally -- I think what's happened is this: I think your local school boards have members who run those businesses, so they're sending business back to them. Isn't that what happens in many cases?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Superintendent.

MR. RANDOLPH TINDER:

I can't answer for many cases, Senator. And I don't mean to be argumentative with you, but I do think that it's important that if the cost difference isn't great and those people are paying the property taxes that support our kids, and if they're the ones who are spending their time and money every time we go around selling candy or cookies or asking for pork chops, that they be given that consideration. And I -- I'm not trying to argue with you. I think it's just difference in perspectives, and I respect yours.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you very much, Superintendent, for your patience, waiting all this time, and for your testimony. Thank you. Superintendent Bob Ehlke, Superintendent, Casey-Westfield School District. Will remind, again, all our witnesses to stay focused on the governance issue and to stay within the five-minute rule.

MR. ROBERT EHLKE:

Thank you. As a superintendent from central Illinois, I have concerns about the proposed changes in governance. As an educator, I taught my students that we follow the Constitution and the laws of our State and country. If you want to change the laws or the Constitution, there's a process in place to make

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those changes. When this process is ignored and a loophole is used to disregard the will of the people, we are teaching our children that it's okay to do this, as long as we are the ones in power. The process is in place to prevent changes based on the whim of those in power. It should be used. The Governor lists six problems with the Illinois State Board of Education. The first is that the ISBE has failed to produce results. So has the Governor's Office. So has the Legislature. So have the school districts. So have the teachers. So have the parents. So have the students. Why is ISBE so important to the educational process of children that it needs to be singled out as the failure point? What about those school districts that have made significant gains? Is ISBE only responsible for failure, or is it also responsible for success? Second, ISBE is a burden on local schools. Who created the bureaucracy with legislation requiring fiscal accountability from school districts and mandates in every area from curriculum to safety? I'm sure, as legislators, it wasn't your intent to burden school districts with administrative paperwork, but to improve education for students, when you passed all those laws that reside in the Illinois School Code and then required ISBE to enforce the laws. While superintendents have complained about ISBE burdens, the real burdens have come from the Legislature. If you want to unburden schools, stop passing legislation requiring us to do more with less. Third, only forty-six percent of all school expenditures are spent on direct instruction. This is a distortion of facts since it doesn't include support staff, facilities and other expenditures required to maintain a classroom and proper services to students. Other funds are used to provide more required services, such as feeding students and making sure they're healthy. Such services cost districts money they would love to spend on direct instruction. Fourth, ISBE is a bureaucracy defined by mismanagement, waste and misspending. What does it cost to run an eight-billion-dollar-a-year industry? In business, they look for the best managers and pay them the highest salaries to take advantage of their expertise. Why should education be any different? Fifth, ISBE has failed in its basic functions, testing student achievement and certifying

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teachers. Others besides ISBE played a part in placing these burdens on students, teachers and school districts. Is putting these two functions under the control of the Governor going to change the expectations or the funding? Sixth, ISBE is not accountable to anyone. As an independent organization, ISBE has been accountable to the Legislature by carrying out legislation with the resources provided by the legislators and the Governor, to the Governor who appoints members of the Board, to the public by monitoring school districts and making sure they comply with laws enacted by the Legislature and the Governor, to school districts by providing assistance when needed. I'm not against change, but there better be a good reason to change. Last year the Governor wanted to eliminate the regional office of education. Now the ROEs are an important part of his plan. Seems they aren't so bad as he first thought. Maybe next year he might find out that ISBE wasn't as bad as he thought. At least the ISBE has educators making decisions instead of non-educators. It's interesting how everyone knows what's best for education, except educators. Moving control of State education from one bureaucracy to another bureaucracy under the control of an office that could change every four years is very scary, not to mention that the office might change its mind frequently during the four years with no system of checks and balances to control it. There is enough change as it is with the Legislature constantly legislating better education. ISBE isn't perfect, but it is what the Constitution sought to set up, an independent organization dedicated to enforcing the laws passed by the Legislature, a source of help for school districts and a part of the system of checks and balances that helps prevent chaos from destroying the excellent education system we have in the State of Illinois. Let me say that again: The excellent educational system we have in the State of Illinois. I'm tired of the education system being blamed as a failure. We do an excellent job with the human and financial resources we are provided. ISBE isn't the problem. We all are. ISBE isn't the solution. We all are. Focus on the real problems: adequacy and inequity of funding in the State of Illinois. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Thank you, Superintendent. Thank you very much. Our next witness is Dan Burkhalter, representing Anne Davis, who is the President of the Illinois Education Association.

MR. DAN BURKHALTER:

Thank you, Mr. Chairman, Senator Cronin, Ladies and Gentlemen of this Committee. My name is Dan Burkhalter. I'm the Director of Government Relations with the Illinois Education Association. Today I testify on behalf of the IEA in support of Governor Blagojevich's initiative to reorganize the Illinois State Board of Education, as brought forward by Senator Demuzio. IEA supports this proposal for a simple reason: The present state of regulating and supporting elementary and secondary education in Illinois is broken and needs to be fixed. Unless you, State policymakers, fix the fundamental problem, the progress and results that all of us seek in teaching and learning of Illinois' public school students cannot and will not be achieved. Every day our members experience the outcome of the periods of chaos and confusion resulting from a system that is unaccountable. It is our members and the school boards and administrators that they work with that suffer from the State Board of Education's penchant for complicating the simple and imposing needless and cumbersome rules and regulations that divert time, energy and resources away from classrooms, students and districts. You, the Members of the Legislature, and previous governors, since at least 1985, have worked to improve Illinois' public schools by setting high standards and expectations for student performance. Students in some schools regularly exceed those standards. Most students in most districts are meeting those standards. And unfortunately, some students in some districts are not meeting them. But all schools in all districts are working to ensure that students meet and exceed the high standards that you have set for students, teachers and school districts. In addition, your schools now must meet the federal standards set by the federal No Child Left Behind Law. You, as policymakers, have decided to hold all of the parties involved in teaching and learning accountable to high standards. Students are tested and tracked for performance. Teachers are held accountable. Schools are held accountable. And school districts are held accountable.

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In the almost twenty years since this intense work to make Illinois' good schools even better, the one education stakeholder that has not been reformed and is not held accountable is the entity responsible for implementing and supporting all of these efforts - the State Board of Education. This proposal by Governor Blagojevich and Senator Demuzio is not a new idea. Governor Edgar tried to address the lack of accountability and support of the State Board of Education, as did Governor Ryan. The problem of an unresponsive, unaccountable State Board of Education is not new and it's not partisan. Accountability must be extended to the State system of support for our schools and we think that it makes sense to empower the Governor with those responsibilities so that educators, taxpayers and voters know whom to hold accountable for the regulation of our schools. Later today, IEA members who are teachers will share with you specific examples of what is broken now and why it matters to teachers, students and parents. They will share personal experiences of the mess now facing some seven thousand teachers left in professional limbo due to bureaucratic bungling. They will also share how the State Board of Education's implementation of the recertification law that you passed, and IEA supported, has been made a nightmare by the rules and regulations imposed by the State Board of Education. Regulating and supporting our schools could be done better, much better. It could set the direction for Illinois' elementary and secondary schools in an ongoing, collaborative process with key stakeholders to ensure buy in and deep deployment. It could have a clear set of goals and measures understood by educators and school districts. These clear sets of goals and measures would lead to ongoing, collaborative strategic planning and implementation at the district level to achieve efficient and effective uses of resources, safe and healthy school environments, high-quality teachers, administrators and other school personnel. It could create and continuously improve a system of support for schools and districts throughout Illinois to assist districts and schools in achieving the goals you have set. It could knit together various public and private providers into an integrated, seamless web of support, utilizing a preschool-to-university framework to continuously build and

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improve capacity within and among schools. It could monitor and track progress in achieving the goals and monitor compliance in an efficient and effective way. The current system could do all of that, but it does not. It does not because it's not accountable to policymakers or the public. Instead, it is an insulated bureaucracy devoted to the politics of a bureaucracy, not policy achievements that our State -- wants and needs. Would this Governor or future governors conduct a Department of Education along the lines of what I have described as possible? The truth is we do not know. But if they did not and we were not getting the results we seek, then voters and policymakers would know whom to directly -- to directly hold accountable. The issue of regulatory governance is not the only issue facing public education and you. It is arguably not the most important, and certainly it is not the issue that teachers and school employees think about every day. But IEA believes that this is connected to the most important issue we face - figuring out how to fund our schools adequately and to ensure that dollars get to where they are most needed to make a difference in teaching and learning. IEA continues to advocate for a comprehensive change in how we fund schools. We are part of a coalition called A+ Illinois to try to persuade you and Illinois citizens that this change needs to occur. But we think that the Governor is correct, that increasing public confidence that every tax dollar being spent now is being spent well. Given this Chamber's support for public schools, if the Governor is wrong about the current skeptical environment in Illinois, about expanding the base of revenues available for school funding and reducing the reliance on property taxes, what explains the fact that no proposal to do such is presently being considered in either legislative Chamber? We want to keep working with you on school funding, and we think that changing how we do business in regulating Illinois' public schools is a part of that mission. The current system has not led to the State providing the resources schools need. It has not led to systemic, meaningful improvement, and it does not provide support to educate the children in our schools. Thank you for this opportunity. IEA looks forward to working with you as you consider this bill.

