

Ad Hoc Rules Committee of the Whole

February 19, 2009
8:45 a.m.

All open meetings will be audio cast on the Internet at: www.isbe.net

AGENDA (timeframes are estimated for planning purposes)

1. Roll Call
 2. Board Member Participation by Other Means
 3. Public Participation 8:45 – 8:55 a.m.
 4. Minutes of the January Ad Hoc Rules Committee Meeting (**pp. 2-3**)
 - *5. Rules for Initial Review 8:55 – 9:05 a.m.
 - a. Part 140 (Calculation of Excess Cost Under Section 18-3 of the School Code) (**pp. 4-11**)
(Tim Imler)
 - b. Part 240 (Alternative Learning Opportunities Program) (Patrick Murphy) (**pp. 12-16**)
 - c. Part 405 (Payments to Certain Facilities Under Section 14-7.05) (**pp. 17-26**)
(Tim Imler, David Andel)
 - *6. Rules for Adoption 9:05 – 9:15 a.m.
 - a. Part 1 (Public Schools Evaluation, Recognition and Supervision) (**pp. 27-42**)
(Patrick Murphy, Terry Chamberlain)
 - b. Part 25 (Certification) (Patrick Murphy) (**pp. 43-54**)
 7. Committee Agenda Planning/Additional Items
 8. Adjourn
- * Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.

Ad Hoc Rules Committee of the Whole
Monday, January 26, 2009
2:30 p.m.

Office of the Capital Development Board
100 West Randolph Street, Room 14-612
Chicago, Illinois

Committee Members Present

Jesse Ruiz
Andrea Brown

David Fields
Vinni Hall
Brenda Holmes

Lanita Koster
Chris Ward

Absent

Dean Clark

Joyce Karon

Others

Chris Koch
Darren Reisberg
Deb Vespa
Marica Cullen
Marci Johnson
Shelley Helton
Sally Vogl

Chairman Ruiz called the meeting to order at 2:55 p.m. After the roll call, he announced that Mr. Clark and Ms. Karon had had to leave the meeting and that no members would be participating by other means. No one had signed up for public participation.

4. APPROVAL OF MINUTES

Vinni Hall moved approval of the minutes of the Committee's meeting of December 18, 2008, and David Fields seconded the motion. It was adopted unanimously, and the minutes were approved as presented.

5. RULES FOR INITIAL REVIEW

Chairman Ruiz turned the meeting over to General Counsel Darren Reisberg, who stated that three sets of rules were being presented for initial review. He characterized the amendments to Part 145 (Temporary Relocation Expenses) and Part 151 (School Construction Program) as largely ministerial, in that they consisted of technical updates. Division Administrator Deb Vespa was available in Springfield to address any questions the Board members might have; there were none. Ms. Vespa noted that the revisions related to replacing outdated references to the Program Accounting Manual and the Fall Enrollment and Housing Report.

Mr. Reisberg went on to introduce proposed amendments to Part 675 of the rules (Providers of Supplemental Educational Services). He indicated that these were more substantive than the other items, including updates to the code of ethics and refinements in the system of evaluating the providers. Dr. Gary Greene was present to address Board members' questions. Discussion ensued regarding the change that would result in designation of a provider's status on a statewide basis, as opposed to district by district. Andrea Brown noted that providers might not use the same programs in all districts. In addition, she pointed to the averaging effect that combining information across districts would have and noted that parents might not be fully informed by this method, although the same could also be true under the current rule. Board members were reminded that the district-by-district information would still be available to agency staff so that future refinements might be made. Darren Reisberg highlighted the challenge of balancing detailed information for use by ISBE with less complex information that would be useful to parents in making their choices among providers. David Fields pointed out ISBE's responsibility for ensuring the quality of the program, given the agency's role in approving the providers.

Vinni Hall complimented the work of staff on this program and reiterated her general concern for the required diversion of funds from use by districts in order to pay the providers. It was acknowledged that this is an issue on the national level.

6. RULES FOR ADOPTION

Mr. Reisberg noted that one set of amendments was being presented for adoption, i.e., changes to Part 260, Reading Improvement Block Grant. These had undergone initial review by the Board in October of 2008, and no comments had been received during the comment period. The version being presented for adoption was therefore identical to that originally proposed. Division Administrator Marica Cullen and Shelley Helton of the Rules and Waivers Division were available in Springfield to answer any questions on this rulemaking. However, there were none.

7. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

Darren Reisberg identified two sets of rules that would be ready for initial review in February, including amendments to Part 140 (Calculation of Excess Cost Under Section 18-3 of the School Code) and a new Part 405 (Payments to Certain Facilities Under Section 14-7.05 of the School Code). In addition, two sets would be presented for adoption: Part 1 (Public Schools Evaluation, Recognition and Supervision) and Part 25 (Certification).

8. COMMITTEE WRAP-UP




Superintendent Koch summarized the items considered by the Committee, including the three sets that had been presented for initial review (Parts 145, 151, and 675) and the one set that had been presented for adoption (Part 260). He noted that Dr. Brown had raised some good points in connection with supplemental educational services and that there had been no public comment on the amendments to Part 260.

9. ADJOURNMENT

Vinni Hall moved that all the sets of rules discussed be recommended for action by the Board during the plenary session and that the meeting be adjourned. David Fields seconded the motion, and the meeting was adjourned at 3:10 p.m.

ILLINOIS STATE BOARD OF EDUCATION MEETING
February 18-19, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Riley Mitchell, Chief Financial Officer 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Rules for Initial Review – Part 140 (Calculation of Excess Cost Under Section 18-3 of the School Code)

Materials: Recommended Rules

Staff Contacts: Tim Imler, Division Administrator

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed amendments for the Board's initial review.

Relationship to/Implications for the State Board's Strategic Plan

This set of amendments results from recent legislation and is not specifically related to the strategic plan.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion authorizing the solicitation of public comment on the proposed amendments to Part 140.

Background Information

Portions of these amendments respond to P.A. 95-793, which was enacted on August 8, 2008, and revised Section 18-3 of the School Code (Tuition of Children from Orphanages and Children's Homes). That statute provides for state reimbursement to school districts for the cost of serving students who would not be residents but for the fact that they live in orphanages, children's homes, detention centers, or penal institutions. These students either attend the regular classes of the district or are educated in general education classes provided to them at the facility where they reside. Formula-based reimbursement is provided for programs serving those students, equivalent to 120 percent of the serving district's per capita tuition charge. However, Section 18-3 also provides for reimbursement of costs in excess of that amount that are attributable to individual students who need more intensive services. Part 140 addresses only the claiming of this additional reimbursement.

Prior to the advent of P.A. 95-793, expenses for the summer term were claimed on the same basis as those for the regular school term. Now those claims will be separate, with costs for the summer session reimbursed based on actual expenditures. This means that Part 140 is no longer relevant to reimbursement for the summer term, leading to minor technical revisions in

the rules. The deadline for submission of claims for the regular term has also been changed from July 30 to July 15, in keeping with the statutory change.

The other portions of the amendments being proposed are intended to clarify more specifically the information that districts submit as part of their claims, as well as the exact basis for identifying excess cost to be reimbursed. In particular, the method of calculation is somewhat different depending upon whether students are served at an attendance center operated by the district or are served at the facility where they reside. The distinction has to do with the fact that costs for programs that are operated by a district at an off-site facility are readily identifiable, while costs associated with students served as part of the general student body are not so readily apparent. Thus Section 140.40(b) explains that the district's per capita tuition charge is used as the main cost element attributable to students in that situation [in place of the cost per student in average daily attendance in the program, which is used otherwise]. Other information being added to Section 140.40 simply makes the mathematical calculations more explicit. The definitions being added to Section 140.10 are further components of this approach.

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

Promulgation of these changes would result in a variety of improvements in the rules, including certain instances of conformance with the underlying statute, as outlined above. Leaving the rules unchanged would result in discrepancies between them and the law.

Superintendent's Recommendation

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby authorizes the solicitation of public comment on the proposed rulemaking for:

Calculation of Excess Cost Under Section 18-3 of the School Code (23 Illinois Administrative Code 140),

including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board's authorization, staff will submit the proposed amendments for publication in the Illinois Register to elicit public comment. Additional means such as the Superintendent's message and the agency's website will be used to inform interested parties of the opportunity to comment.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCE

PART 140

CALCULATION OF EXCESS COST UNDER SECTION 18-3 OF THE SCHOOL CODE

Section

- 140.10 Purpose and Applicability
- 140.20 Allowable Costs
- 140.30 Requirements for Submission of Claims
- 140.40 Calculation of Reimbursement

AUTHORITY: Implementing and authorized by Section 18-3 of the School Code [105 ILCS 5/18-3].

SOURCE: Adopted at 23 Ill. Reg. 7882, effective July 1, 1999; amended at 25 Ill. Reg. 14122, effective October 22, 2001; amended at 26 Ill. Reg. 8100, effective May 20, 2002; amended at 33 Ill. Reg. _____, effective _____.

Section 140.10 Purpose and Applicability

Section 18-3 of the School Code [105 ILCS 5/18-3] provides for the reimbursement to school districts of the cost of the regular program provided to the students described in that Section during both the regular and summer terms. It also provides for the reimbursement of excess costs incurred by a district during the regular school term for that provides to such students services to those students beyond those encompassed by the district's regular program. This Part establishes the requirements applicable to claims for reimbursement of such excess costs. For purposes of this Part:

- a) The “regular school term” is the time period reflected on the calendar prepared for the school year by the school board to meet the requirements of Sections 10-19 and 18-8.05 of the School Code [105 ILCS 5/10-19 and 18-8.05] and maintained in the main office of the school district.
- b) The basis for identifying and documenting excess cost will vary according to whether a student is served in one of a district's attendance centers or on the premises of a facility where he or she resides or that is otherwise physically

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

separate from district facilities. For purposes of this Part: The “summer term” consists of school days in excess of the regular term.

