

Mandated Consolidation-The Second Time Around

The 1985-1986 Consolidation Battle

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Introduction

The topic of consolidation in Illinois is not new. Consolidation has been a topic of discussion in the Illinois General Assembly as far back as the mid 1800's. In the mid 1980's, school reform was the main focus of the General Assembly. The legislators wanted to pass a law that would improve the school system in Illinois. One part of this reform effort was decreasing the number of school districts across the state. A few key legislators took the lead in making recommendations for school improvement and consolidation. Governor Thompson and several educational and non-educational interest groups helped form the legislation that was to be Public Act 84-126.

Historical Background

Seven years after becoming a state, Illinois began passing legislation about education. The very first law gave the county courts the authority to set up schools in counties that had at least 15 families. The power of education was given to local entities. Twenty years later, there were so many county schools, that it became difficult to maintain and control them. The office of Superintendent of Schools was created to take charge of all the schools. In 1854, Ninian Edwards was the first person elected to hold this full time position. Mr. Edwards proposed the idea of consolidation. He felt that by consolidating smaller schools into larger schools that the school would be able to offer a "greater variety of courses, produce improved education at reduced cost, provide schools with a stronger base of economic support, enable teachers to specialize in specific subject areas, and furnish greater opportunities for effective inservicing of teachers" (Walker, 1988). Not much came of Mr. Edwards' plan during the remaining years of the 19th century. At the end of the 19th century, Illinois had more than 11,000 separate operating school districts). Most of these districts were elementary districts, but a few high school districts did exist.

At the beginning of the 20th century, the American society was changing. Industrialization was changing the life of the people across the nation. The public started expecting more from the schools.

Illinois was no exception. People wanted the schools to be more efficient and effective. The schools in Illinois at this time were not well funded, mostly rural, and were housed in poor buildings. The Superintendent of Schools during this time, Alfred Baylis, was concerned. In 1906, he submitted a report in favor of consolidation to the legislature. He stated that “consolidation would reduce the per capita cost of instruction without any loss of quality and would materially increase the efficiency of the schools”. Baylis was not successful at convincing the legislature to take any action. This stance on consolidation was not completely ignored though. By 1919, the General Assembly approved consolidation if it was “approved by a majority of voters of the combined electorate in the proposed districts”.

The time from 1919 to 1945 was fairly quiet, but consolidation was not forgotten. Many groups that supported consolidation were still active, but the legislators at this time were not interested. One major victory for consolidation came in 1938. The General Assembly passed a law to provide \$500,000 for the transportation of students. This was a huge help to the rural districts. The passing of this bill was intended to encourage some of the small rural districts to consolidate.

In 1945, the General Assembly again began to look at consolidation. They passed legislation that encouraged the formation of unit districts. This legislation came in several parts. One part of this legislation gave unit district schools the power to tax equivalently to the dual districts. Another part of this legislation created a State Advisory Commission and smaller county survey committees. The State Advisory Commission was supposed to help or guide the consolidation process. The county survey committees were given the job of studying the districts and making recommendations for consolidation. The county survey reports generally supported the consolidation of smaller schools. The reports stated that there would be many benefits to consolidating schools. These reports led the General Assembly to pass the Community Unit District Law of 1947. This law established procedures for consolidating individual districts into unit districts that would educate students through twelfth grade. With the

passing of this law many districts began the consolidation process. In 1945, Illinois had close to 12,000 individual districts operating. By 1965, Illinois had about 10,500 school districts. The consolidation trend had slowed down significantly by the late 1960s. The 1970s and the early 1980s had some changes in legislation for consolidation, but not many.

In the mid 1980s, Illinois started looking into education reform. The General Assembly wanted to pass legislation that would provide for improved educational quality and better efficiency for schools. One part of this packaged legislation included consolidation.

Key Players

The sequence of events leading up to the passing of PA 84-126 involved several groups and individual players. It is important to identify these players ahead of time. These were not the only characters, but they were the main characters.

James R. Thompson (R) was the governor of Illinois during the 1980s. He was generally well liked. He was elected to three consecutive terms to this point and had plans to run a fourth time. He had never been involved in educational politics up to this point, but knew that he was going to need a platform to run on for his fourth election. His main reason for getting involved in educational politics stemmed from an embarrassing moment at a National Governors Association convention. Education reform was a national topic during this time. Gov. Thompson was embarrassed when he could only provide two examples of educational reform that had occurred in Illinois. After that, he wanted Illinois to be a leader in educational reform. His stance on consolidation was based on the grounds of efficiency.