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Thank you very much, Dan Burkhalter. Next witness is Jim Dougherty, President of the Illinois Federation of Teachers. Jim.

MR. JAMES DOUGHERTY:

Thank you for this opportunity to speak to this Committee of the Whole about public education and the administration of public education. I speak to you as President on behalf of the ninety thousand members of the Illinois Federation of Teachers, and I also speak as a former biology teacher at Niles North High School where I completed a thirty-six-year teaching career. From both of these vantages, I can say that the Illinois State Board of Education has been a source of frustration. Policy and budget decisions made by the Superintendent, Board and management continue to make the job of providing services to Illinois school districts and educators more difficult for the ISBE professional and support staff. When Constitutional Convention delegates created the Illinois State Board of Education in 1970, they could not have anticipated the consequences of a Superintendent accountable to no elected official. Mike Bakalis has referred to himself as "the last accountable superintendent of education", and he is right. More than three decades of experience with the current State Board of Education structure shows that this is a system that does not serve public education well. This is not an indictment of ISBE staff. The IFT represents the members of the Illinois Federation of State Office Educators, Local 3236. Those employees have seen their numbers decreased by almost half over the last five years and they struggle mightily to provide effective services in Illinois to nearly nine hundred school districts. But changing the -- priorities and unaccountable management have left these dedicated men and women unable to provide support and services to public schools. I'll give you two examples of areas in which the Illinois State Board of Education has let down public education in this State. The first is teacher certification and recertification. We have a system filled with busywork and mounds of useless paper that has done little to improve teaching and learning. Currently, nearly seven thousand teachers holding initial certificates have been left in the lurch by the failure of the ISBE to come up with a

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system of available options to enable these teachers to move from initial to standard certificates. This is the very group that all understand is the future of education, is the future of teaching, and far too many of them are leaving the profession during their initial five years. And we make getting a standard certificate a stumbling block. ISBE closed the only support for teachers when they dismantled the statewide toll-free recertification help line. Worse, Chicago public school teachers, unlike teachers in the rest of the State, have no regional office of education to which they can turn for recertification assistance. This decision, then, left them high and dry. The thousand-dollar allotment to local professional development committees was cut, leaving school districts and educators to pick up the costs of program management and the required paperwork. The Governor has proposed, and the IFT supports, the creation of a Professional Teacher Standards Board, PTSB. The IFT introduced similar legislation for several years. It has been opposed by the ISBE every time it has been introduced. Secondly, testing. An ineffectual and constantly changing testing program cannot effectively measure student progress. No technical assistance is provided to teachers or districts with the tests, and the tardy reporting mechanism leaves useless much of the data which might be used to help students to a better education. The consequence of three decades operating under the current structure is that Illinois teachers and administrators have little or no faith in the decisions and actions of the Superintendent and Board. ISBE staff has been decimated to the point where those remaining cannot effectively provide needed services to Illinois schools. I urge you to consider the Governor's proposal on its merits, look at the potential for positive changes for public education that will occur if this legislation is passed. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. I have one question. I don't think there are any other lights on. You just indicated that the ISBE staff has been decimated. The Governor indicated that in creating a new Department of Education, he would provide services with forty-percent fewer staff than there are now. Already decimated, but

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the Governor says on top of that, forty percent fewer staff. So, how, then, will that affect services further?

MR. JAMES DOUGHERTY:

Gee, he was here this morning. I think perhaps you should have asked him how he was going to do that with forty percent fewer. I know that -- that there's plans for reorganization, and I'm not quite sure what -- how he -- he gets to his numbers. And I haven't read the full text of -- 3000.

MR. CHAIRMAN: (SENATOR DEL VALLE)

But you -- you would agree that that -- that that would have an adverse impact on what is currently...

MR. JAMES DOUGHERTY:

What's happened -- what's happened to staff -- and here you may have to make a distinction between the working staff that are actually out interfacing with the school district and, perhaps, the internal staff that marches the papers up and down the building and administrative staff. And I think you ought to discuss that with the Governor's staff as you work forward through this bill.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Okay. Thank you very much. Thank you. Gayla Boomer, who's the President of the Illinois Parent Teachers Association. Illinois PTA.

MS. GAYLA BOOMER:

Good afternoon and thank you for this opportunity, and thank you, also, for those of you who have remained this afternoon. It's been a long day. The Illinois PTA is an organization of parents, teachers and other concerned citizens, with a statewide membership of close to two hundred thousand, whose mission is to support and speak on behalf of children and youth. Our membership consistently advocates for a public school system that is equitably and adequately funded and that provides every child with the opportunity to achieve to the best of his or her abilities. We have a long-held position, established by our members at convention, supporting a nonpartisan State Board of Education composed of lay citizens from all geographic regions of the State who are charged with appointing a Superintendent of Education and overseeing the education of all the children in the public schools of Illinois.

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Each of you have received our initial letter, dated February 17th, in addition to my testimony today, outlining our opposition to the elimination of the State Board of Education as it currently exists and quoting our legislative platform regarding this issue. We strongly oppose the proposal to establish a Department of Education as delineated by the Governor. We firmly believe that to place the entire State involvement with education under the almost total control of any Governor, no matter which party, is to remove any semblance or opportunity of broad-based, bipartisan support for providing an appropriate educational opportunity for every child in the public schools of Illinois, a responsibility which many in this State talk a lot about but which is only a dream for many of our children. The Illinois State Board of Education, along with interested parents and teachers from all over our State, and long before the imposition of No Child Left Behind, created standards, which funded by limited local and State and federal resources, are assisting school districts in improving the performance of our students, as demonstrated by the results of our State tests. These tests are designed to show student achievement based on those standards, and that is the accountability that's been mentioned today. Our members, volunteering and working in many of the schools of this State, are aware of the struggles of our school districts to respond to the needs of our students, in many cases without adequate resources, and faced with students who come to school burdened by poverty, a lack of understanding of the English language or handicapping conditions. Those school districts look to the State Board of Education for assistance and help in meeting the needs of students and assistance in meeting the obligations required by the Illinois School Code as well as the federal government. Moving the powers and duties of the State Board to the Governor's Office won't change any of those needs. The varying positions of any given administration, however, could result in changing policies that might not be developed with the thoughtful participation of a State Board of Education that has members with more than one partisan and geographic viewpoint. Our members, more and more, are being asked to raise money to provide their schools with the things student needs -- students

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need and that are not provided by their school districts on their limited budgets. For schools in lower income areas, this only increases the inequity in funding we are all too aware of, as are all of you. The problems our school -- our schools face are not because we have a constitutionally mandated, nonpartisan State Board of Education. Many of the regulations, rules and policies that are targeted for reform are ones of -- which the Board of Education has no control over, ones imposed upon them by federal/State government, and which they are required by law to administer. Moving the powers and duties of the State Board of Education to a Department of Education under the control of the Governor appears to us to be painfully close to rearranging the chairs on the deck of the Titanic, while what this State really needs to do is to make the difficult decisions required to restructure the way we finance education and provide the dollars all of our schools need - really need - to give all of our kids the education each one of them deserves. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Senator Cronin.

SENATOR CRONIN:

Yes. Thank you. Briefly, Mr. Chairman. And if I may, we're losing Members and I know the -- the day is getting long. I really want to commend our Chairman, Senator del Valle, really and truly, and -- and I do this at some risk to you because I'm -- you would not -- we would not have the opportunity to have a substantive discussion about this monumental proposal if it wasn't for you. So I thank you very, very much, sir. If I may, Ms. Boomer, thank you for your remarks. You, as a representative - the President, no less - of the Illinois PTA, certainly is a very, very integral -- you have a very integral role, I think, as the President of the PTA, if I may say, in policymaking decisions. My experience, in fourteen years down here, is any policy of any significance that we have undertaken or we have discussed, debated, proposed and enacted, has included a broad section -- cross section of advocacy groups. First among them would be, quite frankly, the PTA. Have you been invited to participate and share your thoughts with the Governor in the formation of this new Department?

MR. CHAIRMAN: (SENATOR DEL VALLE)

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Ms. Boomer.

MS. GAYLA BOOMER:

No, we have not.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

I want to thank you, again, and we stand ready, willing and able to work with you. We -- we understand that a lot of the complaints about the State Board is that they are not responsive, and I think you understand that sometimes being responsive to every whim of the day is not necessarily for good policymaking. So, I just again thank you. Appreciate your participation.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you very much. Our next witness is Kim Vail, Education Coordinator, Illinois Farm Bureau.

