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

Materials: Recommended Amendments

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Purpose of Agenda Item
To present the proposed amendments for adoption.

Expected Outcome of Agenda Item
The Board’s adoption of these amendments.

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 of 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.

• 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.

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.

These rules were presented for the Board’s initial review in June of this year. They were subsequently published in the Illinois Register, and six letters of public comment were received. Please see the “Summary and Analysis of Public Comment” below for a discussion of the issues raised by the commenters.

Superintendent’s Recommendation

Adopt the proposed amendments to Parts 1 and 25, including the changes recommended in response to public comment.
Next Steps

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

Summary and Analysis of Public Comment

Public Schools Evaluation, Recognition and Supervision (Part 1) and Certification (Part 25)

Comment

With regard to Section 25.99, two commenters objected to the requirement for passing the test of subject matter knowledge in elementary education in order to add an endorsement in “self-contained general education”. One noted that there is no precedent for this requirement, while the other suggested requiring one year of teaching experience as a prerequisite instead.

Analysis

As the agency moves toward full implementation of a standards-based certification system, passage of the relevant test of subject matter knowledge will be required when a teacher seeks an additional endorsement. This change has perhaps not yet become widely apparent, because the transition to the new system will not be made until mid-2003. We view the testing requirement as an important component of a system in which individuals are expected to meet standards as opposed to only completing a list of coursework.

Recommendation

No change should be made in response to these comments.

Comment

Proposed new language in Section 25.728 (Use of Test Results by Institutions of Higher Education) would permit institutions to use passage of the relevant test of subject matter knowledge as one requirement for program completion. Several commenters wrote to suggest that these proposed amendments be expanded to allow institutions still greater flexibility in determining when and for what purpose to use these examinations. For example, an institution might deem it advisable to have candidates take the tests prior
to student teaching so that difficulties could be addressed while individuals are still on campus.

Analysis

We agree that various institutions’ differing philosophies and the different approaches they use in teacher preparation might warrant their requiring passage of the subject matter tests at differing points in candidates’ careers. There is no reason institutions cannot be given the flexibility sought by these commenters, provided that they also assume full responsibility for communicating the requirements and making all needed materials available to their students in a timely way.

Recommendation

The proposed new language for Section 25.728(b) should be revised as shown below:

b) An institution may use an Illinois Certification Testing System subject matter test as a requirement for completion of a teacher education program approved pursuant to Subpart C of this Part or for candidates’ progression among the components of a program.

1) If an institution chooses to use a subject matter test for any such purpose, it shall abide by all the rules governing the Illinois Certification Testing System set forth in this Subpart, including, but not limited to, passing score, registration, and fees; and shall make no requirement for the use or administration of this test beyond those set forth in this Subpart.

2) Further, an institution that chooses to use a subject matter test for any such purpose shall assume the responsibility for informing its students of all requirements related to taking the test and for providing its students with registration materials and any other needed information in a timely manner. Neither the State Board of Education nor its testing contractor shall assume responsibility for any candidate’s inability to progress through or complete an approved program due to an institution’s discretionary use of a certification test.

Comment

The Illinois Advisory Council on Bilingual Education recommended that Section 25.735 (Frequency and Location of Examination) be amplified to encompass out-of-country testing due to the shortage of qualified bilingual teachers and the number of individuals who have been recruited outside Illinois in the past.
Analysis

The rule as proposed indicates that the English language proficiency test will be given four times per year in the Chicago area. The commenter is correct in noting that individual districts have conducted “off-site” testing in Spain under the existing system in the past and possibly also in Mexico and Puerto Rico. Although that testing was conducted outside the more uniform parameters of the Illinois Certification Testing System, it is possible to revise this rule to allow for continued out-of-state or out-of-country testing.

Recommendation

Section 25.735(a) should be amplified to state as follows:

a) The tests of basic skills and subject matter knowledge will be administered no fewer than three times a year and at no fewer than six sites each time at locations throughout the State. The English proficiency test and the language proficiency test in Spanish will be administered four times per year at one site in the Chicago area. Language proficiency tests in target languages other than Spanish will be administered twice per year at one site in the Chicago area. Specific tests may be administered at such additional times and locations as the State Board of Education deems advisable.

Further, a new subsection (b) should be added to this rule to provide flexibility in registration requirements under these circumstances. (The existing subsection (b) will become subsection (c).)

b) Registration deadlines and procedures may vary from those stated in Section 25.730 of this Part when testing is conducted outside the fixed schedule set forth in subsection (a) of this Section.