TO: Illinois State Board of Education
FROM: Robert E. Schiller, Superintendent
        Christopher Koch, Director
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Agenda Topic: Action Item - Rules for Adoption - Part 25 (Certification)

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 the proposed amendments to Part 25.

Background Information
The amendments contained in this set of rules will implement two major aspects of P.A. 92-796 (HB 1436).

New requirements for the renewal of administrative certificates are being presented in Section 25.315 as a result of this legislation, to be effective beginning July 1, 2003. Individuals serving in positions that require administrative certification must prepare plans and submit them to reviewers or review panels, respectively, that are identified in the statute. Each administrator's plan must include annual completion of a program offered by the Administrators' Academy and one other professional activity per year of the certificate's validity. Much of the detail provided in Section 25.315 describes processes associated with review of the plans, review of administrators' evidence of completion for the required activities, and review of applications for certificate renewal. The legislation also provides for congruence among the periods of validity of each individual's administrative certificate and teaching certificate(s). Therefore, in 2003 the validity of some individuals' administrative certificates will automatically be adjusted, and the requirements for continuing professional development in the first renewal cycle will correspond to that validity period. The rules also describe several other circumstances in which reductions in the requirements will apply.
Requirements for the standard certificate are presented in a series of new Sections in Subpart K of the rules. P.A. 92-796 provides that candidates for the standard certificate must choose among six specified alternatives and fulfill the requirements associated with the option chosen. The proposed rules identify these options and describe the requirements for each one. In some instances approval of the State Board is required for the provider, the course, or the activity, and the rules state the standards for granting that approval, based on the related requirements established by the statute.

The proposed revisions to Sections 25.720 and 25.725 are technical in nature and are needed for further clarification of the applicability of the testing requirement for certified individuals seeking additional certificates.

These rules were presented for the Board’s initial review at the November 2002 meeting and subsequently published in the Illinois Register to elicit public comment. More than 800 responses were received, the great majority of which addressed the renewal of administrative certificates. Please see the Summary and Analysis of Public Comment below for a discussion of the issues raised by the commenters.

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

Policy Implications: Please see above.

Budget Implications: This rulemaking has no budgetary implications for the agency. (It is true that staff effort will be involved in approving the courses and activities discussed in Subpart K of the rules. However, the agency’s involvement in these processes is dictated by the statute rather than being a function of the rules alone.)

Legislative Action: None needed.

Communications: Please see “Next Steps” below.

Superintendent’s Recommendation

Adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking, including the changes recommended in response to public comment, for:

Certification (23 Illinois Administrative Code 25).

Further, the Board authorizes the State Superintendent of Education to make such technical or 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 rules will be submitted to the Joint Committee on Administrative Rules to initiate 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
23 Ill. Adm. Code 25 (Certification)

Comments Regarding Renewal of Administrative Certificates

General Comments
A number of correspondents questioned the necessity for making any change in the existing system of requirements for administrative certificate renewal. Various individuals stated that:

- there is no need to fix something that is not broken;
- the professional development provided through the Administrators’ Academy is sufficient and no additional requirements should apply;
- now is not the time to add to administrators’ requirements;
- local school boards are in the best position to evaluate administrators’ ability to perform their jobs;
- additional bureaucracy is not what administrators need;
- burdens would be created on districts with few administrators and on administrators in financially strapped districts;
- the need to administer the system called for in the rules will be costly and will be a waste of districts’ time and money;
- administrators need and deserve a practical, workable, meaningful system;
- the new requirements do not add any of what is required for outstanding education (funding, resources, dedication);
- the entire process is somewhat sophomoric in nature;
- these provisions will not necessarily make for better administrators, only for ones who are better at documenting and jumping through hoops;
- we should find a way to account for professional development that does not place a burden on the administrator; and
- the requirements are overwhelming and insulting.

Other commenters voiced general disagreement with the rules without identifying specific provisions that should be changed or alternative approaches to particular issues. These included:

- another paper chase is being created by the proposed rulemaking;
- the law is straightforward but the rules are convoluted and time-intensive;
- with so many mandated items, there is little time to be in the classroom as instructional leader;
- the intent of certificate renewal is good for both teachers and administrators and ISBE is becoming more helpful, but certificate renewal is too complicated; the State should make just a few requirements and make them easy to document;
- a lot of time and money has been expended on trying to change a system that worked;
- if the State has a particular agenda, it should develop mandated training to cover whatever that is;
- ISBE is ignoring the fine work done over the last two years to come up with a system that will work;
- the agency’s rule-writing process needs revision to avoid the insertion of personal viewpoints and biases as interpretations of the law; and
- the proposed rules do not represent the intent of the statute; they go beyond the statute and what was originally proposed.