Representative Gene L. Hoffman (R) had been a member of the House of Representatives for about twenty years. He was a former teacher. Representative Hoffman was always interested in educational policy and was known for being a strong supporter of consolidation. He was well respected

among his peers. Representative Hoffman was interested in becoming the next Superintendent of Schools for Illinois.

Senator John W. Matiland (R) was from Bloomington. He believed that students in smaller schools were being denied an adequate education. Senator Maitland was also well respected among his peers.

Ted Sanders (R) was appointed by the State Board in 1984 to be the next Superintendent of School for Illinois. He took control of the office in January of 1985. Dr. Sanders was from the state of Nevada, and was also a supporter of consolidation. Ted Sanders beat out Representative Gene Hoffman for this position.

Senator Adlai Stevenson III (D) was the son of the former Governor Stevenson. Senator Stevenson had run for Governor against Thompson in the previous election and lost by a narrow margin. Senator Stevenson was known to be a careful thinker and a responsible politician. He was never known to be part of educational policy.

The superintendents and school boards of the small districts in Illinois played a large part in the gutting of PA84-126. They felt that districts should be allowed to make the decision to consolidate, and that they should not be forced into it by the state. This group was against consolidation and had a large following.

How the Legislation Came to Life

In March of 1984, Governor Thompson began preparing for the next election. He asked his staff to do some research that would help him develop his educational platform that would be both educationally and politically acceptable. His staff organized a group. Their investigation became known as the "Contract for Educational Excellence". Out of this investigation, three areas were recommended to be studied further. A second team was then organized that was composed of university professors and school superintendents. Their task was to do additional research and come up with a final

recommendation for Gov. Thompson's educational platform. Dr. Dale E. Kaiser was the head of this team. The main proposal of the team was that "all districts should be forced to conduct consolidation feasibility studies and present a plan to the state".

The governor's staff did public polling and more research around this recommendation, and the outcome was favorable. The Governor presented the "Illinois Better Schools Program Address" to the public on February 27, 1985. Thompson was supporting consolidation based on efficiency of schools. He believed school districts could not be forcibly combined in a short period of time. He thought that incentives and mandates would need to be put into place for it to happen. Gov. Thompson was aware of his political needs and did not want to come out with too risky of a stance.

During late 1984, many other studies were being conducted about school reform and consolidation by various members of the General Assembly and other interest groups. Meetings were being held across the state to get public opinion. The Illinois State Board of Education (ISBE) was also getting involved and investigating consolidation. ISBE had previously not had an opinion on consolidation, but they saw that it was becoming an issue of importance. The recommendations that came from these studies covered a wide spectrum from no action at all to forcible district unification.

There were two main points of interest that came from all of these studies. One was that schools should be consolidated because larger sized schools would provide more educational opportunity. The second was that schools should consolidate to improve the quality of education. It was felt that students who attended schools with small enrollments had fewer learning opportunities than those attending schools with larger enrollments. It was also felt that smaller schools experienced difficulties providing students with adequate skills to enter college. These issues were mostly geared toward high schools, not elementary schools.

After all the studies were out, the General Assembly was still not convinced that there was enough proof to support legislation on consolidation. This, however, was not the opinion of Rep.

Hoffman or Senator Matiland and several others. By April of 1985, there were hundreds of reform bills introduced in both houses. One of these bills was House Bill 935 (HB 935). HB 935 was a newer version of a previous bill introduced in the 1970s by Rep. Hoffman. HB 935 proposed that feasibility studies be completed for all districts across the state. It granted ISBE the power to accept plans, revise plans, or force implementation of plans even if they were voted down. It also established minimum enrollment requirements for each district. A unit district must have at least 1,500 students. A high school district must have 500 students, and elementary districts must have 1,000 students. Hoffman was supported by the Governor, Sanders, and ISBE. Hoffman was also strongly supported by the Taxpayers Federation of Illinois (TFI), the Illinois State Chamber of Commerce (ISCC), the Civic Group of Chicago, and the League of Women Voters. These groups felt that school consolidation would greatly improve education by making it more efficient, equal, and effective. There were groups that did not support Hoffman or the consolidation efforts. These groups were not well organized at this time, so the pressure against the consolidation legislation was weak.

