TO: Illinois State Board of Education

FROM: Robert E. Schiller, Superintendent
      Christopher Koch, Director
      Respicio Vazquez, General Counsel

Agenda Topic: Action Item: Rules for Initial Review - Part 228
               (Transitional Bilingual Education)

Materials: Recommended Amendments

Staff Contact: Christopher Koch
              Boon Lee

Purpose of Agenda Item
To present the proposed amendments for initial review and secure the Board's authorization to distribute them for public comment.

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

Background Information
The amendments contained in this set of rules are technical revisions needed to implement P.A. 92-604, which took effect in July of 2002 and changed the requirements for the notice districts must provide to parents whose children are enrolled in bilingual education programs. The statute added a great deal of specificity regarding the content and timing of these notices. Section 228.40(a)(1) is being amended to provide a cross-reference to that statutory language.

P.A. 92-604 also strengthened parents’ right to have their children removed from bilingual education programs on demand. The revisions to Section 228.40(a)(2) reflect that new statutory provision.
Analysis and Implications for Policy, Budget, Legislative Action, and Communications

Policy Implications: The Illinois legislative changes correspond to changes made at the federal level by the No Child Left Behind Act.

Budget Implications: This rulemaking has no budgetary implications for the agency.

Legislative Action: None needed.

Communications: Please see “Next Steps” below.

Superintendent’s Recommendation

Adopt the following motion:

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

Transition Bilingual Education (23 Illinois Administrative Code 228),

including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the Superintendent’s Bulletin and the agency website, will also be used to inform interested parties of the opportunity to comment on this rulemaking.