- 1) a program provided in one of a district’s attendance centers is an “on-site program”; and
 - 2) a program provided elsewhere is an “off-site program”.
- c) “Regular program” means the normal configuration of services generally provided to students.
- d) “Individual cost” means the cost of any services provided to an individual student that are not included in the regular program or that are provided at a greater level of intensity than in the regular program, as recorded pursuant to Section 140.30(a)(4) of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 140.20 Allowable Costs

- a) The reimbursement that is the subject of this Part shall be available only with respect to individual students ~~pupils~~ who are:
 - 1) enrolled full-time in a claiming district’s general ~~regular~~ education program; and
 - 2) served at a cost that exceeds 120 percent of the district’s per capita tuition charge calculated as specified in Section 18-3 of the School Code.
- b) Claims may be submitted pursuant to this Part only with respect to costs incurred in the provision of equipment, diagnostic and other services, or materials that are not part of or that exceed the regular program provided to other students who are served in the district’s schools.
 - 1) Special equipment used for only one student ~~pupil~~ may be claimed only if it will move with the student if he or she ~~the student~~ changes districts or programs.
 - 2) Specific, unique services provided for an individual student ~~pupil~~ may be claimed only if they exceed or are not part of the normal configuration of

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

services and if their costs are not already included in the cost of the regular program for which the district also claims reimbursement under Section 18-3 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 140.30 Requirements for Submission of Claims

Each school district shall certify to the State Superintendent of Education, using a format specified by the State Superintendent, its report of claims for tuition payments no later than July 15 31. Failure on the part of the school board to certify its claim on July 31 shall constitute a forfeiture by the district of its right to the payment of any such tuition claim for the school year just ended. (Section 18-3 of the School Code) ~~No payment shall be made for any mailed claim that is postmarked later than July 31 of the relevant year or for any claim filed electronically (when such filing has been authorized by the State Superintendent) or otherwise delivered after that date.~~ Claims shall reflect the costs incurred by the school district for the regular school term year (July 1 through June 30), ~~inclusive of regular and summer term expenditures during that time period.~~

- a) When a district files a claim for excess costs relative to individual students ~~pupils~~ who are served in an off-site a program ~~that is provided solely on the premises of the facility where they reside or is otherwise physically separate,~~ the claim must include:
 - 1) a description of the regular program for which the district also claims reimbursement under Section 18-3 of the School Code that includes:
 - A) The name and address of the off-site program;
 - B) The total number of students who received any services in the regular program;
 - C) The total days of attendance of all the students claimed;
 - D) The total number of days for which the program was in session;
 - E) The amount of instruction time offered daily;
 - F) The name, certificate number, and assignment of each professional staff member who served the students being claimed; and

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- G) A brief description of the curriculum and support services that are offered in the regular program;
- 2) a report of the expenditures incurred by the district for the regular off-site program described pursuant to subsection (a)(1) of this Section, on forms supplied by the State Superintendent of Education;
- 3) the number of students pupils in average daily attendance in the regular off-site program described in subsection (a)(1) of this Section during the term to which the claim applies;
- 4) a record for each student with respect to whom excess cost is being claimed, indicating:
- A) the student's pupil's name and date of birth,
 - B) the services provided to the student pupil that are not included in or that exceed the level provided in the regular off-site program,
 - C) the amount, intensity, and/or frequency of the services,
 - D) the total hours of service provision, and
 - E) the total cost of the services.
- b) When a district files a claim for excess costs relative to students pupils who are served in the district's on-site programs regular attendance centers, the claim must include:
- 1) a description of the services provided that which exceed those otherwise provided to students served in the regular program within the attendance center in question, e.g., services not provided to the other students in that attendance center or services provided for more time than to other students within that attendance center; and
 - 2) a record for each student containing the information specified in subsection (a)(4) of this Section.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- c) ~~Each~~ No later than ten days after receipt of a request for additional information, a district shall submit any additional ~~such~~ information as the State Superintendent of Education may require for the purposes of clarifying the basis for its claim.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 140.40 Calculation of Reimbursement

- a) The cost per student in average daily attendance (“ADA”) in the regular off-site program provided to students pursuant to Section 18-3 of the School Code will be calculated by dividing the total cost of that program as reported under Section 140.30(a)(2) of this Part by the number of students in average daily attendance in the program.
- b) Reimbursable excess cost shall exist with respect to a given student only if the total costs attributable to that student exceed 120 percent of the district’s per capita tuition charge. The total costs attributable to a student who is served in an off-site program consist of the cost per student in ADA in the program the student attends, derived from the information called for in Section 140.30(a)(1)-(3) of this Part, plus any individual cost for that student. The total costs attributable to a student who is served in an on-site program consist of the district’s per capita tuition charge plus any individual cost for that student. The cost per student in ADA will be compared to the amount that represents 120 percent of the district’s per capita tuition charge.
- 1) ~~If the cost per student in ADA is equal to or greater than 120 percent of the district’s per capita tuition charge, the State Superintendent will reimburse the district for 100 percent of the individual costs claimed pursuant to Section 140.30 of this Part.~~
- 2) ~~If the cost per student in ADA is less than 120 percent of the district’s per capita tuition charge, a calculation will be performed to offset the amount the district is allowed to claim for the regular program pursuant to Section 18-3 of the School Code. The excess cost amount claimed for serving a particular student will be added to the cost per student in ADA. From the sum of those two amounts, the amount that represents 120 percent of the per capita charge will subtracted. The State Superintendent will reimburse the district for 100 percent of the remainder. In other words:~~

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

| | |
|---|--|
| | Cost per student in ADA in the program <u>or district's per capita tuition charge, as applicable</u> |
| + | <u>Individual</u> Excess cost for Student X |
| = | Subtotal |
| | Subtotal from above |
| - | 120% of district's per capita charge |
| = | Excess cost Reimbursable amount for Student X |

- c) If the remainder resulting from the calculation set forth in subsection (b) of this Section is a positive number, that number represents excess cost and shall be reimbursed. If the remainder is a negative number, the district's cost has been captured by the reimbursement at 120 percent of the per capita tuition charge provided under Section 18-3 of the School Code, and no reimbursable excess cost exists.
- d) The State Superintendent may decline to reimburse costs that are not adequately documented or are inappropriate to a particular student's placement.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
February 18-19, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education *AK*
Linda Tomlinson, Assistant Superintendent *Lt*
Darren Reisberg, General Counsel *DR*

Agenda Topic: Action Item: Rules for Initial Review – Part 240 (Alternative Learning Opportunities Program)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed amendment for the Board's initial review.

Relationship to/Implications for the State Board's Strategic Plan

This item of rulemaking is not specifically related to the strategic plan, since it involves only a technical update.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion authorizing the solicitation of public comment on the proposed amendment to Part 240.

Background Information

This proposed amendment will replace a reference to the now-repealed Program Accounting Manual (formerly Part 110 of ISBE's rules) with a reference to the new rules covering the same topics (Part 100; Requirements for Accounting, Budgeting, Financial Reporting, and Auditing). Part 240 is one of several sets of rules in which this revision needs to be made as time permits.

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

Promulgation of these changes will bring the rules up to date, while failure to amend the rules would result in the persistence of an incorrect cross-reference.

Superintendent's Recommendation

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby authorizes the solicitation of public comment on the proposed rulemaking for:

Alternative Learning Opportunities Program (23 Illinois Administrative Code 240),

including publication of the proposed amendment in the Illinois Register.

Next Steps

With the Board's authorization, staff will submit the proposed amendment for publication in the Illinois Register to elicit public comment. Additional means such as the Superintendent's message and the agency's website will be used to inform interested parties of the opportunity to comment.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 240
ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM

SUBPART A: PROGRAM APPROVAL

Section

| | |
|---------|--|
| 240.10 | Purpose |
| 240.20 | Requirements for Student Participation |
| 240.25 | Enrollment of Students with Individualized Education Programs |
| 240.30 | Program Requirements |
| 240.40 | Student Success Plan |
| 240.50 | Requirements for Returning the Student to the Regular School Program |
| 240.60 | Supplemental Services and Instructional Time |
| 240.70 | Application for Program Approval |
| 240.75 | Program Approval Criteria |
| 240.80 | Application for Program Continuation |
| 240.90 | Program Funding |
| 240.100 | Suspension and Revocation of Program Approval |
| 240.110 | Terms and Conditions of Approval |

SUBPART B: ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM GRANTS

| | |
|---------|----------------------------------|
| 240.200 | Purpose (Repealed) |
| 240.210 | Eligible Applicants (Repealed) |
| 240.220 | Planning Grants (Repealed) |
| 240.230 | Implementation Grants (Repealed) |
| 240.240 | Supplemental Grants (Repealed) |
| 240.250 | Grant Awards (Repealed) |
| 240.260 | Terms of the Grant (Repealed) |

AUTHORITY: Implementing and authorized by Article 13B of the School Code [105 ILCS 5/Art. 13B].

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

SOURCE: Adopted at 26 Ill. Reg. 11888, effective July 22, 2002; amended at 27 Ill. Reg. 10004, effective June 23, 2003; amended at 29 Ill. Reg. 18451, effective October 31, 2005; amended at 33 Ill. Reg. _____, effective _____.