MR. KIM VAIL:

Thank you, Chairman del Valle. Distinguished Members of the Senate, guests, my name is Kim Vail. I am the Assistant Director of Local Government with the Illinois Farm Bureau, and I also facilitate and coordinate its efforts in the area of education policy. Today I am representing the membership and the leaders of Illinois Farm Bureau, many of whom are sincerely interested and are directly involved in the delivery of education to the children of our State. We appreciate the opportunity to offer some brief remarks - and they will be brief - on the proposal to transfer the duties and responsibilities of the Illinois State Board of Education to a new Department of Education. Illinois Farm Bureau does not have a formal position. We are neither opposed nor in favor of the proposal contained within Senate Bill 3000 that would transfer the responsibilities and administrative functions from the State Board of Education to a Department of Education. Our approach to education policy is centered on ensuring a quality education for all children in Illinois. In order to accomplish this goal, we endorse the principles of accountability, adequacy and equity. Accountability is the efficient use of taxpayers' dollars to provide a comprehensive education to achieve goals with measurable outcomes. Adequacy is financing education at a

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level sufficient to fund a comprehensive educational program. Equity is fairness in educational opportunities for all students and fairness in the way education is funded. We recognize the vital role that administration and regulation of education policy plays as a significant determinant in the effectiveness and efficiency involving the operation of school districts. We believe that measures which permit the maximum availability of authority and decision-making control concerning school operations should reside at the local level. We further believe that any State regulatory body should be representative of the interests of each and every region of our -- of our State. Many who have addressed you today have clearly described the condition of education as it exists today in our State. Illinois has made some strides at addressing components that can improve the quality of education, but we do need to accomplish much more. The dialogue that accompanies this proposal in the coming weeks will be highly valuable to the future of our public education system. Senate Bill 3000 debate will consider the delivery of resources and accountability in meeting our established standards. But this is only a portion of what should be addressed. Along with accountability, Illinois Farm Bureau is overly concerned about the larger need to address adequate and equitable education funding that will lead to relieving the overreliance on local property tax revenue in providing the majority of support for our schools. The disparity that results from this funding system can be linked to the gap in scholastic achievement of students who do not have access to resources that other property-wealthy districts can provide. We should develop a system that will provide a combination of federal, State and local resources that will ensure an equitable level of funding per student regardless -- regardless of where a student attends school. There are some fundamental challenges that are facing school districts in Illinois today. I've only mentioned a few. The question that remains is: Is creating a new Department of Education an appropriate response that will have the effect of positively impacting and improving education in Illinois? Question's yet to be answered. Thank you for your time and consideration of this very important public policy issue. Thank you to the

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Senate Leadership for convening this forum. Illinois Farm Bureau remains committed to working with you in providing the highest-quality education possible for all the children of our great State.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you very much. Jeff Mays, Illinois Business Roundtable, and Lou Mervis. Jeff Mays and Lou Mervis from the Illinois Business Roundtable.

MR. LOU MERVIS:

Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Will you -- excuse me. Will you both be speaking? Okay. Then we ask that you share the five minutes. Thank you. Please proceed.

MR. LOU MERVIS:

Good afternoon. Mr. Chairman, Members of the Illinois State Senate and guests, my name is Lou Mervis. Thank you for the opportunity to address the Committee of the Whole on this important issue. By way of background, I served on the Illinois State Board of Education for a total of seventeen years, twice as its Chairman. I think I'm one of those people that Superintendent Cross was talking about. In my latter term, at the request of Governor Edgar, I oversaw implementation of reforms to ISBE's internal financial controls. These controls responded to issues raised by the Auditor General's 1996 Report on the agency. Prior to my service on ISBE, I served on the Danville School Board for six years, three as President. During my tenure, our district faced bankruptcy and made the difficult decision to reduce the length of school day to half days. From these experiences over twenty-three years, I appreciate the issues confronting the -- education on both the local and State level. With that background, I wish to commend the Governor for initiating this dialogue on the State's oversight of elementary and secondary education. We haven't addressed many of these issues since the early 1980s. Much has changed since that time, and particularly in light of the No Child Left Behind legislation, the Governor's proposals are timely. The people of Illinois, as well as the schoolchildren, will benefit from this examination. Having acknowledged that -- the value of this

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discussion, let me turn to its substance. Overall, I believe the Governor's proposals, in particular his creating a cabinet-level of Department of Education, merit, with proper assurances, your consideration. By elevating the State education agency to cabinet status, this plan places education at the forefront of the Governor's agenda and, by implication, the people of Illinois. Under the Governor's proposal, the State's Chief Executive will be accountable for educational outcomes within Illinois schools. Elevating the level of discussion and scrutiny in which elementary and secondary educational issues are expressed are appropriate, and the Governor's proposals accomplish that. In addition, by affiliating the agency with the Governor's Office, the transfer provides the agency with a true constituency, which it effectively lacks today. Second, the priorities of the State's education agency should logically be aligned with those of the State's Chief Executive. The Governor sets the State's budgetary priorities which, in turns, drive the operation of State government, including the State education agency. Creating greater alignment between the Governor's Office and the State's education agency benefits the many constituencies our system serves. For these reasons, I believe that the Governor's proposals merit some consideration. At the same time, the Governor and General Assembly must address three fundamental issues before implementing these changes. First, the State must provide for a truly independent teacher certification board. Ensuring teacher quality is vital to sustaining and improving the caliber of Illinois elementary and secondary education. The certification board must not be dominated by any single constituency, most particularly the group of professionals whose credentialing it is intended to regulate. Recent corporate accounting scandals demonstrate the pitfalls of self-regulation, even among highly educated professionals. Let's not repeat that mistake. The stakes are simply too high. Second, any changes in oversight must be accomplished by the implementation of a genuine accountability system. We must measure that success of our local school districts in meeting State and national standards. In this process, there will be temptations to allow political considerations to overwhelm sound political policy decisions.

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We must not allow accountability to be subject to political gamesmanships. Finally, opinions diverge on whether these changes will -- ultimately will stand the court scrutiny. I am neither a constitutional scholar nor a lawyer, so I can add little to the legal debate. Nonetheless, I believe that the Governor and General Assembly need to address this issue straight on. In sum, by addressing teacher certification and school accountability, the Governor and General Assembly will ensure that quality education is preserved and enhanced for all Illinois schoolchildren. With these qualifications, I support the Governor's plan. I would like to offer a few concluding remarks. Over the years, many groups have leveled criticism at the Illinois State Board of Education and much of the -- much of it is unfair. Short of assuming complete control of a school system, ISBE has little real power. The majority of educational decisions, whether budgetary or curricular, are made at the local level. ISBE has no authority over placing committed principals in classroom buildings or selecting high-quality teachers. These are the true determinants of quality education, and they are controlled at the local level. Likewise, the amount of classroom spending is also determined at the local level. The autonomy of local school districts must be factored into your consideration of educational oversight issues. Additionally, during my -- tenure at ISBE, I was impressed by the quality of the ISBE staff and their genuine concern for Illinois schoolchildren. They serve a function that is statutorily prescribed - implementing laws enacted by this General Assembly. While it is easy to blame them for onerous regulation, the General Assembly must also consider that it is the source of many of the regulations that ISBE has promulgated. In conclusion, I applaud the Governor for instigating this most important dialogue. Because the proposed legislation deals only with transfer existing powers and is silent on how those powers will be exercised differently, particularly in the area of accountability and teacher certification, there remains a great deal of substantive discussion that must take place. I look forward to the broader discussions, and I am hopeful that the IBRT can play a useful role in it. I appreciate your time. I

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would -- I would be pleased to answer any questions. I'll let Jeff conclude.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Jeff.

MR. JEFF MAYS:

Thank you very much, Mr. Chairman, Members of the Senate. In deference to the time of day and the -- all of the information that you've been put forward, I am going to summarize my remarks. You should have been given a piece of our position paper on the issue of agency reorganization, and you will also be given my full remarks in the proper context. The Illinois Business Roundtable has been involved in education improvement efforts, with teachers and administrators and every folk that we can put together at the table, for a number of years. That's why I truly appreciate the opportunity to share some thoughts with you today. Understanding that this discussion is solely on the agency, I'll commence by saying, simply, the obvious. Transferring agency duties from one entity to another does little in and of itself to expand education opportunity or advance student achievement. Agency duties themselves must change. Agency resources must be realigned and enhanced to some different standard of agency performance expectations. From my member standpoint, defining and embracing the new agency duties and expectations precedes a discussion of accountability and it precedes a discussion of whether the Board or the Governor should control the agency. So my first recommendation is, identify what it is you'd like this agency to look like, what it could be, why it shouldn't be the best education agency in the whole country - there's no reason we shouldn't have it here - and then decide where you should put it. My second recommendation is related to the first. Take some time to sort through the State agency, the nine hundred plus local and regional agencies that do education in Illinois. Having served as a Member of the House for five terms and having worked this issue directly for twelve years, I know that tensions exist and plenty of blame to hand around. But better buy in of the different roles and responsibility from all parties is necessary, and now is the time to get it right. Enough generalizations. I'm going to summarize on some key

