



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1425

Introduced 2/9/2017, by Sen. Dan McConchie

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.25p new

Amends the School Code. Provides that high achieving districts are exempt from mandates imposed under the Code and applicable implementing rules and allows districts to develop a mandate relief plan to identify mandates in the Code from which the district is requesting relief. Allows improving districts to also develop a mandate relief plan. Sets forth benchmarks necessary to be considered a high achieving district. Sets forth a process for approving and, if necessary, revoking mandate relief plans. Exempts certain mandates from being exempted. Requires the State Board of Education to submit an annual report concerning the provisions. Allows the State Board to adopt rules necessary to implement the provisions. Effective immediately.

LRB100 09126 MLM 19280 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 2-3.25p as follows:

6 (105 ILCS 5/2-3.25p new)

7 Sec. 2-3.25p. School district mandate relief.

8 (a) As used in this Section:

9 "High achieving district" means a school district that
10 meets the following benchmarks, excluding vocational schools
11 and special education cooperatives, as applicable to the grade
12 levels served by the district:

13 (1) All students in kindergarten are assessed for
14 readiness.

15 (2) Ninety percent or more of third-grade students are
16 reading at or above grade level.

17 (3) Ninety percent or more of fifth-grade students meet
18 or exceed expectations in mathematics.

19 (4) Ninety percent or more of ninth-graders are on
20 track to graduate with their cohort.

21 (5) Ninety percent or more of students graduate from
22 high school ready for college and career.

23 (6) All students are supported by highly prepared and

1 effective teachers and school leaders.

2 (7) Every school offers a safe and healthy learning
3 environment for all students.

4 "Improving district" means a school district, excluding
5 vocational schools and special education cooperatives, that,
6 with respect to benchmarks (2), (3), (4), and (5) of the
7 definition of "high achieving district", is achieving
8 measurable improvement toward these benchmarks as applicable
9 to the grade levels served by the district.

10 "State Superintendent" means the State Superintendent of
11 Education.

12 (b) The purpose of this Section is to grant high achieving
13 and improving school districts greater autonomy to implement
14 innovative practices that improve student academic performance
15 and benefit the whole child by removing obstacles that
16 currently exist in law or rules.

17 (c) High achieving districts are exempt from mandates
18 imposed under this Code and applicable implementing rules and
19 may develop a mandate relief plan to identify mandates in this
20 Code from which the district is requesting relief, with the
21 exception of those mandates listed in subsection (e) of this
22 Section.

23 The school board of the high achieving district shall post
24 the mandate relief plan on the school district's public website
25 for at least 30 days prior to voting on the plan. A majority
26 vote of the school board is required at a regularly scheduled

1 school board meeting to approve the plan. Once approved by the
2 school board, the high achieving district shall submit the
3 mandate relief plan to the State Superintendent for approval.

4 Within 45 days after receipt of a plan, the State
5 Superintendent shall review the plan submitted in accordance
6 with this Section and determine whether the plan complies with
7 this Section. If the State Superintendent determines the plan
8 complies with this Section, it shall be approved. If the State
9 Superintendent determines the plan does not comply with this
10 Section, the plan shall be denied. Following such a denial, a
11 district may resubmit a plan in accordance with this Section.

12 A high achieving district does not need to submit a new
13 mandate relief plan annually. Upon approval of a district plan,
14 that district is considered a high achieving district unless
15 there is a decline in the district's measured growth to below
16 the benchmarks in the definition of "high achieving district"
17 in subsection (a) of this Section. If there is a decline in the
18 district's growth to below the benchmarks, the district's
19 mandate relief plan is subject to review by the State
20 Superintendent. The State Superintendent shall have the
21 discretion to revoke the mandate relief plan of a district who
22 shows a decline in growth to below the benchmarks.

23 (d) Improving districts may develop a mandate relief plan
24 in accordance with this Section. The plan must identify
25 mandates in this Code and applicable implementing rules from
26 which the district is requesting relief, with the exception of

1 those mandates listed in subsection (e) of this Section.

2 The school board of the improving district shall post the
3 mandate relief plan on the school district's public website for
4 at least 30 days prior to voting on the plan. A majority vote
5 of the school board is required at a regularly scheduled school
6 board meeting to approve the plan. Once approved by the school
7 board, the improving district shall submit the mandate relief
8 plan to the State Superintendent for approval.

9 Within 45 days after receipt of a plan, the State
10 Superintendent shall review the plan submitted in accordance
11 with this Section and determine whether the plan complies with
12 this Section. If the State Superintendent determines the plan
13 complies with this Section, it may be approved. If the State
14 Superintendent determines the plan does not comply with this
15 Section, the plan may be denied. Following such a denial, a
16 district may resubmit a plan in accordance with this Act.

17 An improving district does not need to submit a new mandate
18 relief plan annually. Upon approval of a district's plan, that
19 district is considered an improving district unless there is a
20 decline in the district's measured growth with respect to the
21 benchmarks in the definition of "high achieving district" in
22 subsection (a) of this Section. If there is a decline in the
23 district's growth, the district's mandate relief plan is
24 subject to review by the State Superintendent and possible
25 revocation. The State Superintendent shall have the discretion
26 to revoke the mandate relief plan of a district who shows a

1 decline in growth.

2 High achieving districts and improving districts with
3 approved mandate relief plans are exempt from the School Code
4 waiver process pursuant to Section 2-3.25g of this Code and
5 applicable rules. This exemption only applies to those items
6 approved in the mandate relief plan.

7 (e) School districts shall not be relieved from any of the
8 following statutory or regulatory mandates:

9 (1) The Illinois Learning Standards established by the
10 State Board of Education.

11 (2) Accountability measures pursuant to Section
12 2-3.25a of this Code.

13 (3) Student achievement on the annual State
14 assessments as required by Section 2-3.64a-5 of this Code.

15 (4) Provisions of the federal Every Student Succeeds
16 Act.

17 (5) Mandates required to maintain federal grant
18 awards.

19 (6) Provisions outside of this Code or its implementing
20 rules.

21 (7) Non-curricular health and safety requirements.

22 (8) Mandates related to civil rights and student access
23 to district educational and non-educational programs.

24 (9) Mandates contained in Articles 24 or 24A of this
25 Code or their implementing rules.

26 (f) The State Board of Education shall submit a report to

1 the Governor and General Assembly regarding the participation
2 and outcomes of this Act by December 15, 2018 and annually on
3 or before December 15 thereafter.

4 High achieving districts and improving districts with
5 approved mandate relief plans must provide any and all data
6 requested by the State Board of Education to generate reports
7 under this subsection (f).

8 (g) The State Board of Education may adopt rules necessary
9 to implement this Section.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.