SUBPART A: PROGRAM APPROVAL

Section 240.80 Application for Program Continuation

- a) In order to continue to operate an Alternative Learning Opportunities Program approved pursuant to Article 13B of the School Code and this Part, the school district shall annually submit an application for continuation, on a form supplied by the State Board of Education, that shall include the following:
 - 1) a description of proposed changes in any of the elements of the district plan for the Alternative Learning Opportunities Program (see Section 240.70(c) of this Part);
 - 2) the results of the evaluation of the previous year's program conducted pursuant to Section 240.70(c)(12) of this Part, including the educational outcomes achieved by the students enrolled in the program;
 - 3) the activities proposed for the continuation period in light of the evaluation of the preceding year's project, including the identification of each unmet objective and the rationale for its continued inclusion or its deletion from the program;
 - 4) an expenditure report, on a form supplied by the State Board of Education, for the previous school year; and
 - 5) updated information regarding any subcontracts, contracts, or cooperative or intergovernmental agreements into which the district has entered to operate the program or provide services, including any changes to the entities involved or in their roles and responsibilities.
- b) Pursuant to Section 13B-30.20 of the School Code [105 ILCS 5/13B-30.20], an Alternative Learning Opportunities Program shall be approved for continuation provided that it:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION





NOTICE OF PROPOSED AMENDMENT

- 1) submits evidence that it is meeting the educational outcomes specified in the district plan, including the educational outcomes identified for the individual students served;
 - 2) continues to comply with all applicable State and federal laws;
 - 3) in the year previous to the continuation application, complied with:
 - A) the terms and conditions of any grant it received pursuant to Subpart B of this Part;
 - B) the plan submitted for program approval pursuant to Section 240.70 of this Part; and
 - C) any updates to that plan subsequently submitted to the State Board of Education pursuant to subsection (a) of this Section; and
 - 4) maintains financial records in accordance with the requirements of 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) ~~procedures specified in 23 Ill. Adm. Code 110 (Program Accounting Manual).~~
- c) An Alternative Learning Opportunities Program that is not approved for continuation shall be subject to the requirements of Section 240.100 of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
February 18-19, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Riley Mitchell, Chief Financial Officer 
Elizabeth Hanselman, Assistant Superintendent 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Rules for Initial Review – New Part 405 (Payments to Certain Facilities Under Section 14-7.05 of the School Code)

Materials: Recommended Rules

Staff Contacts: Tim Imler and David Andel, Division Administrators

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed new rules for the Board's initial review.

Relationship to/Implications for the State Board's Strategic Plan

This new set of rules is not specifically related to the strategic plan, in that it has been developed in direct response to new legislation. However, various portions of the rules comport with Goals 1 (academic achievement) and Goal 2 (highly prepared and effective teachers) by virtue of the standards that are implicit in the proof that will be called for from the providers of educational programs before payment by school districts is required.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion authorizing the solicitation of public comment on proposed new Part 405.

Background Information

This new set of rules responds to Public Act 95-938, which was enacted in the summer of 2008. That legislation revised Section 14-7.05 of the School Code by establishing some conditions on the obligation of a school district to pay the provider of a program that is not approved under Part 401 of our rules (Special Education Facilities Under Section 14-7.02 of the School Code) for the costs of educating a student with a disability who is placed into a residential facility by a court or a state agency. The new provisions require that the provider of the program furnish three elements of proof to ISBE, as well as enrollment and attendance information. Unless this information is provided to ISBE's satisfaction, the student's district of residence will not be under any obligation to pay the provider.

In addition to the obvious need to state in rule what will be considered satisfactory proof or information in each of the areas specified in the law, there is a need to set forth some procedures that will ensure communication among the provider, ISBE staff, and the district of

residence. In particular, agency staff will need to know that a student has been placed, and the provider will need to know what information to submit and how to submit it so that payment by the district will eventually be warranted. Similarly, the district of residence will have to be notified of its obligation and of the amount involved. Section 405.30 has been written to initiate the flow of all this information in a timely manner.

Section 405.40 explains “satisfactory proof” in the areas required by the statute.

- For “appropriate certification of teachers for the student population”, we will require a description of the program and the student population involved and a list identifying all the teachers serving in the program. The certificates held by those individuals must be those that are acceptable for serving students with disabilities in the public schools and in programs approved under Part 401.
- For “age-appropriate curriculum”, we will rely upon a showing that the provider bases the program on the current levels of academic achievement of the students and affords them access to the general curriculum in ways that will help them make progress in achieving the Illinois Learning Standards; that academic assessments are comparable to those administered to other students of the same age; that the age range in classes does not exceed that permissible in the public schools and in programs approved under Part 401; and that the setting is age-appropriate.
- For “ability to implement the child's IEP”, proof will need to consist of information showing the availability of all the professional staff time that is needed for delivery of the services specified in the IEP, including assurances that paraprofessionals are not used in place of qualified professionals.

In addition, Section 405.40 requires information about enrollment in the program generally and certain early information about the attendance of the student in question. This will be complemented by the quarterly attendance reports called for in Section 405.50.

The final substantive matter that needs to be dealt with is the amount for which the student's district of residence will be responsible. The statute states that “the resident district's financial responsibility and reimbursement must be calculated in accordance with the provisions of Section 14-7.02 of the School Code.” The rate-setting methodology used by the Illinois Purchased Care Review Board implements Section 14-7.02 and is thus the obvious choice in this instance as well. Accordingly, Section 405.60 calls for use of that method, while making it clear that programs need not seek approval from ISBE under Part 401 in order to qualify for payment in the instances discussed in Section 14-7.05 of the School Code.

It should be noted that ISBE staff will need to conduct certain outreach and awareness efforts so that the staff of juvenile courts and other placing agencies will be aware of the requirements of Section 14-7.05 and these new rules. By identifying contacts in those offices, providing them with the necessary materials, and urging them to pass those on to providers when students are placed, we hope to ensure that the necessary information is available to those affected when they need to use it. Additional means of promoting awareness, including especially the agency's web site, will also be used. These preparations will occur “behind the scenes” and do not need to be described in the rules.

These proposed rules were provided to the Illinois State Advisory Council on the Education of Students with Disabilities (ISAC) prior to its meeting of February 10. As this Board packet went

to print, it was not yet apparent whether ISAC would be discussing the rules and providing comments after that meeting or would be taking additional time and submitting comments during the comment period. At the Board meeting, staff will provide an update on any issues that have been raised by that time.

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

While staff believe, based on experience to date, that placements needing to be covered by these new rules will be rare, promulgation of Part 405 will provide assurances to districts that the most fundamental aspects of special education programming are being provided to the affected students before districts are required to pay for the services. In the absence of rules specifying the proof that ISBE will accept, districts' obligations would be much less clear-cut and providers would have no firm basis on which they could demonstrate that they should receive payment in these instances.

Superintendent's Recommendation

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby authorizes the solicitation of public comment on the proposed rulemaking for:

Payments to Certain Facilities Under Section 14-7.05 of the School Code (23 Illinois Administrative Code 405),

including publication of the proposed rules in the Illinois Register.

Next Steps

With the Board's authorization, staff will submit the proposed rules for publication in the Illinois Register to elicit public comment. Additional means such as the Superintendent's message and the agency's website will be used to inform interested parties of the opportunity to comment.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER I: NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

PART 405

PAYMENTS TO CERTAIN FACILITIES UNDER SECTION 14-7.05 OF THE SCHOOL
CODE

Section

| | |
|--------|------------------------------|
| 405.10 | Purpose and Applicability |
| 405.20 | Definitions |
| 405.30 | Procedural Requirements |
| 405.40 | Satisfactory Proof |
| 405.50 | Quarterly Attendance Reports |
| 405.60 | Calculation of Costs |
| 405.70 | Termination of Placement |

AUTHORITY: Implementing Section 14-7.05 of the School Code [105 ILCS 5/14-7.05] and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.6].

SOURCE: Adopted at 33 Ill. Reg. _____, effective _____.

Section 405.10 Purpose and Applicability

This Part applies to the obligation of school districts to pay the cost of educating students who are served, pursuant to Section 14-7.05 of the School Code [105 ILCS 5/14-7.05], in residential facilities providing educational programs that are not approved by the State Board of Education. This Part shall not apply to districts' payment for educational services in programs approved under the rules of the State Board of Education for Special Education Facilities Under Section 14-7.02 of the School Code (23 Ill. Adm. Code 401) or to districts' payment for educational services provided by other school districts (see 23 Ill. Adm. Code 130, Calculating Special Education Per Capita Tuition Charge). The purposes of this Part are:

- a) to establish procedures and timelines for providers' presentation of the required proof as a prerequisite to districts' payment of the cost of educating **affected** students;

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

- b) to identify the proof that will be considered as adequate evidence of programs' conformance with the requirements identified in Section 14-7.05 of the School Code; and
- c) to establish a uniform basis for the calculation of the costs for which districts will be responsible under Section 14-7.05 of the School Code.

Section 405.20 Definitions

“Affected Student”: For purposes of this Part, *an individual with a disability*, as defined in Sections 14-1.02 and 14-1.03a of the School Code [105 ILCS 5/14-1.02 and 14-1.03a], *whose placement in a residential facility has been made or paid for by an Illinois public State agency or made by any court in Illinois*, when the educational program provided to the student has not been approved pursuant to 23 Ill. Adm. Code 401 (Special Education Facilities Under Section 14-7.02 of the School Code).

“Provider”: An organization not approved under Section 14-7.02 of the School Code and 23 Ill. Adm. Code 401 that offers special educational services to students with disabilities pursuant to Section 14-7.05 of the School Code.

“Facility” means the physical premises where a provider offers services.

"Program" means a set of educational services, residential services, or both that is designed to serve students who have similar educational needs. An “educational program” is one that consists of instruction, supportive services, supplies, materials, adjustments to the physical plant, and activities intended to lead to students’ attainment of the annual goals and short-term objectives set forth in their Individualized Education Programs (IEPs).