Although Sanders supported the consolidation effort, he did not support all the parts of HB 935. He was against having a minimum enrollment criterion in the bill. Senator Maitland agreed that the minimum enrollment criterion was not a good idea. Hoffman was opposed to changing any part of the bill. Both Matiland and Sanders continued to support the consolidation efforts. Sanders released a report by the ISBE in favor of consolidation. The release of this report brought fear and anger to many anti-consolidation groups. School superintendents and school boards began to step up their pressure and began speaking out more against the consolidation movement.

Despite the increased objections from the public, HB 935 passed in May of 1985 and was sent to the Senate. Senator Maitland still did not agree with Hoffman's bill the way it was written. He disagreed with minimum enrollment requirements, and he did not feel that districts should be forced to consolidate. Senator Maitland tried to soften the harsh mandates of HB 935. Hoffman opposed any

changes. The anti-consolidation groups were getting wind of this bill and started to increase pressure on the Senate. The Senate eventually did not pass HB 935. The harsh mandatory language of HB 935 was one of the main reasons it did not pass. Many interest groups were keeping quiet during the time that HB 935 was being debated.

By June of 1985, school reform was a hot topic. Several educational interest groups began meeting and coming up with recommendations of their own. These groups met regularly with Sanders and gave him their recommendations. Sanders would take these recommendations to the legislators. Sanders became the representative of the educational community. By mid-June there were hundreds of new reform bills circulating in both houses. It was decided that educational reform would become a packaged deal. The Governor decided to get a group of legislators together and have them sort through all of the reform proposals and come up with one packaged plan to be voted on. The creation of the “summit” for educational reform was a reflection of the importance of the issue.

The “summit” negotiations were intense and rigorous, and lasted a total of 10 days. The main focus of the “summit” was to come up with educational reform, but consolidation was discussed at several meetings. Many wanted to leave consolidation out of the package, but Maitland, Hoffman, and the Governor insisted it be included. It was finally agreed that consolidation would be included. A weaker version of HB 935 was included in the reform package. It required feasibility studies to be completed, and it set minimum enrollment requirements for districts. Because the reform bill package was so comprehensive, most of the legislators that were not involved in the “summit” did not become familiar with all of it. They trusted that the members involved had enough knowledge to put together the best package possible. Gov. Thompson, Senator Maitland, Rep. Hoffman and Sanders all thought that the legislation was reasonable, possibly even weak. They had the support of many groups and had only gotten minimal negative feedback from the public. On July 18, 1985, Gov. Thompson signed SB 730 into law making it Public Act 84-126 (PA 84-126).

The consolidation portion of PA84-126 package included: forced feasibility studies for all school districts; minimum enrollment requirements for districts; and a provision that the public would vote on the issue of consolidation district by district. Nobody was prepared for what was to going to happen next.

Why the legislation fell apart

Gov. Thompson, Senator Maitland, Rep. Hoffman and Sanders all supported PA84-126. They felt it was good, but bordered on weak. At the same time that the “summit” meetings were taking place, the House of Representatives was working on House Bill 982 (HB 982). “HB 982 provided (unit) districts with access to equivalent property tax revenue in the education and operations & maintenance funds as those enjoyed by separate elementary or high school districts”. It was to encourage dual districts to consolidate and become a unit district. This bill made it to the Governor’s desk shortly after he signed PA84-126. He did not know what to do. He was getting pressure from educational interest groups to make it more in line with the enrollment requirements of PA84-126. These groups felt that this tax incentive should only be given to unit districts that met the 1500 student enrollment requirement. The Governor was not sure how to handle the legislation. He kept the bill over night to think it over.

The next morning Gov. Thompson informed his staff that he had decided to amendatorially veto the bill. He explained that he had gotten a phone call from Doug Whitley, president of the TFI. Mr. Whitley had urged him to include the enrollment requirements. Whitley urged Gov. Thompson to do this because he felt it would put some “teeth” into the legislation and increase the chances that more schools would consolidate. By agreeing to amendatorially veto HB 982, Gov. Thompson would receive the TFI’s support in the next election. Not only did he gain the TFI’s support for the next election, but the Illinois Association of Realtors (IAR), the Illinois Agricultural Association (IAA), the Illinois Manufactures Association (IMA), and Illinois State Chamber of Commerce (ISCC) also would give Gov. Thompson their

support for the upcoming election. Gov. Thompson's motives for changing this bill became purely political.