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points of the agency that I think need to be enhanced and strengthened. This agency has done a phenomenal job bringing all parties together. Dr. Schiller, we thank you. There's been a lot of muddy issues, ugly issues, and you've convened all the groups at the table. We -- that is a -- that is an attribute of an independent agency that should be built upon. I like the independent budget process. And having been an appropriator for four years, my last four years in the House, I can tell you it was frustrating to me as a legislator, but there was no muzzling. There was no stricture. When they put their budget out, it was before the Governor put his budget out, and there was ample time for discussion, and then, even after the Governor's budget came out, there was advocacy that went on. And that informed me, that informed my colleagues, as much as I hated for it to happen, and I think if this agency moves, something -- as a legislator, you ought to be doing something to ensure that that kind of discussion can go on. I like an idea of an agency that brings the disparate parts of this education delivery system together. As much as I believe in local control, standards, unified assessments and reporting mechanisms statewide are important. Districts don't have to invent education, district to district. They can learn a lot from each other only if you have a unified system, and that's what this State Board can -- or, the agency can provide and does provide. As my education task force chairman indicated in his remarks, we appreciate the attention and focus that the Governor has provided to this issue of education. Without his support, much of what needs to be done will be done piecemeal over a long period of time. In our effort to contribute substance to the ongoing discussion, the IBRT will be hosting a symposium at State Farm's headquarters in Bloomington on March 22nd. There is a great deal of discussion on improving state education systems around this country, and we don't have to invent ours right here. We can learn a lot from the people that we're bringing in for this symposium. Gene Hickok, the U.S. Undersecretary of Education; Governor Hunt, from North Carolina and President of the Hunt Institute; Ted Sanders, President of the Education Commission of the States. We want to be able to share the best of what's going on out there as this agency discussion emerges.

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And finally, if this discussion doesn't kill the agency at the State Board, it will certainly strengthen it, and I think that is something we should all applaud. So, thank you very much, Mr. Chairman. If I can answer any questions, or Lou...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Senator Demuzio, and then Senator Cronin.

SENATOR DEMUZIO:

Well, thank very much, Mr. Chairman. I know that the hour is late. Some of our Members have decided to go to their offices and do mail and continue to listen to the testimony, but I can't tell you -- I can tell you that I don't -- that I value more the testimony of Lou Mervis, who was here a few minutes ago, who spent seventeen years with the Illinois State Board of Education. It means a great deal, I think, to the -- to this Body to hear from -- from Lou and his views. And I share practically everything that he has said, and I read his testimony very, very closely. And, Lou, I want to say thank you very much for the service that you've given to the people of Illinois. Thank you very much for your contribution. I don't care if you're a constitutional lawyer or not, you are a fine public servant and have served the people of Illinois very well, and I value the comments that you have made today, sincerely. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you.

MR. LOU MERVIS:

Thank you, Senator. I appreciate it. I value your friendship.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Yeah. I, too, would like to commend Mr. Mervis for his commitment to public service. I do want to kind of offer a couple of thoughts, express some concerns. There's a philosophical conflict in the remarks that both of you delivered, and I understand the pragmatic consideration of, you know, the Illinois Business Roundtable's need or desire or the importance of you being part of the debate. But we've got to be intellectually honest here. You don't really believe in local

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control, then. I mean, if you're telling me that over the years, many groups have leveled criticism at -- much of it's... Short of assuming complete control of a school system, ISBE has real little power. You know, I guess I'm beginning to see that some folks think that this Department of Education, if it comes about, should be this heavy-handed, centralized government that's going to tell people and teachers and principals in local schools what to do when it comes to teacher quality, accountability, standards, teaching, testing, purchasing, curriculum. You've got to get on the approved list - did they share that one with you? - if you want to buy a -- a -- a container of glue. You know, I'm glad that you guys are at the table, and I appreciate your remarks. But, please, if there is a commitment to local control, what do you -- what do you mean, what are you talking about, and what are the locals going to be able to control, given your remarks today?

MR. CHAIRMAN: (SENATOR DEL VALLE)

Mr. Mervis, do you want to respond, or Jeff?

MR. LOU MERVIS:

Thank you. Senator Cronin, I think you and I have -- have had a long history. I do believe that we're talking about governance today, and that has a lot -- there -- I'd like to see some meat on the bones. I think everybody would like to see that proposal, and that's why our testimony today said we believe that the dialogue should be carried on. We haven't had a dialogue. Almost twenty-five years ago was the last time we did a real study of the merits of -- and the programs that we -- that we mandate in the State of Illinois. I don't think that there is anyone that expects to -- the local school districts to give up all the control. I think we could have a -- a different discussion, but I'm not sure that those are part of the discussion today. If they were, I think we could go point by point and we would probably agree on most of the -- of the issues. But today we're talking about the governance of the -- of the schools. And, you know, I was -- I was Chairman of the Board when Governor Edgar made his proposal to change, and you also know that I was the one that opposed that 'cause I -- I thought the timing was wrong and I -- I thought that the schools -- and the State Board of Education did have some power. But

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what I really found out was that we had much of a bully pulpit, and we -- we tried to use that bully pulpit. I -- I think it's -- it's sad when the State Board of -- State Board of Education's only real control can take over a financially failing school. I think it's too late at that time, and so I think those things have to look toward -- look to be studied.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin, did you have another question? Or -- or, Jeff wants to respond.

MR. JEFF MAYS:

I -- I think both my chairman of the education task force and my members are conflicted on this thing, and I imagine you could probably feel that in the testimony. What we haven't seen is what that new agency is going to be doing different than the current agency, and I think that's the discussion Lou was talking about having. And I think if you ask the current agency, there's a lot of things they feel they could probably do a lot better. And we want to have that discussion. It's time to have that discussion, and that's where we are.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Cronin, last question.

SENATOR CRONIN:

Yes.

MR. CHAIRMAN: (SENATOR DEL VALLE)

And then Senator Garrett.

SENATOR CRONIN:

Yes. Thank you. Yeah, so there's not a lot of difference between your view of this proposal and I think a lot of our view. We're eager to see substance. You know, it's complicated and it's hard to actually impact student achievement and to help kids learn. It's easy to -- to talk about general thoughts and concepts and platitudes. I just ask this. You're in the room. You're going to ask for meaningful reform. You're going to ask for substance. Will you please promise us that if there isn't meaningful reforms and substantive changes, that you will have the courage to come back here and tell us that it's not a good idea?

MR. LOU MERVIS:

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Well, I thank you for asking that question, because I think -- you know what the answer is and that I've never been bashful. I -- I take the responsibility in working with the educational task force for the Illinois Business Roundtable very seriously. Someone asked me, did I -- why? Did I have a dog in the fight? And I'll always have a dog in the fight as long as the schoolchildren of Illinois are involved. But if there is no discussion and there is no proper funding, we're all dead.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

Thank you, Mr. Chairman. I do have a question. After listening to this testimony today, it occurs to me - and hopefully you can help me answer this - that I'm not sure what the real role of the State Board of Education is anymore. And -- and by saying that, I don't mean that in a demeaning way, but we've heard from our legislators that, you know, we've got achievement gaps, we've got financial problems with schools. We've got all of these issues. In your mind, do you think that it is the State Board of Education's role to be more administrators, or do you think that they should, in fact, come up with public policy initiatives that would move some of these problems, these negative issues, into a positive light? And if you think that they're -- so, tell me what you think about that, I guess. That's my first question.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Mr. Mervis or Jeff. Jeff Mays.

MR. JEFF MAYS:

Thank you, Mr. Chairman. That is one of the discussions, I think, that is really exciting that we need to have in this State, because having been where you are, although in the other Chamber, it is so -- until those roles are better defined, there's too many things that can happen and too many people that can be blamed for nothing happening. And -- and that's why that -- that discussion -- that was the second point. How does the State agency, as you envision it, whether it's at the State Board or with the Governor, relate to the nine hundred plus local education agencies? What are the duties and responsibilities? If they all know that it's Mr. Schiller's

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responsibility to unify the databases on performance and finance and things like that, and if they understand that he's got obligations to the federal government for monitoring how funding is, I think that would make their compliance issues much better and much less head-to-head. So, that's why the roles issue that you bring up is very, very valid.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Garrett.

SENATOR GARRETT:

And so, how can we go about almost defining what the role is or should be for the State Board of Education or the Department of Education? Because, you know, I'm hearing a lot of resistance as to where we need to go based on the fact that we haven't been doing well where we are right now. And I guess my biggest frustration is that the State Board of Education doesn't do enough with public policy when it comes to education reform, but on the other hand, maybe they're not supposed to do that. I don't really know that, and I've been involved in education for all five years that I've been here. And so, it's easy to criticize them and it's easy to criticize the Blagojevich proposal, but we don't really know what we, as legislators, expect yet, I believe, from this type of -- you know, from this body. So, if you could -- you've already commented on it, but I'm wondering if there's a way in which you can help us define that role.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Okay. Gentlemen, thank you very much. Mr. Mervis, did you want to quickly respond, and then we'll close?

MR. LOU MERVIS:

Just quickly. I think that the State Board of Education has both those roles, that is has worked in both those areas, should work in both those areas. I think sometimes they get a little lost in direction, and I think that sometimes there's -- there's a lot of distractions. But I think that over the years, there has been tremendous policy worked on at the State Board and -- and great administrative work.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Senator Garrett, for the last question or statement.

