Agenda Topic: Proposed Rules - Part 25 (Certification) and Part 1 (Public Schools Evaluation, Recognition and Supervision)

Materials: Recommended Amendments and Emergency Amendments

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Purpose of Agenda Item
To present the proposed amendments for the Board’s initial review and secure authorization to distribute them for public comment; to secure the Board’s adoption of the emergency amendments to Part 25.

Expected Outcome of Agenda Item
A motion authorizing the staff to publish the proposed amendments in the Illinois Register to elicit public comment; adoption of the emergency amendments to Part 25.

Background Information
This set of amendments covers several separate areas related to certification.

- The rules establish the availability of an endorsement in “self-contained general education” (see Section 25.99) and provide a list of the required coursework (see the companion amendment to Section 1.710). These new provisions will solve a problem that exists for individuals who, instead of a special certificate in a particular subject area, elect to receive both an elementary and a secondary certificate endorsed for the subject area. These teachers would otherwise be unable to add qualifications for teaching in self-contained general education at the elementary level.

- The rules set forth the basis on which fees for certificate registration will be calculated. New Section 25.400 expresses the concept that one fee registers all an individual’s certificates for the time period it covers and provides more specifics to deal with the complexity that exists in the combinations of certificates held by Illinois educators.
Many existing details of the Illinois Certification Testing System are being revised. A number of the changes are technical in nature, while others reflect the incorporation into that system of most examinations that are to be required for certification in transitional bilingual education. (See Sections 25.710 through 25.780.)

As noted above, changes are being made in the requirements for certification in transitional bilingual education (see Section 25.90). Many of these changes have to do with the examinations that will be required, in both English and the respective target languages. This material reflects the requirements of Public Act 91-370, which took effect July 30, 1999, and requires a new system of tests beginning July 1, 2001. The Bilingual Advisory Council supported enactment of that legislation and was involved in discussion with staff of the Division of Professional Certification around plans for testing and test development. The Council also assisted in convening review committees for the tests in the target languages, and it is represented on the Coordinating Committee which reviews all tests and test formats. The impending implementation deadline for the new system of examinations has led us to recommend promulgation of the amendments to Sections 25.90 (Transitional Bilingual Certificate and Examination), 25.710 (Definitions), 25.735 (Frequency and Location of Examination), and 25.770 (Re-scoring) via emergency rulemaking (separate set attached).

Section 25.490 (Rules for Certification of Persons Who Have Been Convicted of a Crime) is being amended in order to clarify that the time frame relative to "completion of probation" refers to probation after a period of incarceration or probation standing on its own as a sentence. This has been the agency’s interpretation of this rule to date, but experience in court has revealed that the rule needs to be made more explicit.

The remaining proposed amendments mainly involve updating and technical clean-up. Two obsolete Sections (25.60 and 25.475) are being repealed, and Appendix B is being corrected. Sections 25.20, 25.30, 25.40, and 25.80 are being amplified with statements about the standards as the basis for the required examinations. The new Parts we will be promulgating are referenced.

PLEASE NOTE: These rules have been submitted to the State Teacher Certification Board for review at its meeting on June 15. Should the STCB’s review result in a need for any changes to the versions presented here, staff will provide an update during the plenary session to facilitate the State Board’s understanding of the STCB’s recommendation on this rulemaking.

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

For the most part, this rulemaking responds to legislative initiatives that have already been enacted. Other provisions are the result of the agency’s experience and have no
major policy implications. There are no budgetary issues that require discussion, and the communications needed are discussed under “Next Steps” below.

**Superintendent’s Recommendation**

Adopt the emergency amendments for certification in transitional bilingual education and direct the dissemination of the proposed amendments for public comment.

**Next Steps**

With the Board’s authorization, staff will file the emergency amendments and submit the proposed amendments to the Administrative Code Division for publication in the *Illinois Register* to elicit public comment. In addition, the proposed amendments will be placed on the agency’s web site so that individuals may review them and submit comment on their content if they wish. Groups with a particular interest in portions of the subject matter, such as the Bilingual Advisory Council and regional superintendents, will receive direct communications inviting their comments.