Hoffman supported the Governor's decision, but Maitland did not. During the entire process of debating PA84-126, Maitland continuously opposed tying any enrollment requirements to consolidation. Maitland was a supporter of consolidation, but never supported mandates or forcing districts to consolidate. Maitland knew that these requirements would cause trouble. Most of the legislators were angry about the discrimination that the Governor's veto placed on small school districts. Maitland led the campaign to overturn the Governor's veto. He finally came to realize that he would not be able to beat the veto, so he came up with an alternate way to overcome the situation.

Since HB 982 was designed to give equal taxing power to all schools, Maitland decided to amend Senate Bill 912 (SB 912) to include language stating that all unit districts regardless of size would be entitled to the taxing power at the combined rate of elementary and high school districts for the education and operations & maintenance funds.

After much debate about the issue, HB 982 and SB 913 reached the Governor. The pressure from the public and various educational interest groups was growing strong. The Governor was starting to have a slight change of mind about his pro-consolidation stance. He still wanted to use educational reform and consolidation as his platform for reelection, but the public was becoming more vocal. They were not supportive of consolidation. He met with his advisors, sponsors of SB 913, and a group of superintendents. He agreed to sign SB 913 if they would not stand in the way of consolidation. SB 913 became Public Act 84-1022.

It should also be noted that while the formation and debate over HB 982 and SB 913 was taking place, the Illinois State Board of Education was holding state wide educational sessions to education people about PA84-126. The general response to PA84-126 was not positive, and the representatives from the ISBE did not help at all. The ISBE educators were deliberately giving misleading information to

the public about the matters of this new legislation. Local superintendents and school boards were part of the spread of misinformation as well. It was believed that this was being done to scare the public. As some of the state legislators traveled to discuss PA84-126, the public would not believe what they were saying because of all the misinformation they had received from their local officials and ISBE representatives. This was a growing problem and a problem that would lead to the end of PA84-126.

Local superintendents and school boards were the biggest opponents to school consolidation. A grass roots movement was organized in opposition to forced consolidation. The pressure kept increasing and the legislators started to look for a way out. The public opinion was that if you were not against consolidation then you were for it. Legislators that had sat back and not taken a stance on consolidation were getting bombarded by the public. Interest groups were also pressuring legislators. The Illinois Association of School Boards (IASB) met in November of 1985 and changed their position from pro-consolidation to anti-consolidation. This was much in part because of the pressure from interest groups from the grass roots movement that began earlier in the year. These anti-consolidation groups actively helped frame the IASB's new position on consolidation. They took the position that school districts should not be forced into feasibility studies, but could do them of their own free will. They opposed any enrollment guidelines, and any legislation that would give financial incentives for consolidation based on size. After this one group changed their position, the anti-consolidation efforts gained speed. The ability of the anti-consolidation groups to get a major educational organization to openly oppose consolidation greatly increased the pressure being put on the General Assembly.

Maitland, Hoffman and Whitley continued to show their support for consolidation by continuing to hold statewide meetings to explain the real intent of PA84-126. Gov. Thompson was getting concerned at the increasing public involvement and the fact that so much misinformation was out there confusing people. In late 1985, Gov. Thompson wrote a letter to Sanders stating that he would veto any new legislation which mandated school consolidation or any new legislation that specifies a minimum

enrollment requirement that was inflexible. This action was a sign to the public that he was backing away from the consolidation issue. It was also the opening door for his gubernatorial opponent, Adlai Stevenson III.

In January 1986, Stevenson announced his version of a consolidation bill that was more closely related to public opinion. He in no way opposed consolidation with this legislation, but he took out the requirements that the public was against. He eliminated the minimum enrollment requirements for districts and promoted consolidation on the basis that it occurred to provide a quality education. He did not feel that it should be done for any other reason. Stevenson also accused Thompson of backtracking on the issue. Governor Thompson had already signed legislation that set enrollment limits on consolidation, and he gave enrollment requirements further support by amendatorially vetoing HB 982. Stevenson said that the Governor was now backtracking by stating that he would not sign any new legislation that had these requirements. The press immediately took hold of Stevenson's proposal and accusations. Thompson and Stevenson continued to give political blows to each other about consolidation for some time.