Section 405.30 Procedural Requirements

- a) No later than 15 days after a provider is notified of the placement of an affected student and wishes to receive payment from the student’s district of residence for the cost of educating that student, the provider shall furnish to the State Superintendent of Education, using a method and format specified by the State Superintendent, as much of the following information as may be available to the provider:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

- 1) the affected student's full name and date of birth;
 - 2) contact information for the student's parent or guardian;
 - 3) the placing authority;
 - 4) the effective date of the placement and the date on which educational services began or will begin, as applicable;
 - 5) the ending date of the placement, if any has been established;
 - 6) the unique identifying number assigned to the student by the Student Information System (see 23 Ill. Adm. Code 1.75);
 - 7) the student's district of residence; and
 - 8) the provider's calendar for the educational program for the school year in which the placement occurs.
- b) No later than 15 days after an affected student's placement into an educational program, the provider shall submit the documentation and information required under Section 405.40 of this Part to the State Superintendent of Education, using a method and format specified by the State Superintendent. However, when an affected student's placement occurs during the month of June, the provider will only be able to preserve the right to payment by the district of residence by submitting the required documentation and information quickly enough to leave time for the district to make payment out of funds available for the fiscal year ending June 30.
- c) The State Superintendent or designee shall review the materials submitted pursuant to subsection (b) of this Section and, within ten business days, notify the provider either:
- 1) that satisfactory proof has been furnished as required by Section 14-7.05 of the School Code; or
 - 2) that the materials submitted do not constitute satisfactory proof in one or more specified respects and the nature of the deficiency.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

- d) A provider receiving notice of insufficient proof may submit additional documentation related to the identified areas of deficiency, provided that additional submissions received after June 30 following the end of the school year in which the placement occurred shall not be considered and a student's district of residence shall not be obligated to pay the costs of educating the student for that school year.
- e) The State Superintendent shall provide copies of all notifications to providers under this Section to the districts of residence of the affected students. *A school district is under no obligation to pay the residential facility until the district receives notification from the State Superintendent that satisfactory proof has been provided.*
- f) The decision of the State Superintendent as to the obligation of a school district to make payments pursuant to this Part shall be final, subject to the provisions of the Administrative Review Law [735 ILCS 5/Art. 3].

Section 405.40 Satisfactory Proof

All information called for in this Section, except the quarterly attendance reports called for in Section 405.50 of this Part, shall be submitted no later than 15 days after an affected student's placement, using the method and format prescribed by the State Superintendent of Education.

- a) As satisfactory proof of *appropriate certification of teachers for the student population* in a given program, the provider of the program shall submit:
 - 1) a description of the program, including the characteristics of the students for whom it is intended and the number of students served;
 - 2) a listing of the names and certificate numbers of all certified teachers assigned to the program, demonstrating that each individual who provides instruction to the students in the program holds:
 - A) a special preschool – age 21 certificate endorsed for the population to be served, in accordance with the certification policies of the State Board of Education that are in effect pursuant to the federal court orders of February 27 and August 15, 2001, in the matter of

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

Corey H., et al., vs. Board of Education of the City of Chicago, et al; or

- B) another teaching certificate that is valid for the grade range of the students served and bears an endorsement or approval for the population served, in accordance with the certification policies identified in subsection (a)(1)(A) of this Section; or
 - C) a short-term emergency certificate in special education issued in accordance with the certification policies identified in subsection (a)(1)(A) of this Section; or
 - D) the specific qualifications comparable to those issued in Illinois in connection with the positions in question, if the facility is located outside Illinois.
- b) As satisfactory proof that a program offers *an age-appropriate curriculum*, the provider shall submit information demonstrating that:
- 1) the program is based upon evaluation of the participating students' current levels of academic achievement and performance and is designed to afford the students access to the general curriculum in the fundamental areas of learning identified in Section 27-1 of the School Code [105 ILCS 5/27-1] at levels that will promote their attainment of the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D);
 - 2) academic assessments administered to affected students are the same as those administered to other individuals served in the program who are of approximately the same age;
 - 3) the age range of the pupils grouped in any class does not exceed four years (if at the elementary level) or six years (if at the secondary level); and
 - 4) the program is delivered in an age-appropriate setting.
- c) The provider shall submit a description of the method used for recording attendance on a daily basis, as well as information on enrollment in the program for which payment is being sought and information on the attendance of each affected student.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

- 1) Enrollment information shall include:
 - A) the total number of individuals receiving educational services in or through the facility;
 - B) a description of how individuals are grouped (e.g., by grade level or age);
 - C) identification of the grouping or “program” in which the affected student is being served; and
 - D) the number of individuals served in each grouping described.
- 2) Attendance information shall include:
 - A) a signed assurance indicating that the provider will keep daily attendance records with respect to the affected student and will submit those records to the State Superintendent using the format prescribed by the State Superintendent; and
 - B) a record reflecting the student’s attendance during the first 10 days of service.
- d) As satisfactory proof of the provider’s ability to implement a particular student’s IEP, the provider shall submit:
 - 1) a copy of the student’s current or most recent available IEP;
 - 2) a list of all teachers and other professional service providers that also:
 - A) indicates the specific portions of the IEP that each will be responsible for fulfilling; and
 - B) identifies the certificate, license, or other credential held by each professional other than a teacher that qualifies the individual to provide the professional services in question;

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

- 3) if a paraprofessional will be assigned to assist in any class attended by the student, an assurance that the assignment of the individual will conform to the requirements of 23 Ill. Adm. Code 1.630(b); and
- 4) for any teacher or professional not directly employed by the provider, information regarding the individual's contractual status that will clarify the amount of time for which the individual is available for the program, and the number of students whom the individual is responsible for serving during that time, and the total amount of service time required with respect to those students.

Section 405.50 Quarterly Attendance Reports

The provider serving a student shall, no later than five business days after the conclusion of each quarter of the school year, submit to the State Superintendent of Education a record reflecting the attendance of the affected student during that quarter. Provided that complete information is submitted in the required format, the State Superintendent shall forward the report to the district of residence for use in responding to billing by the provider. A district shall have no obligation to pay a provider for educational services performed during any period of time until the student's attendance has been reported as required.

Section 405.60 Calculation of Costs


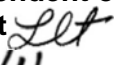
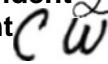

The provider of an educational program not approved by the State Board of Education under its rules at 23 Ill. Adm. Code 401 shall not be required to seek approval for the program. In order to receive payment from a student's district of residence, however, the provider shall be required to submit information to the Illinois Purchased Care Review Board (IPCRB), in a format specified by the IPCRB, so that a rate can be established for the program using the method described in the Review Board's rules at 89 Ill. Adm. Code 900 (Illinois Purchased Care Review Board). The "*costs of educating the child*" that must be paid by the district of residence of a student under this Part shall be determined on the basis of the daily rate set for the respective educational program by the IPCRB and the number of days for which the student is enrolled. The State Superintendent shall inform the district of residence of the rate as soon as it has been set.

Section 405.70 Termination of Placement

The provider of an educational program into which an affected student is placed shall notify the State Superintendent of Education no later than 10 days after receiving information as to the date on which the student's placement will be terminated.

ILLINOIS STATE BOARD OF EDUCATION MEETING
February 18-19, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Tomlinson, Assistant Superintendent 
Connie Wise, Assistant Superintendent 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Rules for Adoption – Part 1 (Public Schools Evaluation, Recognition and Supervision)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy and Terry Chamberlain, Division Administrators

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed amendments for the adoption.

Relationship to/Implications for the State Board's Strategic Plan

This item of rulemaking relates mainly to Goal 2, highly prepared and effective teachers and school leaders, since the substantive portion involves creating flexibility for districts to assign certain teachers to the middle grades while they finish acquiring the necessary qualifications.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion adopting the proposed amendments to Part 1.

Background Information

The impetus behind this rulemaking was to create flexibility that school districts may need as they convert self-contained classes in Grades 5-8 to a middle-grades format. Under Section 1.720, additional requirements apply to teachers in those grades if they are teaching in departmentalized settings, but teachers in some districts may not have had sufficient notice to complete the coursework required. Similarly, holders of secondary certificates are eligible to teach Grades 6, 7, and 8 but may not have completed the six semester hours of coursework that is specific to the needs and learning of middle-grades students. This rule will allow districts to assign these teachers to provide instruction in departmentalized subjects for a period of no more than three years while they complete the requirements for middle-grades endorsements. These provisions were developed in response to particular needs of the Chicago Public Schools but have been drafted to be available to all Illinois districts.

Two other unrelated changes that need to be accomplished as soon as possible are also being made at the same time.

First, a clarification is needed in Section 1.705 so that the rule will not be unintentionally broad. Subsection (f) of this rule currently requires either an administrative certificate or a supervisory endorsement for each individual who serves as a dean of students and "disciplines or suspends students". It was brought to our attention that the term "discipline" can mean even an action such as assigning a detention and that these routine forms of discipline should not be seen as

administrative actions or require a supervisory credential. Consequently the rule is being revised to refer only to the suspension of students under Section 10-22.6 of the School Code. (That portion of the law allows a superintendent, principal, assistant principal, or dean of students to suspend students if authorized to do so by the local board of education.)

Second, Section 1.75 (Student Information System) needs to be revised in keeping with an agreement between ISBE and the Joint Committee on Administrative Rules (JCAR). This rule was originally promulgated while the Student Information System was still being developed, and we agreed at the time to amplify it as needed after an appropriate amount of time had gone by. Since that time, the types of information being collected are more specifically known, and we have moved beyond the need to provide alternative reporting mechanisms to districts. The slight changes proposed in this Section will address our agreement with JCAR.

These amendments were presented for the Board's initial review in November of 2008 and subsequently published in the Illinois Register to elicit public comment. One submission was received. The issue raised is discussed in the Summary and Analysis of Public Comment below, along with a change that is being recommended for incorporation into the rule.