**Analysis**

It is certainly true that more paperwork will be required, in the form of individual plans and evidence of completion, than was required under the prior system of districtwide assurances. It is probably also true that many administrators engaged in adequate professional development under that system. However, all these comments fail to acknowledge the State Board’s obligation to implement the relevant new statutory provisions. We recognize that the rules contain a good deal of procedural detail, although an effort was made to avoid some of the complications inherent in the parallel system that applies to teachers. Indeed, as will be seen below, there were other commenters who requested the insertion of further language into the rules to cover aspects of the system in more detail.

**Specific Comments**

The great majority of the letters of comment received were identical to each other. These and some other, nearly identical letters addressed the same eight points. These will be presented below in the order of their appearance in the rules. Where other correspondents made comments on the same provisions, those will be acknowledged as well so as to provide a unified discussion and basis for recommendations.

**Comment**

Deletion of the word “eventual” from Section 25.315(c)(2)(A) was requested because that word was thought to be potentially misleading. It was stated that districts and organizations will encourage their members to submit evidence of completion for activities right away.

**Analysis**

Subsection(c)(2)(A) discusses the preparation and submission of a written record of an administrator’s application of what was learned in a particular activity “for eventual submission to the responsible reviewer”. The word “eventual” was used to convey the notion that the administrator could choose when to submit the record to the reviewer, i.e., there is no deadline other than the certificate-holder’s need to have the information
credited prior to certificate renewal. As such, "eventual" is not misleading. However, its deletion will not change the meaning of the rule.

**Recommendation**  
The word “eventual” should be deleted from Section 25.315(c)(2)(A).

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**Comment**  
Commenters urged revision to subsection Section 25.315(d) to eliminate the requirement for completion of a course in each “knowledge and skill area” covered by Administrators’ Academy courses before repeating any area (in connection with the requirement for annual completion of an Academy course). It was pointed out that not all knowledge and skill areas are relevant to every administrator, and several school business officials emphasized this point in particular. Conversely, some administrators need to concentrate on particular areas, and it was noted that they and their employing districts would benefit if they were permitted to do so. Their personal goals as set forth in their plan should address these areas. Related comments noted the potential for hardship or additional expense due to travel for those administrators in areas where the Administrators’ Academy cannot offer a wide range of courses frequently.

Grouping the courses into these knowledge and skill areas was thought to be artificial and unsupported by research and was stated to introduce an unnecessary level of complication. Some commenters proposed instead that the courses should be linked to the standards of the Interstate School Leaders Licensure Consortium and/or the Illinois Professional School Leader Standards.

Along the same lines, several school business officials stated that their area of expertise and their needs differ significantly from those of other administrators; including them with the others implies “one size fits all”. These individuals believed the areas of emphasis prescribed by the statute are not geared to the business official and noted that the Illinois Association of School Business Officials has the expertise to develop continuing professional development that would be appropriate for them.

Some commenters apparently also assumed that there was a particular order in which these courses would have to be completed, because they expressed objections to that proposition. Another asked why the State Board would limit professional development to just nine areas. One stated that it made no sense to make the requirements more stringent than the original set of rules that included one Administrators’ Academy course annually plus 20 hours of professional development.

**Analysis**  
Section 21-7.1(c-10)(2)(B)(i) of the School Code provides that each administrator’s participation in the Administrators’ Academy will include “completion of applicable required coursework, as defined by the State Board of Education.” In the original development of rules on this subject, the assumption was that new administrators would benefit from coursework geared to their specific needs and should be required to complete that before choosing among other offerings of the Academy. The same would apply to a set of required coursework for experienced administrators, with other choices
available once that had been covered. These assumptions, while logical, proved impractical because of the complexity of predicting or tracking the service pattern of individuals who receive administrative certificates in order to determine who is “new” and who is “experienced”. In other words, holding an administrative certificate for five years will not necessarily mean an individual is experienced. The alignment of administrative certificates’ dates of validity with those of teaching certificates further complicates this scenario. As a result, it was determined that it would not be possible to implement this distinction via differing requirements for coursework.