With all the political mudslinging and new legislation being proposed, confusion set in. Because PA84-126 had been signed into law, the regional committees had already been formed and feasibility studies had already started. These committees did not know what to do because of the new legislation that was being introduced in the General Assembly. One bill that was introduced proposed to do away with the consolidation language from PA84-126. The committees were at a standstill. Maitland encouraged the committees and ISBE to continue to do the feasibility studies and asked that they make a good faith effort to meet the deadlines that were given to them when they started.

Each and every legislator in the state was getting pressured by their constituents and several interest groups. Stevenson and his legislation gained popularity. Thompson kept trying to distance himself from the issue without making it publically known that he was changing his mind. The people

associated Thompson with pro-consolidation, and Stevenson with anti-consolidation. This was not an entirely accurate concept. Stevenson did support consolidation, just not the way the current law was written. Because Thompson was a Republican, all of the state republicans were also associated with being pro-consolidation. This was also a misconception because most of them were not supporters of consolidation. After this, Stevenson began to publicly back off of the issue of consolidation. Many believe he could have done a lot to damage Thompson's chances at getting reelected, but he did not press the issue any further. He did not want to be the figure head of the anti-consolidation movement.

Senate Bill 242 (SB 242) was legislation being considered at this time. This bill was sponsored by Maitland back in June of 1985, but was tabled. SB 242 was proposed to clean up the language of consolidation in PA84-126. Both parties planned on using this bill to develop a position on consolidation that would be acceptable to the public. The House of Representatives debated on the language of SB 242 in February of 1986. They passed the bill with seven amendments. When the bill returned to the Senate, Maitland flatly refused to request it go to Conference Committee. He felt the issue had already been compromised too much. This brought a lot of pressure to him and to the Governor.

As the primary election approached, Governor Thompson, and all of the Republicans, wanted this issue taken care of. Maitland gave into the pressure from his party members and his Governor and compromised on the bill. He felt bad. Gov. Thompson urged the General Assembly to act quickly on SB 242, and they were happy to get the consolidation issue off their desk. SB 242 became Public Act 84-1115 (PA84-1115) when Gov. Thompson signed it on March 20, 1986. PA84-1115 took the backbone out of PA84-126. PA84-1115 modified timelines for regional plans to be submitted; required hearings in each local school district for each proposed plan; deleted the enrollment criteria; established a maximum educational opportunity criterion for consolidation; asked regional committees to consider a number of factors when developing their plans; and gave the regional committees the option that no consolidation is needed.

The signing of PA84-1115 brought a great deal of relief to politicians, school superintendents, and school boards across the state. The grass roots movement groups were tremendously proud of what they had accomplished. The press was not nice to the Governor or other politicians after PA84-1115 was signed into law. As time passed, the issue died down and the parties went back to their normal business. Gov. Thompson was elected for a fourth term. Maitland, Hoffman, Sanders and Whitley remained strong supporters of consolidation. Matiland and Hoffman were both reelected. Both were disappointed in the outcome of the consolidation efforts.

Consolidation Efforts Today

A lot of the same political issues concerning consolidation in the 1980s are reoccurring today. The General Assembly is actively trying to come up with numerous plans to reduce the number of school districts in Illinois. Illinois currently has 869 active school districts. This is the third largest in the nation. There are two bills currently in the Illinois General Assembly that focus on consolidation.

House Bill 1216 (HB 1216) proposes the “School District Realignment and Consolidation Commission be created to make recommendations on the number of school districts the state should have, the optimal amount of enrollment for a district, and where consolidation and realignment would be beneficial” (Illinois General Assembly Bill Status for HB 1216).

It seems that the current members of the legislature need to take a look at the history of consolidation legislation in Illinois. They need to look at previous bills that have been proposed and the outcome of each. The idea of creating more efficient schools is a good idea, but the idea of losing a school creates an emotional issue for the local population. Coming up with a way to compromise the emotionality of the public and reality of the issues that the district is facing is difficult. Some schools in the state need to consolidate to be able to continue to provide quality education for their students, as well as become financially efficient. Knowing the reality of the situation does not make the decision any

easier. Schools still want to be able to have control over the consolidation decision. They do not want to be forced into a situation by the state.