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

Promulgation of these changes will serve the individual purposes discussed above, and the middle-grades provisions will establish a realistic means by which schools can help increase the subject-matter competency of teachers in those critical grades. Failure to initiate this rulemaking would result in:

- a failure to amend Section 1.75 as agreed with JCAR;
- an unnecessary restriction on who may serve as a dean of students; and
- the inability of districts to retain certain current teachers for departmentalized middle-grades assignments.

Superintendent's Recommendation

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

Public Schools Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1.

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps

Notice of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR's review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.

Summary and Analysis of Public Comment

Part 1 (Public Schools Evaluation, Recognition and Supervision)

Comment

It was suggested that a requirement for notifying the regional superintendent of schools be included in Section 1.720(c)(2), in order to permit tracking districts' compliance with the three-year limitation on the assignment of the affected individuals.

Analysis

We agree that such a notification would be useful as a means of alerting the responsible regional superintendent to these assignments. Making the regional superintendents aware of these would facilitate their review of districts' compliance with requirements related to staff qualifications.

Recommendation

Section 1.720(c)(2) should be amplified as displayed below.

- 2) The school district shall notify the responsible regional superintendent of schools of all assignments made pursuant to this subsection (c) no more than 30 days after they occur. Further, the ~~The~~ school district shall maintain on file for each teacher assigned in accordance with this subsection (c) a plan that:
 - A) includes a statement of intent signed by the individual, stipulating that he or she will complete all requirements for the middle-grades endorsement in the subject of his or her major teaching assignment;
 - B) provides a list of the coursework and experiences that the individual will complete in order to qualify; and
 - C) identifies the institution of higher education where the individual will complete the requirements.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1

PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section

- 1.10 Public School Accountability Framework
- 1.20 Operational Requirements
- 1.30 State Assessment
- 1.40 Adequate Yearly Progress
- 1.50 Calculation of Participation Rate
- 1.60 Subgroups of Students; Inclusion of Relevant Scores
- 1.70 Additional Indicators for Adequate Yearly Progress
- 1.75 Student Information System
- 1.77 Educator Certification System
- 1.80 Academic Early Warning and Watch Status
- 1.85 School and District Improvement Plans; Restructuring Plans
- 1.88 Additional Accountability Requirements for Districts Serving Students of Limited English Proficiency Under Title III
- 1.90 System of Rewards and Recognition – The Illinois Honor Roll
- 1.95 Appeals Procedure
- 1.100 Waiver and Modification of State Board Rules and School Code Mandates

SUBPART B: SCHOOL GOVERNANCE

Section

- 1.210 Powers and Duties (Repealed)
- 1.220 Duties of Superintendent (Repealed)
- 1.230 Board of Education and the School Code (Repealed)
- 1.240 Equal Opportunities for all Students
- 1.242 Temporary Exclusion for Failure to Meet Minimum Academic or Attendance Standards
- 1.245 Waiver of School Fees

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1.250 District to Comply with 23 Ill. Adm. Code 180 (Repealed)
- 1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)
- 1.270 Book and Material Selection (Repealed)
- 1.280 Discipline
- 1.285 Requirements for the Use of Isolated Time Out and Physical Restraint
- 1.290 Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section

- 1.310 Administrative Qualifications and Responsibilities
- 1.320 Evaluation of Certified Staff in Contractual Continued Service
- 1.330 Hazardous Materials Training

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

- 1.410 Determination of the Instructional Program
- 1.420 Basic Standards
- 1.430 Additional Criteria for Elementary Schools
- 1.440 Additional Criteria for High Schools
- 1.445 Required Course Substitute
- 1.450 Special Programs
- 1.460 Credit Earned Through Proficiency Examinations
- 1.462 Uniform Annual Consumer Education Proficiency Test
- 1.465 Ethnic School Foreign Language Credit and Program Approval
- 1.470 Adult and Continuing Education
- 1.480 Correctional Institution Educational Programs

SUBPART E: SUPPORT SERVICES

Section

- 1.510 Transportation
- 1.515 Training of School Bus Driver Instructors
- 1.520 School Food Services (Repealed)
- 1.530 Health Services
- 1.540 Pupil Personnel Services (Repealed)

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

Section

- 1.610 Personnel Required to be Qualified
- 1.620 Accreditation of Staff (Repealed)
- 1.630 Noncertificated Personnel
- 1.640 Requirements for Different Certificates (Repealed)
- 1.650 Transcripts of Credits
- 1.660 Records of Professional Personnel

SUBPART G: STAFF QUALIFICATIONS

Section

- 1.705 Requirements for Supervisory and Administrative Staff
- 1.710 Requirements for Elementary Teachers
- 1.720 Requirements for Teachers of Middle Grades
- 1.730 Minimum Requirements for Secondary Teachers and Specified Subject Area Teachers in Grades Six (6) and Above through June 30, 2004
- 1.735 Requirements to Take Effect from July 1, 1991, through June 30, 2004
- 1.736 Requirements to Take Effect from July 1, 1994, through June 30, 2004
- 1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004
- 1.740 Standards for Reading through June 30, 2004
- 1.745 Requirements for Reading Teachers and Reading Specialists at all Levels as of July 1, 2004
- 1.750 Standards for Media Services through June 30, 2004
- 1.755 Requirements for Library Information Specialists Beginning July 1, 2004
- 1.760 Standards for Pupil Personnel Services
- 1.762 Supervision of Speech-Language Pathology Assistants
- 1.770 Standards for Special Education Personnel
- 1.780 Standards for Teachers in Bilingual Education Programs
- 1.781 Requirements for Bilingual Education Teachers in Grades K-12
- 1.782 Requirements for Teachers of English as a Second Language in Grades K-12
- 1.790 Substitute Teacher

- 1.APPENDIX A Professional Staff Certification
- 1.APPENDIX B Certification Quick Reference Chart (Repealed)
- 1.APPENDIX C Glossary of Terms (Repealed)

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1.APPENDIX D State Goals for Learning
- 1.APPENDIX E Evaluation Criteria - Student Performance and School Improvement Determination (Repealed)
- 1.APPENDIX F Criteria for Determination - Student Performance and School Improvement (Repealed)
- 1.APPENDIX G Criteria for Determination - State Assessment (Repealed)

AUTHORITY: Implementing Sections 2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 26-13, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, and 27-23.3 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 26-13, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, 27-23.3, and 2-3.6].

SOURCE: Adopted September 21, 1977; codified at 7 Ill. Reg. 16022; amended at 9 Ill. Reg. 8608, effective May 28, 1985; amended at 9 Ill. Reg. 17766, effective November 5, 1985; emergency amendment at 10 Ill. Reg. 14314, effective August 18, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 3073, effective February 2, 1987; amended at 12 Ill. Reg. 4800, effective February 26, 1988; amended at 14 Ill. Reg. 12457, effective July 24, 1990; amended at 15 Ill. Reg. 2692, effective February 1, 1991; amended at 16 Ill. Reg. 18010, effective November 17, 1992; expedited correction at 17 Ill. Reg. 3553, effective November 17, 1992; amended at 18 Ill. Reg. 1171, effective January 10, 1994; emergency amendment at 19 Ill. Reg. 5137, effective March 17, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6530, effective May 1, 1995; amended at 19 Ill. Reg. 11813, effective August 4, 1995; amended at 20 Ill. Reg. 6255, effective April 17, 1996; amended at 20 Ill. Reg. 15290, effective November 18, 1996; amended at 22 Ill. Reg. 22233, effective December 8, 1998; emergency amendment at 24 Ill. Reg. 6111, effective March 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12985, effective August 14, 2000; amended at 25 Ill. Reg. 8159, effective June 21, 2001; amended at 25 Ill. Reg. 16073, effective November 28, 2001; amended at 26 Ill. Reg. 1157, effective January 16, 2002; amended at 26 Ill. Reg. 16160, effective October 21, 2002; amended at 28 Ill. Reg. 8486, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 13637, effective September 27, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1891, effective January 24, 2005; amended at 29 Ill. Reg. 11811, effective July 13, 2005; amended at 29 Ill. Reg. 12351, effective July 28, 2005; amended at 29 Ill. Reg. 15789, effective October 3, 2005; amended at 29 Ill. Reg. 19891, effective November 23, 2005; amended at 30 Ill. Reg. 8480, effective April 21, 2006; amended at 30 Ill. Reg. 16338, effective September 26, 2006; amended at 30 Ill. Reg. 17416, effective October 23, 2006; amended at 31 Ill. Reg. 5116, effective March 16, 2007; amended at 31 Ill. Reg. 7135, effective April 25, 2007; amended at 31 Ill. Reg. 9897, effective June 26,

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

2007; amended at 32 Ill. Reg. 10229, effective June 30, 2008; amended at 33 Ill. Reg. _____, effective _____.