The requirement that was proposed instead in subsection (d) rested on the assumptions that:

- there would be coursework within each knowledge and skill area appropriate for new administrators and other coursework in each area relevant to those with more experience, and
- based on his or her level of experience, each individual would select a course that would meet his or her needs with respect to any particular aspect of administrative practice.

The Administrators’ Academy’s offerings are developed to respond to the Illinois Professional School Leader Standards and approved on that basis, so there was no need to cross-reference those in this rule. Further, the proposed language did not specify any order for completion of the courses as some seemed to understand. However, the arguments put forth by the commenters are persuasive with regard to the unevenness of access and the desirability of allowing administrators to concentrate on areas of need they identify. Eliminating the restriction proposed in subsection (d) would also respond as far as possible to the concerns voiced by the school business officials regarding the relevance of the subject areas to their field, although the three statutorily established purposes will continue to apply to them.

Should the agency identify any subject matter or course that should be required of specified groups of administrators in the future, the above-cited portion of the statute would provide authority to amend this rule accordingly.

**Recommendation**

Most of Section 25.315(d) and its subsections (1) through (4) should be deleted, as displayed below.

1) The provisions of this subsection (d) notwithstanding, an administrator may use courses offered by the Administrators’ Academy to fulfill the requirements of subsection (b)(2) of this Section at any time.
2) The provisions of this subsection (d) notwithstanding, each administrator shall be subject to the requirements of Section 24A-3 of the School Code [105 ILCS 5/24A-3] to the extent applicable.

3) Each administrator who completes an Administrators’ Academy course shall receive written, dated verification that indicates the title of the course, the knowledge and skill area to which it belongs, and the number of hours to be credited toward the applicable requirement.

4) If the State Board of Education changes the knowledge and skill areas, the agency shall so notify each regional superintendent of schools, each school district superintendent, and each director of a special education program, cooperative program, or State operated school within 60 days. This notice shall include the new list of areas and state the date upon which the list takes effect. An individual shall be permitted to use an Administrators’ Academy activity identified in his or her plan to fulfill the requirement of subsection (b)(3) of this Section during the cycle to which the plan applies, regardless of any change in the knowledge and skill areas.

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Comment
One commenter requested that the State Board include a rule stating that no fee could be charged for the provision of a certificate of attendance at the Administrators’ Academy.

Analysis
All certificates of attendance are issued by regional offices of education, even when the Academy course has been conducted by a third-party provider. The written policies for the Academy permit fees for processing to be charged on a cost-recovery basis only. We understand the commenter wished to avoid having that cost passed on to participants. However, regional offices do incur record-keeping and processing expenses for which they have no other source of revenue.

Recommendation
No rule needs to be added in response to this comment.

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Comment
It was proposed that individuals be permitted to complete the Administrators’ Academy course on evaluation of certified staff prior to their receipt of administrative certificates and be allowed to count that course toward fulfillment of the requirements for certificate renewal. It was pointed out that when a district hires an administrator who is newly certified the employer may need that individual to be able to evaluate staff without delay. These comments were prompted by Section 25.315(f)(1), which provides that, “An administrator shall not accrue credit for activities that are completed outside the certificate’s period of validity or begin before submission of the plan to the responsible reviewer.”
Analysis
These comments are based on the requirements of Article 24A of the School Code, which requires each school district to have a plan in place that provides for evaluation of teachers and other certified staff by administrators who are “qualified” under Section 24A-3. That Section requires “qualified administrators” to have completed a workshop on either school improvement or the evaluation of certified personnel provided by the State Board of Education and to do so again every two years. For this reason, many teachers who are planning to seek administrative certification already attend the Administrators’ Academy course on evaluation of certified staff that is used to fulfill the requirement of Section 24A-3. In practical terms, this will mean that a person who is newly certified as an administrator will often have completed a course for which, under this rule, no credit can be counted toward certificate renewal even though the course is a prerequisite for his or her position.

In light of these considerations, it would seem reasonable to allow credit toward certificate renewal for the evaluation course if taken within the year immediately prior to the individual’s receipt of the administrative certificate. However, just as in the case of teachers’ certificate renewal, from a legal perspective it would be inappropriate to count activities that were completed while an individual did not hold the certificate whose renewal is at issue.

Recommendation
No change should be made in response to this comment.

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Comment
A comment related to the foregoing suggested that administrators should be allowed to apply any university credits for coursework related to the Illinois Professional School Leader Standards that they have completed in the two years prior to receiving a renewal certificate under the law and these rules, because they have met the intent of continuing professional development.

