



**ISBE Publishes Proposed Amendments to Student Records Regulations--**

The Illinois State Board of Education has published proposed revisions to its regulations implementing the *Illinois School Student Records Act* ("ISSRA"). If finalized, the revised regulations would provide some welcome clarifications.

Specifically, the proposed regulations more thoroughly define a "student record" and whether a student record is "permanent" or "temporary." For example, under the proposed regulations, security recordings would not be considered student records nor would DCFS mandated reports of suspected abuse

and/or neglect.

Currently all health records are permanent records and require retention for 60 years. However, under the proposed regulations, "health records" would be limited to records required for enrollment purposes; accordingly, all other health related records would be classified as temporary and only require five years of retention.

In addition, the proposed regulations explain in greater detail the role and responsibilities of school record custodians, address logistical issues

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**Deadlines Coming Up for Implementing Education Reform! / Only One IASA Administrator Academy Program Remains--**

As you are all aware by now, two laws passed in the last two years make sweeping changes to the way teachers are hired, transferred, evaluated, and dismissed and deadlines for implementing the law are rapidly approaching!

The first law, the *Performance Evaluation Reform Act of 2010* ("PERA"), makes significant revisions to teacher evaluations, and the second law, commonly referred to simply as "Ed Reform" (SB 7, P.A. 97-0008), ties various aspects of employment more directly to teacher evaluations, making evaluations a key centerpiece for both laws. The two laws contain numerous effective dates and deadlines, and this article is intended to highlight a few specific upcoming timelines.

**What's In Effect Now?**

Many of the new requirements of Ed Reform took effect immediately when the law was enacted on June 13, 2011. For example, the law's new impasse and strike procedures already apply, the new 120-day rule for probationary teachers already applies, and vacancies already must be filled by specific criteria other than seniority. Additionally, as of **September 1, 2011**, many of the

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**Consumer Price Index**

Percent change for the month of **August 2011**, for the urban wage earners & clerical indices as reported by the Bureau of Labor Statistics.

	All Urban (CPI-U)	Workers (CPI-W)
Chicago-Mthly	0.2	0.1
12 Mth	3.2	4.1
St. Louis-6 Mth	2.0	2.4
12 Mth	3.3	3.9
U.S. Mthly	0.3	0.3
12 Mth	3.8	4.3

September CPI figures will be released October 14, 2011. For the most recent CPI, visit our website at: [www.hlerk.com](http://www.hlerk.com).

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**Reminders & Notes**

- The Joint Conference is approaching and HLERK is integrally involved in service to the educational community! Visit [www.hlerk.com](http://www.hlerk.com) to view our programs at the Conference. Clients and invited guests have received invitations to a very special event the Saturday evening of the Conference.
- Our thanks to the record number of attendees at the IASA Administrator Academy Programs on Education Reform and *The Year in Review: The Highlights and Lowlights of Illinois School Law 2011*. The Conference Handbooks are essential to navigating this school year. Order yours today with the attached form!

Offices  
Arlington Hts. 847-670-9000  
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***Deadlines Cont.***

new tenured teacher dismissal procedures are in effect. Most notable among these new procedures is that dismissals for misconduct now are determined ultimately by the board of education, as opposed to an ISBE-appointed hearing officer.

**Key Upcoming Deadlines**

In the next several months, the key deadlines relate to reductions-in-force. First, your RIF joint committee is required to hold its first meeting by **December 1, 2011**. Second, unless your district is grandfathered under the law, your RIFs for this spring will need to be conducted according to the new four-grouping system based on evaluations. *This new system is dramatically different from the prior system, so districts would be well advised to start planning for this process now by compiling the necessary evaluation data and contacting counsel to discuss details.*

Three specific spring deadlines are critical for RIFs. Under the new system, “sequence of honorable dismissal lists”—they are no longer referred to as “seniority lists”—must be distributed to your union representatives at least **75 calendar days** before the end of the school year. (As the lists will disclose certain information about teachers’ evaluation ratings, consider contacting counsel to determine how to handle related confidentiality issues.)

Boards must act on the RIFs and provide honorable dismissal notices to the teachers at least **45 calendar**

**days** before the end of the school term. This 45-day notice requirement applies to tenured and non-tenured teachers alike; the staggered notice periods under the old law are eliminated.

**May 10th** is the third critical deadline, and it is the date by which job qualifications and job descriptions should be updated. Updating these documents will affect who is “qualified” to be recalled to vacancies, if any, and who is “qualified” to be honorably dismissed in the following year’s RIF cycle. If districts fail to make these updates by May 10, 2012, they will not have the desired flexibility during any 2012-2013 RIFs.

Finally, on the slightly longer horizon, **September 1, 2012** marks a critical deadline with respect to evaluation plans. Most notably, districts are required to have a new evaluation plan based on a four-tier rating system in place by this date. This will require significant advance planning, so be sure to get the ball rolling early.

***Please contact Stan Eisenhammer or Mike Loizzi with your Ed Reform questions. Also, if you have not already attended the Ed Reform administrator academy programs co-sponsored by IASA and HLERK, you can order the administrator academy program handbook by sending in the attached order form or, for downstate administrators, you can still attend the final IASA program.***

***ISBE Cont.***

such as the transfer of records back to a district previously attended by a student, and make clarifications regarding the release and protection of records which may be considered protected by the *Illinois Mental Health and Developmental Disability Confidentiality Act*.

If adopted in current form, school districts will need to provide significant new training for records custodians.

***The proposed regulations were prepared with input from a committee of the Illinois Council of School Attorneys including Heather Brickman and Jen Deutch. For further information, please contact Heather or Jen.***