SENATOR GARRETT:

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Well, I don't talk that much, especially compared to Senator Cronin, but I would like to follow up on this. Do you think that it's -- it's plausible to maybe look at dividing this out and having sort of the public policy side of the State Board of Education and -- and then the administrative side, having those roles separated and having them sort of report in to one particular person or source or legislative body? Because there is -- either there's an overlap -- I'm not sure that I could call Dr. Schiller and say, "Help me find some vocational programs for southern Illinois that will help with, you know, the farming industry." You know, I don't know if that's what his role is, but I think the State of Illinois has to start looking at things like that when it comes to education.

MR. LOU MERVIS:

Senator, I think that that's one of the -- the things that we hope to discuss in detail at the symposium on the 22nd. I really would hope that -- that -- you've been given an -- invitation to come to that. We're trying to bring some of the best minds in the country to discuss some of the same -- these same issues that resound all across our country. One thing we know for sure: Everybody needs more dollars to support. We haven't talked about mobility. We haven't talked about poverty today. Two great factors that affect the quality of education, and yet, nobody has talked about it. Maybe it's not the day. But we hope that those -- that question can be addressed on the 22nd, when we get better minds than mine to discuss those openly and hopefully come back with some -- some strong recommendations. This discussion we're having today, hopefully, will be the first step towards...

MR. CHAIRMAN: (SENATOR DEL VALLE)

Gentlemen, thank you very much. Thank you. Bindu Batchu, A+ Illinois. And Bindu is followed by Jerry Stermer, Voices for Illinois Children. Bindu Batchu, A+ Illinois.

MS. BINDU BATCHU:

Thank you for the opportunity to be here. I'm the campaign manager for A+ Illinois. A+ Illinois is a campaign supported by a diverse new coalition of organizations from around the State, and our goals as a campaign are to focus on delivering a quality education for every child in the State, including addressing

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education funding reform, delivering lasting property tax relief and protecting human and social services that are vital to children's well-being. A team of eight organizations is leading A+ Illinois, and I wanted to highlight which groups these are. They include AFSCME Council 31, the Center for Tax and Budget Accountability, Chicago Urban League, the Illinois Education Association, the Illinois Farm Bureau, the Metropolitan Planning Council, the Tax Policy Forum, and Voices for Illinois Children. There are dozens of other organizations that have signed on as supporters and endorsers of our work. We applaud the Governor's stated priority of education and his emphasis on accountability and efficiency. A+ Illinois itself does not have an official position on the Governor's proposal to transfer responsibilities to a Department of Education. However, we do have a lot of concerns about such a transition and specific components of the plan, so I wanted to just quickly highlight some of those areas that we have some concerns about and ask you to consider as we move forward in assessing this proposal. The first is related to how we collect financial data. Right now, we know that the reliability, validity and consistency of school district financial data, and especially the financial profiles, is critical. The data provided through ISBE lets us know the financial health of every school district across the State, and this is especially important at a time when almost eighty percent of our districts are deficit spending. ISBE went through a very important process over the past couple of years to develop a new financial profile system that gives us a deeper understanding of where schools are at. Under the plan being considered today, those responsibilities would be under a Department of Education. A+ Illinois asks you to consider today: Will these school district financial profiles and financial data remain reliable, remain valid and remain consistent under the new system? Will the public and will legislators be able to rely on this information to understand the financial well-being of their school districts under a Department of Education? A+ Illinois urges you to ensure that our system protects and maintains the -- the reliability and validity of this data. The second area is related to the actual Condition of Education Report, which many of you are familiar

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with, that ISBE issues every year. Many people - the general public, advocates, legislators - rely on this to get a snapshot of where schools in Illinois are at. Under Senate Bill 3000, there's a very specific line in there that says that the next Condition of Education Report would be required no earlier than January 14th of the year 2007. That's almost three years away from today. So we ask you to consider, at a time when children and schools across the State are suffering academically and financially, should we, as a State, suspend our understanding of the condition of public -- of -- the condition of public education in Illinois for almost three years? A+ Illinois really urges you to -- ensure we maintain consistent information with an annual report from the State Board of Education or a Department of Education, whatever it may end up being. The third area is regarding how we do our budgeting process for the K to 12 education budget. Right now we have a very open process where -- it's a transparent system where the general public can view and respond to the Board's priority setting with the K to 12 education budget. We urge you to maintain this open -- openness and -- transparency in the system of education budgeting. This is important not just with the education budget, but across the board in overall State government budget. The last area is perhaps the most important. As you review this plan, we urge you to ask the question: Does it focus on what matters the most in meeting the needs of children and students across Illinois? Would it address the most pressing needs of our students in schools? We applaud the Governor's emphasis on accountability and efficiency, yet these efforts must also provide adequate funding to ensure schools have the resources to meet the learning needs and performance expectations for students. We know that schools and students across the State are suffering. We've heard a lot of statistics from the previous speakers today about where we stand as a -- as compared to the rest of the country. We have the largest achievement gap between students in poverty and wealthier students, the largest achievement gap in the nation. This is embarrassing. We should be ashamed of ourselves. And the gap is only growing wider. We've heard about our F grade in school equity funding -- or, in funding. We've got districts that spend about five thousand

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dollars a year and others that spend about eighteen thousand dollars a year, and you can imagine what that means in terms of the -- the type of education that students from different districts have. And our foundation level is still about a thousand dollars short of where we need to be. Children aren't doing as well because far too many of their schools are strapped financially and are forced to make hard choices that negatively affect what happens in the classroom. So, we ask you to consider today: Will creating a new Department of Education address these fundamental challenges school districts across Illinois are facing? Is creating a new Department of Education the best answer to the question of what will positively impact and improve student learning -- in Illinois? Regardless of our governance system for education in Illinois, A+ Illinois urges you to ensure these funding needs are a central part of the conversation and strategy of instituting accountability and efficiency in education. I thank you so much for your time and consideration of these important issues and I thank the Senate Leadership for holding this important discussion on an issue that's going to impact students in Illinois for years to come. A+ Illinois looks forward to working with you and serving as a resource whenever possible. Thank you.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you. Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. Chairman. Thank you for your time and your testimony. You know, I've listened, since 10 o'clock this morning I suppose - about six and a half hours - and I haven't heard any advocate of the -- of the proposal talk about some other aspects of success and failure for children in schools, and that is this: The Heartland Institute, which is a public policy think tank in Illinois, nonpartisan, did a study fairly recently, and they said that there's two elements that come time and again above per pupil spending as the most important elements that dictate the success of a child. Now, I'm not -- I'm not saying that per pupil spending is not an important element, but the two that they cited were the leadership of a principal in the school and the -- the involvement of parents in the school. The other thing that I haven't really heard today

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from, really, the great minds - and I'm not being sarcastic about that - the great minds that have addressed this -- the Senate today, is really a discussion about what's the relationship between success for children in the school and sort of the decay of the family, how so many kids are coming from backgrounds that aren't as supportive as they once were. And don't we need to take a more holistic approach to this and say, what are things that we in the General Assembly can do to undergird the family to make sure that it's intact and able to try and give the platform that many children need today? And I'm just wondering, in your efforts and your advocacy on behalf of children, whether that's a part of the things that you're addressing, or are you solely interested in the -- this notion of a new Department of Education? I'd be interested in your thoughts.

MR. CHAIRMAN: (SENATOR DEL VALLE)

Ms. Batchu.

MS. BINDU BATCHU:

Thank you for your question. I think you raise an important point that funding is certainly an important part of the equation. And when we consider where we are in the nation of having the greatest disparities in school funding across districts and some of the greatest achievement gaps between districts -- children in poverty and those that are from a wealthier background, I don't think we can sidestep that -- that question and issue. Funding is -- is a central part of the conversation. But I'd agree with you that it's -- we do need to look at other aspects of this. A+ Illinois is looking at areas with school -- trying to improve school quality, trying to improve teacher quality, ensuring that we are instituting practices, such as early childhood education, for those children who are at risk and may not have the most supportive home environments. We also need to make sure that we're not having a conversation where we're pitting education against those supports - human services, community supports - that are important to the well-being of a -- a child and their family. We can't be cutting from child care programs in order to -- to fund education. We need -- we -- I totally agree with you that we do need to look at this holistically.

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MR. CHAIRMAN: (SENATOR DEL VALLE)

Thank you very much for your testimony. Jerry Stermer, Voices for Illinois Children. And I'm sure Jerry will also respond to that last question in his statement.