Analysis
As noted above, credit that leads to the renewal of a certificate must be limited to activities that occur while the person holds that certificate. This principle was applied to the activities teachers complete toward certificate renewal and should be applied to administrators’ activities as well.

Recommendation
No change to the rule should be made in response to this comment.

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Comment
Correspondents requested inclusion of a provision that would ensure that administrators would not be left in limbo if responsible reviewers failed to respond to the submission of plans within the 30 days contemplated in Section 25.315(f)(2). They made the same request with regard to responses to evidence of completion under subsection (h)(2). Some commenters advocated providing that no response would be interpreted as a
positive response, while others indicated they would want a firm response rather than having to assume their plans and activities met the requirements.

Related comments stated that the several 30-day timelines in these rules were unrealistic and costly.

Analysis
We had not believed it would be necessary to specify so much procedural detail in these rules as has been provided in Subpart J for teachers, given the smaller number of administrators and the more direct relationship they have with the administrators who are their reviewers. However, there is no reason not to provide them an avenue by which to receive the decisions when they are not forthcoming in a timely manner. In terms of what should be considered timely, we have reviewed the sequence of steps set forth and believe that all the timelines can appropriately be left at 30 days with the exception of the deadline for review of plans. This timeline should be lengthened to 60 days, particularly considering that virtually all administrators will need to submit their first plans this summer and fall. Since credit can be earned for activities completed while a plan is pending and administrators have very broad choice of activities to use for this purpose, administrators should not experience a disadvantage if we allow more time for this review.

Recommendation
Section 25.315(f)(2) should be revised to state:

2) The responsible reviewer shall respond within 30 days after receiving an individual’s plan as to whether that plan conforms to the requirements of subsection (b) of this Section. Failure of the responsible reviewer to respond within the required time shall entitle the certificate-holder to request a determination from:

   A) the regional superintendent, if the certificate-holder is other than a regional superintendent or assistant regional superintendent; or

   B) the State Superintendent, if the certificate-holder is serving as a regional superintendent or assistant regional superintendent.

Section 25.315(h) should be amplified with a new subsection (h)(4), as follows:

4) Failure of the responsible reviewer to respond within the required time shall entitle the certificate-holder to request a determination from the regional superintendent or the State Superintendent, as applicable under subsection (h)(3)(A) of this Section.

Finally, in order for the cross-reference to subsection (h)(3)(A) to be correct, that subsection needs to be revised to account for assistant regional superintendents, who were omitted from this provision in the proposed version of the rules:

A) A certificate-holder other than a regional superintendent of schools or assistant regional superintendent shall submit his or her appeal to the regional
superintendent for the region in which he or she is employed. A regional superintendent or assistant regional superintendent shall submit his or her appeal to the State Superintendent of Education.

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Comment
A revision was requested to ensure that administrators' plans for professional development and other related documents would not be a matter of public record and could not be released under the Freedom of Information Act. It was suggested that these should form part of administrators' personnel files.

Analysis
We agree that these documents should be afforded the same protection as that given to teachers' records under Subpart J of the rules. As in the case of teachers, we should not mix the employment function and the certification function any more than absolutely necessary. Rather than place administrators’ materials into their personnel files, therefore, it would be preferable to make provision for them that parallels the rules for teachers’ materials.

Recommendation
Section 25.315(f)(5) should be revised as shown below:

5) Administrators’ plans shall be kept on file by the responsible reviewers and maintained in accordance with the requirements of the Local Records Act [50 ILCS 205] for continuing professional development and all other documents relating to them shall be considered part of those individuals’ certification files. Each certificate-holder's file shall be maintained by the responsible reviewer separately from other employee and/or personnel files. Access to these documents shall be limited to the certificate-holder and to the individuals who are responsible for reviewing them pursuant to this Section. Each individual who has access to these documents and the information contained in them shall maintain the confidentiality of the documents and information at all times.

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Comment
Clarification was requested so that the rules would be understood to mean that a new reviewer cannot “reject” an administrator’s plan when it is reviewed after a change of assignment. Specifically, commenters requested deletion of language stating that the reviewer would indicate any changes that are needed. In addition, several commenters requested a rule providing that accrued activities continue to count when an assignment changes.

