



CCI January Newsletter 2011

Hello!

I hope this newsletter finds you and your school refreshed from the Christmas break. Knowing how busy you must now be – among other things, preparing for Catholic Schools Week – this newsletter will be the shortest yet! In fact, it will deal with only three issues: (1) the Catholic Conference of Illinois' (CCI) legislative agenda for the 96th General Assembly; (2) an overview of the Care of Students with Diabetes Act passed in last month's Veto Session; and (3) a short update on state recognition.

Legislative Issues

Legislative Priorities for the 96th General Assembly – CCI's Department of Education has approved our legislative priority list for the 96th General Assembly, covering 2011-12. The list is straightforward:

- Advocate for the creation of an Individual/Corporate Tax Credit Scholarship Program and/or for the expansion of the \$500 Education Expense Tax Credit by raising the cap, increasing the percentage of qualified expenses and including refundability so that low-income families can benefit.
- Work to restore funding to the Textbook Loan, Educational Improvement and School Safety Block Grant and the Parent/Guardian Transportation Reimbursement programs.
- Maintain a smooth and cooperative relationship between the State Board of Education and Catholic schools to ensure an effective state recognition program for nonpublic schools.
- Pursue and support other school choice options – such as voucher programs – as opportunities exist.

Obviously, these are difficult goals. The state's continued budget shortfall (now over \$12 billion) has caused drastic cuts throughout the budget and programs beneficial to Catholic schools have not been spared. It is likely that any restoration of these funds will be tied to larger budget solutions. Still, most of these programs have significant backing in the legislature. And considering we are only four years removed from expansions to Textbook Loan and School Safety Block Grant funding, and that last year we fell four votes shy of sending a voucher bill to the Governor's desk and actually did enact a ban on unfunded mandates on nonpublic schools, there remains cause for optimism.

We will continue to tirelessly advocate for just treatment and support of families choosing Catholic schools. With the support and participation of your school and local LAP networks, we can make a difference.

House Bill 6065 (Care of Students with Diabetes Act) – This legislation was approved over the Governor’s amendatory veto during last month’s legislative session. The legislation includes a number of provisions that may affect parents of students with diabetes, students with diabetes, and school districts and schools. There are also a number of mandates included, although only one of these mandates may apply to nonpublic schools and even that mandate is subject to the prohibition on unfunded mandates we passed last year.

First, the legislation allows the parents of a diabetic child to work with their doctor and craft a “diabetes care plan” for the student while in school. The diabetes care plan is to become the student’s 504 (or ICEP) plan, which is already mandated by federal statute for nonpublic schools that are recipients of federal funds. 504 plans require reasonable accommodations, and this statute similarly demands that the diabetes care plan be “reasonable” giving schools latitude in what they will accept and implement.

The mandate that applies to any public or nonpublic school is this: if the diabetes care plan calls for a delegated care aid, the principal will ask staff if anyone wants to volunteer to be so designated and assist the student in management of the disease. No staff person can be compelled to become a delegated care aid and the definition in the law says he or she must volunteer. If there are no volunteers among staff, a delegated care aide cannot be provided. Each affected school must review the requirements of the delegate care aid in the submitted care plan to ensure reasonableness before asking for volunteers. The statute also provides protections for staff members who do not volunteer and civil immunity for those who do.

Those volunteering to become delegated care aides will require training. The mandate for training lies completely on the local school district. There is no explicit provision in the law that requires nonpublic schools to train delegated care aides.

There is one other factor concerning any real or perceived mandates on nonpublic schools contained in this legislation. This bill became law after House Bill 4711 (August 20, 2010), which prohibits unfunded mandates on nonpublic schools. We are exempt from any mandate containing cost passed after August 20, 2010.

Probably the most consequential provision of the Act is allowing students to do the following on their own (provided it is so authorized according to the diabetes care plan):

- (1) check blood glucose when and wherever needed;
- (2) administer insulin with the insulin delivery system used by the student;
- (3) treat hypoglycemia and hyperglycemia and otherwise attend to the care and management of his or her diabetes in the classroom, in any area of the school or school grounds and at any school-related activity or event in accordance with the diabetes care plan; and
- (4) possess on his or her person, at all times, the supplies and equipment

necessary to monitor and treat diabetes, including, but not limited to, glucometers, lancets, test strips, insulin, syringes, insulin pens and needle tips, insulin pumps, infusion sets, alcohol swabs, a glucagon injection kit, glucose tablets, and food and drink, in accordance with the diabetes care plan.

So, other than the provision of student self-administration, the Act is a formalization of a process already in place: the diabetes care plan takes the place of the 504 (or ICEP) plan; the call for the delegated care aide is subject to staff volunteers; the local school district is responsible for training; and if any of this is going to cost a nonpublic school, the new law prohibiting unfunded mandates may be exercised.

Administrative Issues

State Recognition – In response to a formal letter of complaint we recently sent to the State Superintendent, ISBE staff recently met with nonpublic school representatives to discuss the current situation. We presented our complaints (communication, no schedule of visits, new state recognition application, etc.) and discussed solutions. Due to staff shortages and unforeseen glitches in implementing the new rules, ISBE did not conduct any state recognition visits in the first half of the school year. They are working with us to determine a limited priority list for scheduling visits during the second half of the year. They will also revise the state recognition application next year to remove a number of the questions that do not apply to nonpublic schools.

Finally, they have agreed to evaluate diocesan school improvement plans and private accreditation agencies for inclusion in the state recognition program – meaning if your school goes through one of those processes a state visit would not be required for state recognition. We have provided ISBE with a proposed list of those plans and agencies for further evaluation. We have another meeting scheduled this month, and I hope we will have more progress to report soon.

Facebook Page for Catholic School Advocacy – To augment the LAP network and monthly newsletter, and eager to invite more into new technologies, I have setup a Facebook page for Catholic School Advocacy in Illinois. Facebook users simply need to look up the page at:

<http://www.facebook.com/pages/Springfield-IL/CCI-Catholic-School-Advocacy-in-Illinois/124415842483?created>

or do a search on Facebook of Catholic School Advocacy. Being a fan of the page will allow you to receive updates, action alerts and access to other things, such as pictures of events and rallies as well as links to pertinent articles and videos.

Thank you for all that you do on behalf of Catholic schools!

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