MR. JERRY STERMER:

Thank you very much, Mr. Chairman, Members of the Senate. I appreciate the opportunity. I'm Jerry Stermer, President of Voices for Illinois Children, a statewide public interest group governed by citizens who believe that we can and must do better for our children. We believe that the proposal to make change is important and energizes the conversation and that it will lead us to a greater focus on improving children's learning. We offer this afternoon principles to guide this discussion and your deliberations. I'd like to summarize the five principles that we believe would be helpful in this discussion. First and foremost, the importance of focusing on what really matters in children's learning. And I think what Senator Roskam brought up a few minutes ago is -- is a powerful reality, that parents are children's first and most important teachers and that supporting parents in what they do makes a great deal of difference. So one of the most important components of this proposal is to enable the health and human services programs of the State to align more carefully with education. As all of you know from working on this for so long, we sometimes over-compartmentalize our thinking. We have health over here, social services over here and education over here. In the proposal that the Governor offered, he suggested that we reinstate or bring back the Project Success program which is so important to the nurturing of this concept called "community schools", and community schools can more effectively support, especially, those children who are at risk of educational failure of all ages. Clearly, focusing on what matters brings us to the topic of adequate and equitable school finances. You've heard from virtually every speaker this morning and this afternoon that we are not doing a good job. Voices for Illinois Children believes there is a great deal of urgency in the matter of addressing school finances. In the question between Senator Meeks and -- and the Governor this morning, the matter was raised as, do we have to do one before the other? Do we have to -- restructure the

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organization of -- of school supports before we address school finances? I thought I heard a willingness to tackle both at the same time, and we would certainly urge you, as a member of the A+ Illinois coalition, to tackle both of these matters at the same time. This spring is a good opportunity for Members of the Illinois General Assembly and the Governor to work together to solve this problem that has vexed us for so many years. Point number three is one that's been discussed a great deal today: Preserve local schools' primary role as the decision makers. And I -- I sense that there's unanimity in this room about this. Point number four is that it's very important to the people of Illinois and for our children, that we maintain an open, transparent system of education budgeting and reporting. In changing the State's education governance system, the Legislature should take great care to not lose the benefits of an open process of deliberation and public hearings to develop the annual budget request. We should not merge into one the matter of what children need and the matter of what our State can afford. Those are two separate questions that we should always discuss separately. What do children need versus what we can afford. So we urge you to continue to require an annual assessment of the state of public education in Illinois and to be given clear data that shows what Illinois students and what our schools need to do the best job that we can and the type of job that they deserve. Lastly, and perhaps most importantly, I urge you to stay focused on the question of early learning. Early learning is clearly, by all the research, the most important thing that we can do to improve the outcomes of education for our children in Illinois. I'm a member of the Early Learning Council appointed by the Governor that was created by the House and the Senate, with sponsorship from -- from Senator Harmon, President Jones and Minority Leader Watson. This Early Learning Council is working under the clear assumption that this Body is committed to growing the early learning resources in our State for children birth to five and to move towards a system of universal voluntary preschool for children in Illinois that will be an integral part of our education success in the coming years. I would urge you to continue your commitment to -- to invest wisely in early

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learning, to replicate your commitment from last year to grow the early learning education block grant by thirty million dollars and again this year appropriate an additional thirty million dollars as we move towards appropriate services for all young children in our State, leading towards every child in Illinois being healthy, well supported and ready to learn by the time they enter kindergarten. All of us bear an important responsibility to our children, who represent the future of Illinois. Every step of the way, our reexamination of public education governance must help us answer the question: How can we best improve children's learning? And if we stay focused on that question, I think we'll get to the -- to the goal of adequate, fair, equitable funding and supports for every child in Illinois. Thank you very much.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you very much, Mr. Stermer, from the Voices for Illinois Children. Are there any questions of the Body? At this time we'd like to thank you for joining us and thank you so much. We have -- first let me just acknowledge that Senator Lightford, Vice Chair, is in the seat. We have a number of parents, guidance counselors, teachers to bring a one-minute remark. We are approaching our seventh hour, and we appreciate your sticking around and providing testimony on this critical subject. If I could bring forth Ms. Clare Sipe, parent. And please have one minute of remarks. Thank you.

MS. CLARE SIPE:

Thank you. Good afternoon. My name is Clare Sipe and I live in Plainfield. I have four children, all of whom are special, but two of whom happen to have special needs. My seven-year-old son, Tom, has pervasive developmental delay, or PDD, which is more readily understood as a type of autism. Tom is tenacious, curious, sweet, brave and very intelligent. My other seven-year-old son, Steven, has severe cerebral palsy. He is also very smart, charming and one of the funniest, most loving kids one could ever have the pleasure of knowing. I'm a current board member of Parents' Alliance for Compliance in special Education, P.A.C.E. I am also a special education parent and child advocate. My story is a sad one but not unique to this State or nation. My son's tale is disturbing, and when people

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hear it, they are appalled and amazed that a child can be treated as my Tom was treated in a school district in Illinois. When Tom was six, he was routinely and inappropriately restrained on the floor almost daily by two adults. I learned from papers I obtained through the Freedom of Information Act that he had been restrained even while I was down the hall in his IEP meeting with the director of special education and our superintendent. ISBE has a policy on time out and physical restraint. My son's restraint was in violation of that policy; however, my school district had not been properly trained on following ISBE's policy. A little history about P.A.C.E. P.A.C.E. is a grassroots organization made up of parents of students with special needs. They have been working throughout Illinois since December of 2000 to ensure compliance in the special education programs. In the last three years, P.A.C.E. has been successful in getting compliance reviews done in eight school districts and has been covered in more than twenty-nine news articles. I have gone with P.A.C.E. to Washington, D.C., to meet with federal legislatures {sic} to discuss our concerns over the reauthorization of IDEA. We have also met with the federal Office of Special Programs and have been providing them with the proof they need to recognize the noncompliance in our State. Most recently, P.A.C.E. has been meeting with State legislators to inform them about the concerns of special education in this State. P.A.C.E. has had a long history of communication with ISBE. It began with an effort to bring awareness to the rampant noncompliance in Illinois. Our first encounter with ISBE was in 2001 when P.A.C.E. gathered approximately two hundred parents of students with -- of children with disabilities from six -- a six-district area in Cook, Will and Grundy Counties to request evaluations of the special education programs in these districts. At this meeting, Dr. Koch, Director of Special Education, agreed to set up a meeting with the State Superintendent and to assign a liaison from ISBE to hear parents' concerns about the education of children with special needs. On July 25th, after many attempts to get ISBE to follow through with these programs, P.A.C.E. secured a meeting with the help of Governor Ryan's Office. There was no improvements as a result of this meeting. P.A.C.E.'s

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next step was to collect several hundred complaints of noncompliance from across the State. These complaints were submitted to ISBE. In their response to P.A.C.E., ISBE discounted these complaints, stating that the format in which the complaints were submitted did not conform to ISBE's guidelines. Recently, in an article in the Daily Herald, by Sara Burnett...

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Excuse me, Ms. Sipe. Can you bring your remarks to a close for us and somehow summarize? Thank you.

MS. CLARE SIPE:

The special education system is severely broken. P.A.C.E. has been working to solve some of these issues for three years. It is time to fix the dysfunctional system. P.A.C.E. wants to be sure the Governor hears this plea. Parent input is essential in restructuring of the special education system. The real parent voice has been shut out of the current ISBE structure. To make an effective change, we need to involve parents that have vested interests in special education so the goal of an appropriate education for all children can be met. Thank you for your time and attention. Please feel free to call on P.A.C.E. to help work for the betterment of special education for all the children in Illinois.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you very much, Ms. Sipe. Our second, a guidance counselor, is Mitch Landcroft {sic}. If you can please come before us and provide a minute of testimony. Thank you.

MR. MITCH LANDGRAF:

Thank you, Ladies and Gentlemen of the Senate. I'm honored to be here. I'd like to give a special greeting to my Senator, the Honorable Patrick Welch. One -- one definition of insanity is doing the same thing but expecting a different result. I think change is warranted at the State level in education. I'd like to give some specific example from my experience only. The failure of ISBE to give guidelines into what defines a junior has created a score comparison nightmare across the State in regard to PSAE, with some districts defining a junior as a third-year student, some districts defining a junior as a student with so many credits, and some districts defining a

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student to their advantage based on how many courses they've been exposed to. When trying to get an answer for that from ISBE, I experienced a multilayered, multi-department, drawn-out, unclear process ending in "Legal" in Chicago with no answer. ISBE is failing to meet the day-to-day needs of educators, such as their late-in-the-game switch of changing the PSAE testing March -- or, testing date to March. It's like training students for four years to run a -- a mile, giving a standard time, and then changing it to a three-quarter-mile run at the last minute, or vice versa. Excuse me. How can -- students meet those same standards with less instructional and preparation time? ISBE's failure to think through the amount of time it takes to appropriately process results has caused this. Districts are ready to provide preparation activities but must change this now because of that date change. In regard to certification, ISBE has failed to address renewal certification for important student -- school service personnel, such as school counselors, social workers and psychologists. We have all been valid but exempt for at least four years. Some of us have been valid but exempt for as many as seven years. I'm an example of that. This means that the experts you have in Illinois schools dealing with students' social-emotional concerns, test preparation/interpretation, violence prevention, substance abuse prevention have all been left -- may or may not be qualified, and in some cases, the State would not have any way to ascertain that in over ten years. ISBE's putting this on the back burner has failed to serve the students and taxpaying families of Illinois. ISBE has failed to encourage professionalism and equity in school counseling by not regarding our master counselor proposals. Whereas teachers have two forms of certification - CPDU completion and master teacher certification - counselors have been denied the master counselor certification. Not only has ISBE failed entirely to determine anything at all, not even a draft, in regard to school counselor renewal certification, but they threw out our equitable measure in regard to master certification. ISBE red tape is the main problem, such as what I call "ISBE Math". Our school supposedly tested one hundred percent of our juniors and yet only percent - - tested ninety-six percent of our white juniors. That is ISBE

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math. ISBE has become a benevolent but sluggish giant, unresponsive to the daily educational needs of students, taxpayers and educators. While this Body does not have time today, the best thing you could do would be if this Senate could get on a speakerphone and call ISBE right now with a simple question, such as "What constitutes a junior for the PSAE", or "Can a student live in another -- in an uncle's district and go to that school there if he is not the guardian but he's eligible for special ed?" You would experience a myriad of layers, referrals to different departments, phone calls that do not get returned, suggestions to use email instead, which also take days to return, or you might get referred to "Legal", which means it will be literally weeks of waiting until you get your answer. Better yet, call another day and you will get...