A related comment suggested eliminating two of the four circumstances that constitute a change of assignment, namely performance of duties at a different attendance center and performance of duties under a different job title (subsections (g)(2)(B) and (C). This was based on the fact that no new reviewer would be involved in these instances. Another commenter noted that nothing requires “approval” of the plan and it should be up to the administrator to make any needed changes. Yet another stated that the “evaluative component” of plan review was not intended.
Analysis
It is true that the statute does not call for reviewers to “approve” plans or authorize them to “disapprove” plans. However, this is certainly not to say that reviewers have no requirement or authority to evaluate the appropriateness of plans. In fact, Section (c-10)(4) of Section 21-7.1 indicates that certificate-holders “must revise” their plans if they are notified by reviewers that the plans do not conform to the law’s requirements. Clearly each reviewer is called upon to make that judgment. We agree that this review is not to be based on any particular preferences of the reviewer.

We believe we understand the connection made by some commenters between the advent of a new reviewer and the need to review the plan. The content of administrators’ plans is much less specific to their assignments than the content of teachers’ plans is. In fact, only the requirement for addressing a need identified in a school improvement plan is connected to the individual’s assignment. We agree that an administrator should not be required to fulfill this requirement more than once if he or she changes assignments and that other activities credited should continue to count regardless of assignment, since they will have been relevant to the administrator’s personal improvement goals, the Illinois Professional School Leader Standards, and the statutorily required purposes for professional development. Plans only need to be reviewed by new reviewers in order to ensure that the school improvement requirement has been or will be met. This question will not arise unless the individual changes employers, so we can eliminate several of the instances listed. In addition, the rule should be clearer about the purpose of the review.

While it is the right of the certificate-holder to make changes he or she believes desirable, it is also the responsibility of the reviewer to ensure that the plan conforms to the law’s requirements and to advise the certificate-holder when changes are needed based on that standard.

With these points in mind, we agree that subsection (g)(2) needs significant revision. Defining “change in assignment” is not necessary at all.

Recommendation
Section 25.315(g)(2) should be rewritten as shown below:

2) A certificate-holder shall submit his or her plan to the new responsible reviewer if he or she changes assignments accepts employment in a different district, special education or cooperative program, or State-operated school, or when he or she assumes or resumes employment requiring the administrative certificate. After reviewing the continued appropriateness of the plan, the reviewer shall indicate any changes that are needed. A change in assignment occurs whenever: All activities credited as of the date of submission to a new reviewer shall continue to be credited toward meeting the requirements of this Section, and the new responsible reviewer may indicate that changes are needed to the plan only:

A) a certificate-holder accepts employment in a different district, special education or cooperative program, or State-operated school; to ensure
that the certificate-holder will meet the requirement of subsection (b)(4) of this Section, if that requirement has not already been met; or

B) a certificate-holder is assigned to perform his or her duties at a different attendance center, to correct an area of noncompliance with the requirements of this Section or Section 21-7.1 of the School Code.

C) a certificate-holder is assigned to perform duties under a different job title; or

D) a certificate-holder assumes or resumes employment requiring the administrative certificate.

Deletion of the reference to a “change in assignment” also necessitates the following revision to subsection (g)(3):

3) The provisions of subsection (e) of this Section shall apply when review of a plan is sought after a change in assignment pursuant to subsection (g)(2) of this Section and when revisions to an existing plan are proposed.

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Comment
It was suggested that the rules provide a mechanism whereby individuals could make up missed Administrators’ Academy courses in the following year, instead of having to fulfill the requirements of proposed subsection (i)(7). Some commenters suggested requiring two courses to make up for any one missed, except when the course missed was due in the last year of the certificate’s validity, in which case the five semester hours of coursework required by subsection (i)(7) should apply. However, other correspondents believed the requirement for college coursework was artificial or vindictive and would not necessarily yield any genuine professional development. Further, it might impose a real hardship on administrators working at a distance from institutions of higher learning. Related comments noted that the annual requirement might force some administrators to choose an Administrators’ Academy course they did not consider particularly valuable, whereas making courses up in a future year would give them additional choices. Commenters understood the necessity for an incentive to complete the requirements in a timely way but also urged that the “human factor” be taken into consideration.

Analysis
Subsection (i)(7) as proposed establishes a one-year “reinstated” certificate as the opportunity for individuals to make up any uncompleted professional development. During the one year, each person would have to make up what had been missed and complete five semester hours of college credit related to his or her professional duties. This set of requirements was proposed, as noted above, because there needs to be a fairly compelling reason to complete the requirements in the timeframe established by the law. In addition, we are obligated to respect the law’s requirement for annual completion of an Administrator’s Academy course.
Our review of the issues raised in this connection by the commenters has persuaded us that another approach to this proposed rule would improve both its practicality and the likelihood that professional development completed during the year of reinstatement will be useful. We believe that what is required during that year should be linked to the type of professional development the administrator failed to complete. That is, failure to complete sufficient Administrators’ Academy courses should have one consequence, while failure to complete sufficient hours outside the Academy should have another consequence. We should also avoid imposition of a more stringent requirement for failure to complete the Academy course in the last year of the certificate’s validity than would apply if the course for an earlier year had been missed.