SUBPART A: RECOGNITION REQUIREMENTS

Section 1.75 Student Information System

Each school district shall participate in the Student Information System established by the State Board of Education by ~~entering transmitting~~ data on the students served, their characteristics, ~~and their particular needs~~, the programs in which they participate, ~~and their academic achievement~~ to the Board in a format specified by the State Superintendent and according to the timelines applicable to the system. ~~A district that lacks the technological capacity to participate in this electronic system shall be given an opportunity to demonstrate to the State Superintendent that this is the case, and the State Superintendent shall make available an alternative means that the district shall use in transmitting the required information.~~

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART G: STAFF QUALIFICATIONS

Section 1.705 Requirements for Supervisory and Administrative Staff

- a) Each district superintendent shall hold an administrative certificate with a Superintendent's endorsement.
- b) Each assistant superintendent, principal, or assistant principal shall hold an administrative certificate with a General Administrative or Superintendent's endorsement, except that a head teacher serving in place of a principal as permitted by Section 10-21.4a of the School Code [105 ILCS 5/10-21.4a] shall hold a teaching certificate endorsed for supervision.
- c) Each general administrator (e.g., director, assistant director, coordinator, administrative assistant, or general supervisor) in general education shall hold an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement.
- d) Each head of a general education department or supervisor for a specific subject shall hold either:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement; or
 - 2) a teaching certificate endorsed for supervision in the area supervised.
- e) Each supervisory dean shall hold an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement.
- f) Each dean of students shall hold:
- 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or
 - 2) a teaching certificate (endorsed for supervision if the holder ~~disciplines or~~ suspends students pursuant to Section 10-22.6 of the School Code); or
 - 3) a school service personnel certificate endorsed for any field other than school nursing (and for supervision if the holder disciplines or suspends students).
- g) Each special education director or assistant director shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold an administrative certificate endorsed for "Director of Special Education".
- h) Each special education supervisor shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold either:
- 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement and teaching qualifications in each area supervised; or
 - 2) a teaching certificate endorsed for each area supervised and for supervision.
- i) Each supervisor of more than one school service personnel area shall hold either:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) an administrative certificate and a General Administrative or Superintendent's endorsement; or
 - 2) a school service personnel certificate endorsed for supervision in each field supervised.
- j) Each supervisor of one school service personnel area shall hold:
- 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or
 - 2) a school service personnel certificate endorsed for the field supervised and for supervision; or
 - 3) a teaching certificate endorsed for speech-language pathology and for supervision (if applicable).
- k) Each director of an area vocational center and each director or supervisor of more than one field in career and technical education (including regional system directors) shall hold an administrative certificate with a General Administrative or Superintendent's endorsement and have teaching qualifications in one of the five occupational areas and 2,000 hours of work experience outside the field of education.
- l) Each supervisor of one field in career and technical education shall hold either:
- 1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement and teaching qualifications in one field of career and technical education, including 2,000 hours of work experience in the specific field outside of education; or
 - 2) teaching qualifications in the specific field supervised, including 2,000 hours of work experience in the specific field outside of education, and a supervisory endorsement.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- m) Each administrator in a bilingual education program shall meet the applicable requirements of 23 Ill. Adm. Code 228.30(c).
- n) Each chief school business official shall hold an administrative certificate and a Chief School Business Official's endorsement.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 1.720 Requirements for Teachers of Middle Grades

The provisions of subsections (a) and (b) of this Section shall be subject to the exception stated in subsection (c) of this Section with respect to any school in which the instructional format for any of Grades 5 through 8 is being changed from a self-contained to a departmentalized configuration.

- a) The requirements of this Section apply to teachers first employed after September 1, 1973, in departmentalized grades 5 through 8 ("middle-grade teachers"). Teachers first employed in grades 5 through 8 prior to September 1, 1973, or employed in non-departmentalized grades 5 through 8, are subject to the requirements of Section 1.710 of this Part. To qualify as a middle-grade teacher, the teacher must have either completed the coursework identified in subsection (a)(1) of this Section prior to July 1, 1997, or completed the coursework identified in subsection (a)(2) of this Section. The "major teaching assignment" is the subject taught for more time than any other subject. In mathematics and reading, and for library information specialists, there is specific coursework that must be included among the 18 semester hours to be earned; see subsections (a)(3), (4), and (5) of this Section. Further, new requirements for reading and library information specialists will apply to persons who apply for these endorsements on or after July 1, 2006, as well as to other persons who have not completed the 18-hour requirements prior to that date. See subsections (a)(4) and (5) of this Section.
 - 1) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification (23 Ill. Adm. Code 25) applies. Where a teacher is assigned to deliver instruction in two or more areas (e.g., English and social science or mathematics and science), the teacher

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

shall meet the requirements of this subsection (a)(1) for the major teaching assignment and have no fewer than 5 semester hours in each other subject taught.

- 2) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification applies. Where a middle-grade teacher is assigned to deliver instruction in two or more areas (e.g., English and social science or mathematics and science), the teacher shall meet the requirements of this subsection (a)(2) for the major teaching assignment and have no fewer than 9 semester hours in each other subject taught. In addition:
 - A) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes middle-grade philosophy, middle-grade curriculum and instruction, and instructional methods for designing and teaching developmentally appropriate programs (i.e., addressing the cognitive, emotional and physical development of each child) in the middle grades, including content area (e.g., science, social sciences) reading instruction.
 - B) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes educational psychology focusing on the developmental characteristics of early adolescents, the nature and needs of early adolescents, and the role of the middle-grade teacher in assessment, coordination and referral of students to health and social services.
- 3) For teachers of mathematics in grades 5 ~~6~~ through 8 first employed on or after September 1, 1985, the required 18 semester hours in the field shall include three semester hours in the methods of teaching mathematics in those grades and 15 semester hours to be selected from four of the following areas:
 - A) Math content courses for elementary teachers;

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- B) Calculus;
 - C) Modern algebra or number theory;
 - D) Geometry;
 - E) Computer science;
 - F) Probability and statistics;
 - G) History of mathematics.
- 4) For major assignments in reading in any of departmentalized grades 5 through 8:
- A) persons first employed on or after September 1, 1978, but before July 1, 2004, are required to have completed the 18 semester hours described in Section 1.740 of this Part;
 - B) persons first employed on or after July 1, 2004, shall be required to have completed either the 18 semester hours described in Section 1.740 of this Part or 18 semester hours in the field that include a practicum and address at least five of the six topics listed at 23 Ill. Adm. Code 25.100(i), provided that:
 - i) the individual completes all the required coursework on or before June 30, 2006; or
 - ii) the individual applies for the reading endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement; and
 - C) new requirements for an endorsement in this field apply to persons who have not met the requirements of either subsection (a)(4)(A) or (B) of this Section; see also 23 Ill. Adm. Code 25.100(i) and Section 1.745 of this Part.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 5) Persons first employed on or after September 1, 1978, as media professionals or library information specialists serving any of grades 5 through 8 are required to have completed 18 semester hours in the field that address administration, organization (cataloging and classification), reference, and selection of materials, provided that the individual completes all the required coursework on or before June 30, 2006, or has applied for the endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement. New requirements for an endorsement in this field apply to persons who have not qualified on the basis of 18 semester hours; see also 23 Ill. Adm. Code 25.100 and Section 1.755 of this Part. The provisions of subsection (a)(2) of this Section notwithstanding, no individual who has completed only nine semester hours in the field may serve in this capacity unless assigned pursuant to 23 Ill. Adm. Code 25.464.
- b) Beginning July 1, 2004, no individual may be assigned to teach in departmentalized grades 5 through 8 unless he or she holds a certificate that is valid for the grade level or levels to be taught and:
 - 1) holds a middle-grades endorsement applicable to the subject area; or
 - 2) meets the relevant requirements of this Section; or
 - 3) met the requirements of this Section or their predecessor requirements at a time when they were applicable, as confirmed by the employing district's verification of the individual's qualifications; or
 - 4) is assigned pursuant to Section 1.745(b)(3) or 1.755(c) of this Part; or
 - 5) is assigned pursuant to authorization received under 23 Ill. Adm. Code 25.464 (Short-Term Authorization for Positions Otherwise Unfilled).
- c) A school district may also assign certain other teachers to departmentalized positions in any of Grades 5 through 8 for the 2009-10 school year and thereafter as described in this subsection (c).

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) A teacher who was employed in the district during the 2008-09 school year and who was appropriately certified for his or her position but does not meet the requirements of subsection (b) of this Section may be assigned to a departmentalized position in any of Grades 5 through 8 (or any of Grades 6 through 8 for the holder of a secondary certificate) for a period not to exceed three school years, provided that he or she has already completed at least nine semester hours of coursework in the subject of the major teaching assignment. If specific coursework is required for the major teaching assignment under subsection (a) of this Section, the teacher shall have completed nine semester hours that will count toward an endorsement in that subject.

- 2) The school district shall notify the responsible regional superintendent of schools of all assignments made pursuant to this subsection (c) no more than 30 days after they occur. Further, the school district shall maintain on file for each teacher assigned in accordance with this subsection (c) a plan that:
 - A) includes a statement of intent signed by the individual, stipulating that he or she will complete all requirements for the middle-grades endorsement in the subject of his or her major teaching assignment;
 - B) provides a list of the coursework and experiences that the individual will complete in order to qualify; and
 - C) identifies the institution of higher education where the individual will complete the requirements.

- 3) No individual may be assigned for more than three school years without attaining the relevant endorsement, and no individual may be assigned for a third school year unless he or she has completed the six semester hours required under subsection (a)(2) of this Section.

- 4) If an individual is assigned to deliver instruction in two or more areas, he or she shall have completed no fewer than nine semester hours in each subject. If subsection (a) of this Section requires specific coursework for

ILLINOIS REGISTER

STATE BOARD OF EDUCATION


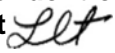

NOTICE OF ADOPTED AMENDMENTS

any of the subjects taught, the teacher shall have completed nine semester hours that will count toward an endorsement in that subject.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
February 18-19, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Tomlinson, Assistant Superintendent 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Rules for Adoption – Part 25 (Certification)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed amendment for adoption.

Relationship to/Implications for the State Board's Strategic Plan

This item of rulemaking relates to Goal 2, highly prepared and effective teachers and school leaders, in that it governs the review process for programs in institutions of higher education that prepare educators.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion adopting the proposed amendment to Part 25.

Background Information

A number of years ago, our rules for the institutional review process were written to reflect the procedures used by the National Council for the Accreditation of Teacher Education (NCATE) to the greatest possible extent. This was done in order to help the many NCATE-accredited institutions in Illinois avoid the unnecessary and costly duplication of effort that would be inherent in two separate review processes. It also had the advantage of establishing a uniform set of procedures for all institutions, whether or not they chose to seek accreditation from NCATE.