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Mr. Landcroft, if you could please bring your remarks to a close.

MR. MITCH LANDGRAF:

You will get a different answer. Some fear that ISBE {sic} will be too political, but I have not experienced political until I started trying to work with ISBE in regard to school counselor certification. We need -- I will support any plan that will remove layers of confusion, will be more responsive and more authoritative in accuracy of answers to Illinois educators and will provide faster service. We need -- educational leadership that understands and is free to effectively focus on what goes on in schools every day. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you very much. We have five more speakers, and I know you may have taken the time to prepare written statements, but if you could just summarize for us -- and submit your written statements for the record. Next we will have Laurie Driscoll. Ms. Driscoll is a reading specialist.

MS. LAURIE DRISCOLL:

My name is Laurie Driscoll. I'm a member of the Illinois Education Association, an elementary reading specialist and a member of the local professional development committee in my school district, Villa Park District 45, which is in Senator

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Cronin's district. I have been a member of the local professional development committee since the certification process began. As a member of this committee, I have spent countless hours at committee meetings wading through ever-changing paperwork required by the State Board, including certification plans, claims for credit, standard certificate forms and initial certificate forms. It has been especially frustrating trying to assist teachers new to the profession who now need to renew their initial certificates. And in several instances, they will need to renew their certificates more than once in their first four years of teaching because through no fault of their own, they did not receive full four-year certificates. One example is a middle school science teacher in my district. This teacher already had a successful career in the business world but decided to enter the teaching profession so he could make a difference in children's lives. Since he already had a college degree, he was able to get a substitute teaching certificate and worked as a substitute in our district for two years while pursuing a master's degree in education. When he applied for a four-year initial teaching certificate, the State Board issued him a certificate valid for only two years. After several calls and emails to the State Board, he and the members of our local professional development committee were told that he received a two-year certificate because he had already had a certificate for two years. However, in order to get a standard certificate when his initial certificate expires on July 1st, 2004, he has to have completed four full years, not substitute teaching years, of classroom teaching. So, now he has to complete extra paperwork so that he can continue to teach to get the full four years of teaching experience he needs for a standard certificate. Had the State Board issued his -- his original certificate for the four full years it should have been valid, he would not have had to file more paperwork until 2006. This is only one example of the confusion and discrepancy in the recertification process. Teachers want to participate in meaningful professional development and we understand the need to stay current in best teaching practices. We are very convinced that the whole certification process needs to be streamlined. The amount of time needed to review forms needs to

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be lessened, teachers need to be able to contact a statewide agency and get timely answers. We need to be able to call the certification process with our questions. It should not take several weeks to get answers to emails. Thank you for this opportunity to address you on these concerns. I invite Senator Cronin to visit us in Villa Park when our professional development committee meets, and I invite all of you to contact your local professional development committees in your districts to talk to those teachers for their input on the need to improve the certification process. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Ms. Driscoll. Moving right along, Judy Bretl. Ms. Bretl. Ms. Bretl is a teacher.

MS. JUDY BRETL:

Thank you very much for letting me share my information with you today. My name is Judy Bretl. I'm a middle school teacher in District 45, Jefferson Middle School, in Villa Park, and I am in Mr. Cronin's -- Senator Cronin's district. What I would like to say -- and I usually -- I -- I think it's really hard to speak to middle schoolers and keep their attention, so I find myself repeatedly saying to them, "Show your courtesy and respect when other people are speaking", and I don't know how you do it. This is a very busy place. It's been a lot of fun listening to all of the testimonies today. I am one of those nontraditional teachers. I went back at the age of forty to get my teacher certificate and master's so that I could work with children. I had been doing it in a -- after working in the business world, I had been the volunteer parent, library book shelper, and PTA mom and Girl Scout leader, and decided that I wanted to get my certificate and work with children. I'm also one of those nontraditional -- I was a nontraditional student. I'm a nontraditional teacher. I received my certificate in December of 2000 and my initial certificate expires July 1st of 2004. If you do the math, that's not four years. I have only -- I will have only accumulated three years of teaching when my certificate expires. So I have to do the rigamarole and running around. And when I went to my local professional development committee meeting last fall, they said, "You can't go anywhere else on July 1st; you have to go to the ROE and file your

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extension." So, I guess what I'd like to say to you is that I'd like to put my energy into teaching children and being the best teacher that I can be, and I don't want to be burdened with chasing around to file extensions for my our teaching certificate. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Ms. Bretl. Our next speaker will be Nicole Pachalski, a bilingual teacher. You may proceed.

MS. NICOLE PACHALSKI:

Good afternoon, Ladies and Gentlemen of the Senate. My name is Nicole Pacholski. I am a third grade teacher at Ellen Mitchell Elementary School in Chicago. Originally I am from Gurnee, Illinois, but I have lived and taught in Chicago for the last four years. I attended the University of Illinois at Urbana-Champaign and received a bachelor of science in architectural studies. I continued my education by earning a Master's in Arts in Teaching from National-Louis University. After completing my master's degree, I immediately began working at Mitchell School. Mitchell is a typical inner-city Chicago public school located on the near west side of the City. At Mitchell, teachers are faced with incredible challenges, among them dilapidated buildings - in fact, we are in an ancient building we rent from the Archdiocese - lack of supplies - I can't believe how much of my own money I spend on my students - and children who come to us far below grade level. In addition, at least a quarter of our students are English language learners. I am a bilingual teacher, but our school doesn't have enough teachers to meet the needs of our community. Mitchell Elementary School reading scores have been stagnant for the past few years, despite the fact that we participate in professional development through the University of Chicago's Center for School Improvement and the Illinois State Board of Education's Reading First program. Our principal is accountable for the -- our principal is accountable for this. She needs to take the steps necessary to help us move our students to grade level, but who is accountable when Reading First programs aren't implemented correctly? Someone needs to be responsible for this and have the authority to make the changes and fix what needs to be fixed so every child has the resources, the teachers and

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support they need to succeed. But we at Mitchell are hardworking individuals that continually push ourselves and our students to meet the high expectations that have been set by the State of Illinois. But under these conditions, you can imagine that we have a high turnover rate among teachers. And as if teaching isn't challenging enough, we all have to navigate certification and recertification processes. In my experience, dealing with the Illinois State Board of Education has been time-consuming and uninformative. While trying to become a certified teacher, I had to make several trips to the downtown office. I would call and call and rarely get a live person to speak with. When I did finally connect with someone, I was not given accurate information so I could come to the office prepared. Certification was definitely not a smooth process. My concern is that if the Illinois State Board of Education remains as is, my recertification process will be another frustrating experience. Now I don't even have the luxury of going downtown to the offices because it has been closed. For these very reasons, I believe that the creation of a new Department of Education can be the start to many changes made in Illinois' system of education. My hope is that a new department will be more service-oriented and better equipped to support teachers. It should assist districts in helping their teachers understand and be more informed about the recertification process. We need and want certified and qualified teachers in every classroom. I am a teacher because I think it is the single most important thing I can do. It is the only way I know that I can directly impact the future. Right now, my impact is limited by lack of support and too much bureaucracy. I have faith that if you choose to let this Governor create a Department of Education directly accountable to him, education in the State will better serve our children. Thank you for your time and consideration.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you for your comments, Nicole Pacholski. It will be so noted. May we please have Vickie Abbinante, teacher. Chairman del Valle.

SENATOR DEL VALLE:

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Madam President {sic}, did we lose our last witness? She still here? Yes, I want to thank her quickly for -- for visiting us here and providing your testimony. Mitchell School is right -- right outside my district. It used to be in my district. But I want to point out to you that many of the things that you described are within the control of the Chicago Public Schools, not the Illinois State Board of Education, and yet, you're absolutely right: The problem with school supplies and other problems that you encounter are real, and those things have to change. But the Governor's proposal doesn't change any of that. I do want to say that I'm in total agreement on the teacher certification process. That needs revamping in order to make sure that individuals like yourself don't go through what you've been through. Thank you for your testimony.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

You may respond.