On balance, we also believe that someone who misses an Administrators' Academy course should be allowed to make it up at any point during the certificate’s remaining validity rather than necessarily having to wait until a period of reinstatement. The course should not have to be made up during the immediately following year; it would be preferable to give administrators in this situation the widest possible selection of useful courses, as discussed above.

Recommendation
First, subsection (d) of the rule should be further revised to discuss making up missed Academy courses. The suggested change displayed below has been superimposed upon the revised text recommended above for subsection (d) in response to other issues raised.

d) Administrators’ Academy courses may be used to fulfill the requirements of subsection (b)(2) as well as subsection (b)(3) of this Section.

1) An individual who fails to complete an Administrators’ Academy course in a given year as required by Section 21-7.1(c-10)(2)(B) of the School Code shall be required to complete two courses for each one missed. He or she may make these up at any time during the remainder of the certificate’s validity or while holding a reinstated certificate pursuant to subsection (i)(7) of this Section.

2) Each administrator who completes an Administrators’ Academy course shall receive written, dated verification that indicates the title of the course and the number of hours to be credited toward the applicable requirement.

Subsection (i)(7) should be restructured as shown below:

7) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Section may apply for a reinstated certificate valid for one year. With respect to the year of reinstatement, completion of one Administrators’ Academy course and one or more additional professional development activities meeting the requirements of subsections (b)(2) and (c) of this Section and totaling no fewer than 20 hours shall be required. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable administrative certificate only if he or she has also made up activities missed during the preceding renewal
cycle by completing the requirements of subsection (i)(7)(A) of this Section, subsection (i)(7)(B) of this Section, or both, as applicable.

A) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and
The certificate-holder shall complete two Administrators’ Academy courses for each year during which he or she failed to complete one, if not already made up as discussed in subsection (d)(1) of this Section.

B) earned five additional semester hours of credit in a recognized institution of higher learning in the field of professional education or in courses related to the holder’s administrative duties. If the certificate-holder failed to complete the applicable number of professional development activities or hours pursuant to subsections (b)(2) and (k) of this Section, he or she shall complete the balance of that requirement and ten additional hours of professional development meeting the requirements of subsections (b)(2) and (c) of this Section.

Finally, a provision is needed to account for the new law’s alignment of administrative certificates with teaching certificates in terms of their periods of validity. This should be inserted as a new subsection (i)(8):

8) The period of validity of an administrative certificate issued after a year of reinstatement shall be adjusted to coincide with the validity of the holder’s teaching certificate.

Comment
Various suggestions were made for revisions to subsection (k) regarding requirements for part-time and retired administrators. Commenters particularly objected to requiring 50 percent for those working less than 50 percent of the school day or school term, and many believed that this would be a strong disincentive for retired superintendents to assist school districts by serving on a short-term basis as “interim superintendents”. It was proposed that individuals employed for less than 50 percent of the time should complete an Administrators’ Academy course for each year during which they are employed but not be required to engage in the additional types of professional development required by the law and the proposed rules. Some also suggested they not be required to submit plans. It was suggested that we return to the “original draft” of this part of the rules.

Analysis
Several different issues arise in conjunction with this rule. Strictly speaking, it is not acceptable for school districts to hire individuals to serve as superintendents on an “interim” basis. The Legal Department has long advised that Section 10-21.4 of the School Code requires employment of superintendents on contracts of not less than one year’s duration, and districts that have made short-term arrangements have generally had their recognition status downgraded from “fully recognized” to “pending further review”. It is therefore problematic for us from that standpoint to write a rule that would
encourage or support this kind of arrangement. On the other hand, the reality faced by school districts that need superintendents does necessitate some accommodation.

It is also necessary to distinguish between the various meanings given to “part-time”. Administrators may serve in several part-time assignments at the same time, resulting in full-time employment (e.g., someone who serves as superintendent for one half of the time and principal for the other half, or someone who is superintendent for more than one district). Individuals may also have long-term employment for only part of the day, whether exactly half, more than half, or less than half. Retired administrators serving as interim superintendents as discussed above may serve only for a short time and then on either a full-time or a part-time basis.