In acknowledgment of the high cost to institutions, NCATE determined in October that it would give institutions that are due for review in 2009 the option of delaying the process for a year. None of the nine Illinois institutions that were scheduled for 2009 objected to this delay. However, the change did present ISBE with a need to make a choice as quickly as possible about how to proceed, because the relevant rule calls for a seven-year review cycle to match that ordinarily implemented by NCATE. Rather than abide by that cycle and conduct the reviews that are due in 2009, we elected to alter the cycle called for in the rule, because doing the former would have entailed falling out of step with NCATE and creating a number of difficulties with the process, both for the agency and for the institutions involved. In addition, certain costs to ISBE (approximately \$80,000 - \$100,000 beyond the cost of staff time) could be saved by waiting until 2010 as NCATE will be doing. The schedule in the rule was therefore amended by emergency rulemaking to provide for a one-year change in the schedule for all institutions, rather than a doubling of effort in 2010.

In order for the change to persist after the 150-day time limit on the emergency amendment, corresponding ordinary rulemaking is also needed. That proposed amendment was presented for the Board's initial review in November of 2008, concurrently with the adoption of the emergency amendment, and subsequently published in the Illinois Register to elicit public comment. None was received, so the version now being presented for adoption is identical to both the emergency amendment that has been in force and the proposed version.

It should be noted that this change will not affect the "focused visits" that are scheduled for 2009, because those visits represent follow-up action from full accreditation visits already conducted in previous years. Focused visits concentrate on any unmet standards and areas for improvement that were identified during those earlier reviews, and we do not think it advisable to forego them because of their accountability-related nature.

Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

Promulgation of this change will afford needed savings this year and will also permit the agency to conduct accreditation reviews along the same timelines as NCATE will be using. Without this amendment, the reviews that are due during 2009 would have to be conducted without NCATE's participation, leading to significant duplication of effort on the part of the institutions when NCATE resumes reviews, as well as other complications during ISBE's reviews.

Superintendent's Recommendation

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

Certification (23 Illinois Administrative Code 25).

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps

Notice of the adopted amendment will be submitted to the Joint Committee on Administrative Rules to initiate JCAR's review. When that process is complete, the rule will be filed with the Secretary of State and disseminated as appropriate.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 25

CERTIFICATION

SUBPART A: DEFINITIONS

Section
25.10 Accredited Institution

SUBPART B: CERTIFICATES

Section
25.11 New Certificates (February 15, 2000)
25.15 Standards for Certain Certificates (Repealed)
25.20 Requirements for the Elementary Certificate (Repealed)
25.22 Requirements for the Elementary Certificate (2004) (Repealed)
25.25 Requirements for "Full" Certification
25.30 Endorsement in Teacher Leadership
25.32 Requirements for the Secondary Certificate (2004) (Repealed)
25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies
(Repealed)
25.37 Acquisition of Subsequent Teaching Certificates (2004)
25.40 Requirements for the Special Certificate (Repealed)
25.42 Requirements for the Special Certificate (2004) (Repealed)
25.43 Standards for Certification of Special Education Teachers
25.45 Standards for the Standard Special Certificate--Speech and Language
Impaired
25.50 General Certificate (Repealed)
25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects
(Repealed)
25.65 Alternative Certification
25.67 Alternative Route to Teacher Certification
25.70 Provisional Vocational Certificate
25.75 Part-time Provisional Certificates
25.80 Requirements for the Early Childhood Certificate (Repealed)

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

| | |
|--------|---|
| 25.82 | Requirements for the Early Childhood Certificate (2004) (Repealed) |
| 25.85 | Special Provisions for Endorsement in Foreign Language for Individuals Currently Certified |
| 25.86 | Special Provisions for Endorsement in Foreign Language for Individuals Prepared as Teachers But Not Currently Certified |
| 25.90 | Transitional Bilingual Certificate and Examination |
| 25.92 | Visiting International Teacher Certificate |
| 25.95 | Majors, Minors, and Separate Fields for the Illinois High School Certificate (Repealed) |
| 25.99 | Endorsing Teaching Certificates (Repealed) |
| 25.100 | Endorsing Teaching Certificates (2004) |
| 25.105 | Temporary Substitute Teaching Permit |

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

| | |
|---------|---|
| Section | |
| 25.110 | System of Approval: Levels of Approval (Repealed) |
| 25.115 | Recognition of Institutions, Accreditation of Educational Units, and Approval of Programs |
| 25.120 | Standards and Criteria for Institutional Recognition and Program Approval (Repealed) |
| 25.125 | Accreditation Review of the Educational Unit |
| 25.127 | Review of Individual Programs |
| 25.130 | Special Provisions for Institutions Subject to Conditions for Continuing Accreditation (Repealed) |
| 25.135 | Interim Provisions for Continuing Accreditation and Approval -- July 1, 2000, through Fall Visits of 2001 (Repealed) |
| 25.136 | Interim Provisions for Continuing Accreditation -- Institutions Visited from Spring of 2002 through Spring of 2003 (Repealed) |
| 25.137 | Interim Provisions for Continuing Accreditation and Approval -- July 1, 1999, through June 30, 2000 (Repealed) |
| 25.140 | Requirements for Educational Unit Assessment Systems |
| 25.142 | Assessment Requirements for Individual Programs |
| 25.145 | Approval of New Programs Within Recognized Institutions |
| 25.147 | Approval of Programs for Foreign Language Beginning July 1, 2003 |
| 25.150 | The Periodic Review Process (Repealed) |
| 25.155 | Initial Recognition Procedures |
| 25.160 | Notification of Recommendations; Decisions by State Board of Education |

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

25.165 Discontinuation of Programs

SUBPART D: SCHOOL SERVICE PERSONNEL

Section

25.200 Relationship Among Credentials in Subpart D
25.210 Requirements for the Certification of School Social Workers (Repealed)
25.215 Certification of School Social Workers (2004)
25.220 Requirements for the Certification of Guidance Personnel (Repealed)
25.225 Certification of School Counselors (2004)
25.227 Interim Certification of School Counselor Interns (2004)
25.230 Requirements for the Certification of School Psychologists (Repealed)
25.235 Certification of School Psychologists (2004)
25.240 Standard for School Nurse Endorsement (Repealed)
25.245 Certification of School Nurses (2004)
25.252 Certification of Non-Teaching Speech-Language Pathologists
25.255 Interim Certification of Speech-Language Pathologist Interns
25.275 Renewal of the School Service Personnel Certificate

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE AND SUPERVISORY STAFF

Section

25.300 Relationship Among Credentials in Subpart E
25.310 Definitions (Repealed)
25.311 Administrative Certificate (Repealed)
25.313 Alternative Route to Administrative Certification
25.314 Alternative Route to Administrative Certification for Teacher Leaders
25.315 Renewal of Administrative Certificate
25.320 Application for Approval of Program (Repealed)
25.322 General Supervisory Endorsement (Repealed)
25.330 Standards and Guide for Approved Programs (Repealed)
25.333 General Administrative Endorsement (Repealed)
25.335 General Administrative Endorsement (2004)
25.338 Designation as Master Principal
25.344 Chief School Business Official Endorsement (Repealed)
25.345 Chief School Business Official (2004)
25.355 Superintendent Endorsement (Repealed)

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

25.360 Superintendent (2004)
25.365 Director of Special Education

SUBPART F: GENERAL PROVISIONS

Section
25.400 Registration of Certificates; Fees
25.405 Military Service
25.410 Revoked Certificates
25.415 Credit in Junior College (Repealed)
25.420 Psychology Accepted as Professional Education (Repealed)
25.425 Individuals Prepared in Out-of-State Institutions
25.427 Three-Year Limitation
25.430 Institutional Approval (Repealed)
25.435 School Service Personnel Certificate -- Waiver of Evaluations (Repealed)
25.437 Equivalency of General Education Requirements (Repealed)
25.440 Master of Arts NCATE (Repealed)
25.442 Illinois Teacher Corps Programs
25.444 Illinois Teaching Excellence Program
25.445 College Credit for High School Mathematics and Language Courses
(Repealed)
25.450 Lapsed Certificates
25.455 Substitute Certificates
25.460 Provisional Special and Provisional High School Certificates (Repealed)
25.464 Short-Term Authorization for Positions Otherwise Unfilled
25.465 Credit (Repealed)
25.470 Meaning of Experience on Administrative Certificates (Repealed)
25.475 Renewal Requirements for Holders of Multiple Types of Certificates
25.480 Credit for Certification Purposes (Repealed)
25.485 Provisional Recognition of Institutions (Repealed)
25.490 Rules for Certification of Persons Who Have Been Convicted of a Crime
25.493 Part-Time Teaching Interns
25.495 Approval of Out-of-State Institutions and Programs (Repealed)
25.497 Supervisory Endorsements

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

SUBPART G: THE UTILIZATION OF PARAPROFESSIONALS AND
OTHER NONCERTIFIED PERSONNEL

| | |
|---------|--|
| Section | |
| 25.510 | Paraprofessionals; Teacher Aides |
| 25.520 | Other Noncertificated Personnel |
| 25.530 | Specialized Instruction by Noncertificated Personnel |
| 25.540 | Approved Teacher Aide Programs |
| 25.550 | Approval of Educational Interpreters |

SUBPART H: CLINICAL EXPERIENCES

| | |
|---------|-------------------------------------|
| Section | |
| 25.610 | Definitions |
| 25.620 | Student Teaching |
| 25.630 | Pay for Student Teaching (Repealed) |

