

# Illinois Bill Would Give ISBE Authority To Revoke Schools' State Recognition

by Patrick Andriesen

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SPRINGFIELD - A [new bill](#) would give the Illinois State Board of Education, or ISBE, the authority to issue, withhold and revoke state recognition of schools that fail to comply with COVID-19 health regulations.

Notably, the bill has not yet been introduced to a committee, meaning beyond being drafted and introduced, there has been no legislative activity on the measure.

The measure arrives in Springfield after [60](#) Illinois schools have already been placed on probation or had their recognition withdrawn by ISBE for voting to make masks optional in defiance of Gov. J.B. Pritzker's statewide mask mandate.

Critics of the legislation now suggest it represents an admission by state leaders that ISBE does not yet possess the authority to punish schools for ignoring the governor's executive order.

State Rep. Edgar Gonzalez Jr., D-Chicago, introduced the legislation, [House Bill 4135](#), on Aug. 27.

In addition to giving ISBE the power to revoke state recognition of any school that fails to comply with the state's public health requirements during emergency declarations, the measure further mandates private schools follow public health requirements issued by the Illinois Department of Public Health, or IDPH, in times of disaster and strips local school boards of the ability to vote against those mitigations.

HB 4135 was filed weeks after the governor ordered all Illinois schools to [mandate masks for students](#) returning to the classroom. Pritzker claimed the statewide requirement was necessary after too many schools voted to make masks optional when given the choice, [despite saying](#) just over two weeks earlier that masking decisions should be made by local school boards.

The governor [warned](#) local administrators that any districts who violated the mask mandate would be placed on probation by ISBE, under threat of the department revoking the school's state recognition.

Non-recognized schools forfeit all state funding, lose the ability to participate in Illinois High School Association or Elementary School Association sports, and can no longer issue accredited diplomas to new graduates.

Since the governor issued the warning, 38 Illinois schools have reversed course and adopted the statewide mask mandate. But not all lawmakers suspect Pritzker's threat has teeth.

State Rep. Tim Butler, R-Springfield, said HB 4135 signals to him that ISBE does not yet have the authority to punish schools for defying the state mandate.

"I think this is an admission, at least upon Rep. Gonzalez that the governor's executive order doesn't have the force of law when it comes to this particular thing," Butler [told WMAY](#). "If he's introducing legislation to make it law, then the executive order doesn't have the force of law."

ISBE did not return a message seeking clarification on HB 4135 or Butler's comments. Nor did a spokesperson representing Gonzalez.

Notably, the new legislation also closely resembles [House Bill 2789](#), a failed union-backed bill that an Illinois Education Association lobbyist [promised](#) members to return this fall.

The measure would have empowered IDPH to set the rules for in-person instruction at public and private schools across the state. Lawmakers abandoned the bill after nearly [17.000](#) Illinoisans filed an opposition to what they argued was state overreach into the classroom.