The original draft referred to by some commenters contemplated no requirements for anyone serving less than 50 percent of the time. This was a discussion draft developed prior to passage of P.A. 92-796. The law as now enacted does not offer any firm basis for completely exempting any group of individuals who use their certificates, and we do not believe there is any reason for someone who works every year or most years to be exempt.

Also, the annual Administrators’ Academy requirement does not lend itself to proportionate reduction, particularly in the context of a five-year certificate renewal period. For example, a 50 percent reduction would mean one course every two years. Administrators would need two in one five-year cycle and then three in the next cycle, or vice versa. The required course on evaluation of certified staff discussed above is required every other year and thus could be used to fulfill the entire requirement. We believe that participation in the Administrators’ Academy is required every year and that only the number of hours required for activities under subsection (b)(2) should be reduced in the case of part-time service.

We do believe a further exception should be made with respect to individuals who can only work a certain number of days or hours per year in order to continue receiving retirement benefits and who do observe that limit, i.e., individuals who have retired and remain retired for purposes of the retirement system. In particular, we should not require plans of individuals who ipso facto cannot predict whether or how much they will be working.

**Recommendation**

The first provision that should be amplified to revise these requirements is Section 25.315(a) (Professional Development Required). Subsection (a)(1) should be amended to exempt retired administrators from the requirement for a plan by stating that certificate renewal will require each certificate-holder’s:

1) preparation of an individual plan for continuing professional development that conforms to the requirements of subsection (b) of this Section and submission of the plan for review as set forth in subsection (f) of this Section (unless the individual is exempted from the requirement for a plan as provided in subsection (c-15) of Section 21-7.1 of the School Code or is subject to the limits on employment set forth in Section 16-118 of the Illinois Pension Code [40 ILCS 5/16-118] and will use the administrative certificate only within those limits);
The rules on reductions in the requirements should also be revised as displayed below.

(k) Proportionate Reduction; Part-Time Service

The requirements of this Section regarding continuing professional development are subject to reduction in accordance with subsection (c-15) of Section 21-7.1 of the School Code.

1) The requirements of this Section shall be subject to reduction on the same annual basis as provided in subsection (c-15) of Section 21-7.1 of the School Code in relation to periods of time when a certificate-holder is not employed in a position requiring administrative certification.

2) The requirements of number of hours required under subsection (b)(2) of this Section shall also be reduced by 50 percent with respect to periods of time when a certificate-holder is serving on an administrative certificate only and performing services for less than 50 percent of the school day or school term, unless the individual is one whose continued retirement status is subject to the limitations of Section 16-118 of the Illinois Pension Code. Each such individual shall be subject only to the requirement for completion of one Administrators’ Academy course for each year during which he or she is employed on the administrative certificate, provided that his or her employment does not exceed the limitations of Section 16-118.

Additional Issues Regarding the Renewal of Administrative Certificates

The comments outlined in the following section were submitted in addition to those on the topics discussed above. These will also be presented in the order in which they appear in the rule.

Comment
Subsection (a) is poorly thought out.

Analysis
Subsection (a) (Professional Development Required) sets up the rest of the rule’s content by introducing and summarizing the new requirements. It provides a reference to the statute and outlines its major components: submission of a plan to the responsible reviewer; completion of the activities; and submission of the evidence of completion.

Recommendation
No change is needed in response to this comment.
Comment
Several respondents questioned the total of 136 hours of professional development required by subsections (b)(2) and (3) in comparison to the 120 hours required of teachers over five years. One suggested changing the 100 hours to 75 or allowing 20 hours per 3 hours of university course credit. Some also noted that the 36 hours do not equal five days of attendance at the Administrators’ Academy and suggested that that requirement be changed to either 35 or 30 so that five days’ attendance would meet the requirement. Another approach was suggested by a commenter who believed the requirements should be differentiated according to the degree held by each administrator. Others objected to the requirement for annual participation as a holdover from the previous law and noted that teachers have five years to complete their requirements without any annual requirements. Still others stated that the annual Academy participation is enough and the proposed changes are unnecessary.