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

| | |
|---------|---|
| Section | |
| 25.705 | Purpose - Severability |
| 25.710 | Definitions |
| 25.715 | Test Validation |
| 25.717 | Test Equivalence |
| 25.720 | Applicability of Testing Requirement and Scores |
| 25.725 | Applicability of Scores (Repealed) |
| 25.728 | Use of Test Results by Institutions of Higher Education |
| 25.730 | Registration |
| 25.732 | Late Registration |
| 25.733 | Emergency Registration |
| 25.735 | Frequency and Location of Examination |
| 25.740 | Accommodation of Persons with Special Needs |
| 25.745 | Special Test Dates |
| 25.750 | Conditions of Testing |
| 25.755 | Voiding of Scores |
| 25.760 | Passing Score |
| 25.765 | Individual Test Score Reports |
| 25.770 | Re-scoring |
| 25.775 | Institution Test Score Reports |

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

25.780 Fees

SUBPART J: RENEWAL OF STANDARD AND MASTER CERTIFICATES

| | |
|---------|--|
| Section | |
| 25.800 | Professional Development Required |
| 25.805 | Continuing Professional Development Options |
| 25.810 | State Priorities |
| 25.815 | Submission and Review of the Plan (Repealed) |
| 25.820 | Review of Approved Plan (Repealed) |
| 25.825 | Progress Toward Completion (Repealed) |
| 25.830 | Application for Renewal of Certificate(s) |
| 25.832 | Validity and Renewal of Master Certificates |
| 25.835 | Review of and Recommendation Regarding Application for Renewal |
| 25.840 | Action by State Teacher Certification Board; Appeals |
| 25.845 | Responsibilities of School Districts |
| 25.848 | General Responsibilities of LPDCs |
| 25.850 | General Responsibilities of Regional Superintendents |
| 25.855 | Approval of Illinois Providers |
| 25.860 | Out-of-State Providers |
| 25.865 | Awarding of Credit for Activities with Providers |
| 25.870 | Continuing Education Units (CEUs) |
| 25.872 | Special Provisions for Interactive, Electronically Delivered Continuing Professional Development |
| 25.875 | Continuing Professional Development Units (CPDUs) |
| 25.880 | “Valid and Exempt” Certificates; Proportionate Reduction; Part-Time Teaching |
| 25.885 | Funding; Expenses (Repealed) |

SUBPART K: REQUIREMENTS FOR RECEIPT OF THE STANDARD TEACHING CERTIFICATE

| | |
|---------|--|
| Section | |
| 25.900 | Applicability of Requirements in this Subpart |
| 25.905 | Choices Available to Holders of Initial Certificates |
| 25.910 | Requirements for Induction and Mentoring |
| 25.915 | Requirements for Coursework on the Assessment of One’s Own Performance |

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

| | |
|---------------|---|
| 25.920 | Requirements for Coursework Related to the National Board for Professional Teaching Standards (NBPTS) |
| 25.925 | Requirements Related to Advanced Degrees and Related Coursework |
| 25.930 | Requirements for Continuing Professional Development Units (CPDUs) |
| 25.935 | Additional Activities for Which CPDUs May Be Earned |
| 25.940 | Examination |
| 25.942 | Requirements for Additional Options |
| 25.945 | Procedural Requirements |
| 25.APPENDIX A | Statistical Test Equating - Certification Testing System |
| 25.APPENDIX B | Certificates Available Effective February 15, 2000 |
| 25.APPENDIX C | Exchange of Certificates |
| 25.APPENDIX D | Criteria for Identification of Teachers as “Highly Qualified” in Various Circumstances |
| 25.APPENDIX E | Endorsement Structure Beginning July 1, 2004 |

AUTHORITY: Implementing Article 21 and Section 14C-8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21, 14C-8, and 2-3.6].

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. 5097, effective February 27, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 11767, effective June 25, 1998; amended at 22 Ill. Reg. 19745, effective October 30, 1998; amended at 23 Ill. Reg. 2843, effective February 26, 1999; amended at 23 Ill. Reg. 7231, effective June 14, 1999; amended at 24 Ill. Reg. 7206, effective May 1, 2000; emergency amendments at 24 Ill. Reg. 9915, effective June 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12930, effective August 14, 2000; preemptory amendment at 24 Ill. Reg. 16109, effective October 12, 2000; preemptory amendment suspended at 25 Ill. Reg. 3718, effective February 21, 2001; preemptory amendment repealed by joint resolution of the General Assembly, effective May 31, 2001; emergency amendments at 25 Ill. Reg. 9360, effective July 1, 2001, for a maximum of 150 days; emergency expired November 27,

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

2001; emergency amendments at 25 Ill. Reg. 11935, effective August 31, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16031, effective November 28, 2001; amended at 26 Ill. Reg. 348, effective January 1, 2002; amended at 26 Ill. Reg. 11867, effective July 19, 2002; amended at 26 Ill. Reg. 16167, effective October 21, 2002; amended at 27 Ill. Reg. 5744, effective March 21, 2003; amended at 27 Ill. Reg. 8071, effective April 28, 2003; emergency amendments at 27 Ill. Reg. 10482, effective June 26, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 12523, effective July 21, 2003; amended at 27 Ill. Reg. 16412, effective October 20, 2003; emergency amendment at 28 Ill. Reg. 2451, effective January 23, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 8556, effective June 1, 2004; emergency amendments at 28 Ill. Reg. 12438, effective August 20, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1212, effective January 4, 2005; amended at 29 Ill. Reg. 10068, effective June 30, 2005; amended at 29 Ill. Reg. 12374, effective July 28, 2005; emergency amendment at 29 Ill. Reg. 14547, effective September 16, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 15831, effective October 3, 2005; amended at 30 Ill. Reg. 1835, effective January 26, 2006; amended at 30 Ill. Reg. 2766, effective February 21, 2006; amended at 30 Ill. Reg. 8494, effective April 21, 2006; amended at 31 Ill. Reg. 10645, effective July 16, 2007; amended at 32 Ill. Reg. 3413, effective February 22, 2008; amended at 32 Ill. Reg. 13263, effective July 25, 2008; emergency amendment at 32 Ill. Reg. 18876, effective November 21, 2008, for a maximum of 150 days; amended at 33 Ill. Reg. _____, effective _____.

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL
EDUCATORS IN THE STATE OF ILLINOIS

**Section 25.115 Recognition of Institutions, Accreditation of Educational Units, and
Approval of Programs**

In order for an Illinois institution of higher education to offer one or more programs that prepare professional educators, that institution must be recognized, and the educational unit responsible for such programs must be accredited, by the State Board of Education in consultation with the State Teacher Certification Board. "Educational unit" means the institution or college, school, department, or other administrative body within the institution that is primarily responsible for the initial and continuing preparation of teachers and other education professionals. Each program that is offered by a recognized institution must also be individually approved by the State Board of Education in consultation with the State Teacher Certification Board. "Program" or "preparation program" means a program that leads to certification. Electronic transmission of written materials required pursuant to this Subpart C may be authorized or required by the State Superintendent of Education when this method may be more cost effective or feasible.

- a) An institution shall be recognized if it is regionally accredited and:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- 1) is approved as a degree-granting institution by the Illinois Board of Higher Education, if the institution is subject to provisions of the Institution of Learning Powers Act [110 ILCS 50];
 - 2) sponsors a course of study leading to an appropriate baccalaureate or higher degree and awards the degree; and
 - 3) conducts or proposes to conduct at least one approved program that will prepare professional educators.
- b) An educational unit shall be accredited if its accreditation visit occurs prior to the fall of 2008 and the institution meets the standards enumerated in “Professional Standards for the Accreditation of Schools, Colleges, and Departments of Education” (2002), published by the National Council for the Accreditation of Teacher Education (NCATE), 2010 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20036-1023 (no later amendments to or editions of these standards are incorporated by this Section). Beginning with accreditation visits in the fall of 2008, the 2008 edition of these standards shall apply; no later amendments or editions are incorporated.
- c) A preparation program shall be approved if it meets the applicable content standards established by the State Board of Education and the standards set forth at 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) or 23 Ill. Adm. Code 29.100 (Illinois Professional School Leader Standards), as applicable, except as provided in Section 25.135 of this Part.
- d) The accreditation of an educational unit and the approval of its programs shall be subject to review every seven years, except that no accreditation reviews shall be conducted in 2009 and each institution’s first scheduled review after January 1, 2009, shall be deferred for one additional year. Accreditation Review shall be conducted as provided in Sections 25.125 and 25.127 of this Part and decisions regarding continued accreditation and approval shall be made as provided in those Sections. The State Superintendent shall alter the timing of an institution’s review at the institution’s request if the Superintendent determines that the request is based on unforeseen circumstances that were beyond the institution’s control and were demonstrably related to the institution’s ability to prepare for the review.

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENT

- e) Each accredited educational unit shall annually submit to the State Superintendent of Education, in a format defined by the State Superintendent and according to a timeline announced at least six months in advance:
 - 1) a report that describes any significant changes in the unit or its programs, updates any information previously provided as needed, and provides institutional data that describe the results of unit and program assessments and the actions taken or planned to address areas identified for improvement; and
 - 2) as relevant to the institution, a report on all programs provided by the institution that have been approved as an alternative route to certification under Section 25.67 of this Part.
- f) If relevant to the institution, the report required under subsection (e) of this Section shall include a description of how the unit has addressed any applicable standards identified during the most recent review of the unit and its programs as “not met” or “met with areas for improvement”. However, for institutions that have been assigned “Continuing Accreditation with Conditions” or “Probation”, this description shall not be required in those years in which the institution is required to submit a special report or is subject to a focused or full visit as discussed in Section 25.125(j) of this Part.
- g) No later than April 7 of each year, each institution shall report to the State Board of Education, using a form supplied by the Board, on its program completers’ pass rates on the examinations required for initial certification pursuant to this Part and other information required by Title II of the Higher Education Act [20 USCA 1027]. Further, each institution shall make this information readily available to the public on an annual basis and shall include it in or with publications routinely sent to potential applicants, guidance counselors, and prospective employers of the institution’s program completers.

(Source: Amended at 33 Ill. Reg. _____, effective _____)