MS. NICOLE PACHOLSKI:

I do agree with you, but I do believe that there's a trickle-down effect that starts at the top and rolls down. And so I believe that if we make some changes within the State policies, we will hopefully eventually attend to the Chicago Public Schools' issues.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Chairman del Valle.

SENATOR DEL VALLE:

Chicago has complete authority. They're practically autonomous. Just remember that. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Nicole Pacholski. Again, we have Vickie Abbinante, teacher. Please proceed.

MS. VICKIE ABBINANTE:

Good afternoon, Senators. My name is Vickie Abbinante-Mosho and I'm teacher from LaGrange, Illinois, in Senator Radogno's district. I appreciate the opportunity to speak with you, and I'd like to give you just a glimpse of just one aspect of how the current State Board works - recertification. The issue: It's not that teachers are against the idea of training. That's a given. In my district, the number of training hours has not increased at all, only the number that it has taken to

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document those hours. Recertification procedures have become intensive in both time and paperwork, and the supports from ISBE are not readily available. There are too many hours consumed by teachers which could be spent in actual development, curriculum planning and student contact time. An example, two hundred teachers in my district, approximately fifty-five hundred hours of committee meetings, training and actual processing in four years. This does not include the actual training hours. There's too much paperwork. Example: I actually brought three bins of paperwork. They were so large we couldn't get them over here. The online recertification process is one that our district has -- has utilized; however, we still have to store and check original plans, and since CeRTS was not up and running by the time we did start, we had -- we have all of those other things to also store. We have to keep and check evidence of training, whether it's our own records or those sent to us by teachers. We have summaries, transcripts, initial standard requests. There's also been way too many changes. There -- an example is the use of CeRTS, special education hours which were added into after the fact, initial standard certificates. None of the changes that were made were ready to go by the date that was prescribed to us. Too little service from ISBE is a serious problem. We have one knowledgeable person at ISBE. He's a good friend of ours. His name is Raj. Problem is, when Raj isn't there, we can't get an answer. The recert process is way too specific, too detailed and too micromanaged. We have goals, objectives, activities, CPDUs, CEUs, course credits, changes of plans, a hundred twenty hours, sixty in Purpose A and B, another in Purpose C if your school's on the Watch List. Also, you need to include twenty-four hours in special education and make it a five-year plan. I don't know about you, but I don't know what I'm going to be doing exactly in five years or what's going to be available to me. So that means that I have to keep changing my plan and so do a lot of other teachers. And when they...

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Ms. Abbinante, if you could please come to close.

MS. VICKIE ABBINANTE:

I'm almost done.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

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Thank you.

MS. VICKY ABBENANTE:

And when they change their plan, we have to okay it. The bottom line is this: This is an example of how all these hours spent in documentation process do not - do not - impact our students in any way. Training impacts our students, not documentation. Thank you.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Vickie Abbinante, teacher. And our final witness for today is a parent, Mr. Bill Kienzle. Will you please come before us and provide a brief testimony. One minute please. Thank you.

MR. BILL KIENZLE:

Thank you. And thank you, esteemed Members of the -- of the Senate. My name is Bill Kienzle. I'm the executive director of sales, Soyland Access to Independent Living. I am the past Chair of the Illinois State Advisory Council on the Education of Children with Disabilities, a charter parent member of the Due Process Screening Committee, a past Regional Vice President of United Cerebral Palsy Associations, and an educational advocate who's represented over five hundred families in special education issues, helping them stay out of due process in the last eight -- eight years. More importantly, I'm the father of six children in a blended family, two daughters, age sixteen and eighteen, who both have cerebral palsy. I oppose SB3000 based on, number one, the constitutional "if" question and concerns of people being appointed to the Department of Ed, not by educational merit, but by political favor. I also oppose SB3000 because it is not governance reform needed, but funding reform that's needed. I have been involved in numerous funding reform efforts for the past thirteen years. I've sat on different advisory committees for the State Board of Ed, including changing how we finance special education. All that has had great documents come out of the State Board of Ed, but not been approved through the legislative and Governor's process. Children with disabilities are at the greatest risk of any governance change that could be done. Dr. Schiller and the State Board of Ed should be greatly commended for the job that he has done, and the people under his leadership, since he has

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taken over the Illinois State Board of Ed. I have worked with numerous State Board of Ed superintendents and many different staff in the special ed area, and I can tell you that he has corrected many areas that have been problematic for the past seven to eight years, especially in the special ed area. During the time of Superintendent Spagnolo, the special ed division was completely blown up, staff members scattered all over to the wind, and I commend Dr. Schiller for bringing that unit back together and taking a full focus on the needs of children with disabilities. Not done previously until his tenure. The current Governor's Office has left the Illinois State Advisory Council and the education of children with disabilities out of compliance with the United States Department of Education, in his first fourteen months, by not appointing members to that Council, risking hundreds of millions of dollars from United States Department of Education to the State of Illinois because we are out of compliance simply in an area of not having an Advisory Council in effect to be able to give advice to the State Board of Ed and to -- to the Legislature and to the Governor's Office. That is the charge of every State Advisory Council in every state of the union and it's a requirement for receiving special ed funding. The Governor has not followed Illinois law in the procedure to make appointments to the Council, and so appointments now are further delayed because he has not followed Illinois law in how he makes appointments to that Council. Look it up. It's a law that was enacted, I believe, back in 1999 at the reconstitution of the Illinois State Advisory Council after IDEA '97 was put into place. The Illinois State Board of Ed has made every effort to keep Illinois in compliance under some very trying times, if you know anything about Corey H. versus Edgar. It is the Governor's Office that has allowed Illinois to be out of compliance. My question is, is this the procedural governance change that we want in this State for our children who are at -- most at risk? Madam, I thank you so much for your time.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you very much, Bill Kienzle. Thank you. We have had seven hours, seven long hours, of great discussion on this very critical issue, and Senator -- Chairman del Valle.

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SENATOR DEL VALLE:

Madam President {sic}, I -- I want to thank all our Members for spending all these hours here. Certainly, it's been grueling but I think very productive. We've learned quite a bit today. I want to thank the Governor for joining us and spending as much time with us as he did, and I want to thank our staff, particularly Jonathan Wolff, from our Education Committee, for doing a fantastic job of -- of lining up the -- the witnesses and, of course, the rest of the staff that -- that helped us. I want to remind the Members that the Senate Education Committee will be conducting two more hearings. The dates will soon be announced. One will be downstate and another one will be in the suburbs. And so, while those hearings are for Education Committee Members, I want to invite any other Member, who has the time, to participate because, again, our goal here is to hear from as many people as possible on probably the most important subject matter that we've taken up in -- in years around here. So, once again, thank you very much and thank you for -- for sharing the workload.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Thank you, Chairman del Valle. This concludes our witnesses for today. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, I don't mind starting over, it's okay with me, if it's okay with you. Thank you very much, Madam Chairman. What a great day. And we're still talking to one another. It's a great day. Significant debate, and I appreciate, Senator del Valle, your fairness with respect to how you ran the committee. I now move that the committee arise. I now move that the Committee of the Whole arise.

MADAM CHAIRMAN: (SENATOR LIGHTFORD)

Senator Demuzio moves that this Committee of the Whole arise. Is there any discussion? All those in favor shall signify by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. The Committee of the Whole does now arise, and the Senate President has resumed his position at the Senate Podium.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator Lightford. Senate will come to order. We'll just stand at ease for a couple seconds before we go to Senate business. Madam Secretary, do we have any Committee Reports, ma'am?

SECRETARY HAWKER:

Yes. Senator Demuzio, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Be Approved for Consideration - House Bill 2626.

I have a like Rules Committee Report: Refer to Executive Committee - Floor Amendment No. 1 to House Bill 2626 and Motion to Concur with House Amendment No. 1 to Senate Bill 1611; and Be Approved for Consideration - Senate Bills 965, 983, 948, 985, 1006, 1018, 1550, 1576, 1636, 1637 and 1731.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you very much. Senator Silverstein, for what purpose do you arise, sir?

SENATOR SILVERSTEIN:

For a purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your announcement, sir.

SENATOR SILVERSTEIN:

The Senate Executive Committee will meet tomorrow at 11:15 in Room 212.

PRESIDING OFFICER: (SENATOR DeLEO)

The Senate Executive Committee will meet tomorrow, Thursday, at the hour of 11:15 in Room 212. Was that correct, Mr. Chairman? Thank you very much. Madam Secretary, do we have any Messages from the House?

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 3857.

Passed the House, March 3, 2004.

I have a like Message with respect to House Bills 4026 and 4071.

Also passed the House, March 3, 2004.

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PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Madam Secretary, anything further? Any further Messages? Any resolutions? Any 3rd Readings? Anything, Madam Secretary. Nothing. Seeing that there's no further business to be -- come before the Senate, the Senate will stand adjourned until tomorrow, the hour of 10 a.m., on Thursday, March 4th, the year 2004. The Senate stands adjourned.