Analysis
Since the statute is specific in the number of hours it requires, the rule cannot be revised to require a “sliding scale” for holders of doctoral degrees or otherwise to reduce the requirements. (Also, 15 hours will be counted for each semester hour under subsection (c)(3)(A), for a total of 45 per three-hour course.) The criteria for approval of Administrators’ Academy courses are in the process of being changed so that each course will equal at least 7.5 hours. Someone who completes five courses will have no difficulty reaching a total of 36, but the commenters could not have known this at the time when they were responding to the rules. We also note that, prior to enactment of P.A. 92-796, Section 21-7.1 required biennial (not annual) attendance at the Administrators’ Academy. The new law requires “participation every year”, and the rule must reflect this requirement.

Recommendation
No change is needed in response to these comments.

Comment
It was suggested that providing formal mentoring to another administrator be added to the list of examples contained in subsection (c)(1) because research has shown that principals in formal mentorship programs are more enthusiastic about their jobs and stay in those positions longer than those who do not participate in mentoring. Another respondent questioned the assumption that useful professional development can only occur under the direction of others and wondered whether “self-study” would be allowed.

Analysis
Subsection (c)(1) gives examples of activities administrators may choose in fulfillment of the 100-hour requirement. Its failure to mention mentoring or independent study does not preclude administrators from choosing either of those among their activities. Proposed subsection (D) is very broad as it is (“Other activities related to the Illinois School Leader Standards and other applicable standards (see 23 Ill. Adm. Code 29) such as developing or revising school programs, research, and other, similar projects.”) However, there is no reason the list of examples should not be expanded if that will help administrators recognize that a wide range of activities can be used.
Recommendation
Two new provisions should be added under subsection (c)(1), to state:

D) Providing formal mentoring to one or more other administrators;
E) Independent study; and

(The subsection that was (D) would become (F).)

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Comment
Two commenters urged revision of subsection (e) to require that panels made up of peers review the plans of all administrators. One stated that the process as proposed sends a “very clear and unfortunate message” to principals and others who are to submit their plans to district superintendents, i.e., that they cannot monitor professional growth within their profession. The other felt that arbitrary disapproval might result from submission of plans to the individual reviewers identified.

Analysis
Section (c-10)(3) of the statute directs that district superintendents and other chief administrators (or their designees) serve as reviewers for the plans of the administrators under their supervision. Regardless of the merits of any proposed alternative approach, the State Board cannot require a mechanism that contravenes the specific language of the statute. Local administrators could certainly establish panels at their discretion to be advisory to them, but the rule cannot incorporate these panels as a requirement.

Recommendation
No change should be made in response to these comments.

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Comment
Another commenter stated that subsection (e) incorrectly indicates that the statute identifies the reviewers and review panels responsible for the plans of various types of administrators. This respondent indicated that he could not find Section 21-7.1(c-10)(3) and requested that the rule provide guidance on who these reviewers are to be and how they are appointed since that information is not available in the law. Another urged that this work not be given to local professional development committees.

Analysis
As noted above, the statute does contain specific language addressing reviewers. We can only assume that the individuals who submitted these comments may have been referring to an outdated copy. As a general rule, agencies are discouraged from repeating explicit statutory language in rules. Therefore, the cross-reference to clause (c-10)(3) is sufficient.

Recommendation
No change should be made in response to this comment.

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Comment
One commenter stated that Section 25.315(h)(1)(B) should stand as in the original draft. Another commenter, on the other hand, voiced approval for this provision as a corollary to the requirements for teachers with respect to the needs of students with disabilities.

Analysis
Subsection (h)(1)(B) calls for consideration of one activity in terms of its implications for service to students with disabilities in the least restrictive environment. The second individual whose comment was noted above correctly understood the impetus behind inclusion of such a provision at this time. There was no comparable provision in any of the drafts that were circulated prior to enactment of the new legislation, so we are unable to determine the goal of the first commenter unless it was simply the omission of this requirement. We continue to think it wise to provide a framework for administrators' attention to the issue of the least restrictive environment.

Recommendation
Subsection (h)(1)(B) should be maintained as part of the rule.

Comment
With regard to subsection (h)(2)(B), a commenter asked why there would be an activity in an approved plan that did not meet any of the applicable requirements.

Analysis
Subsection (h)(1) indicates that an administrator will transmit evidence of completion to the reviewer when he or she "has completed any of the activities set forth in his or her plan", while subsection (h)(2)(B) states, "If the reviewer determines that the activity does not meet any applicable requirement of this Section, the reviewer shall notify the certificate-holder to this effect."

Taken together, these two related provisions appear circular. In other words, if an activity is in a plan that has been deemed acceptable, it should not be possible for it to be determined later not to meet any of the requirements. We certainly understand that individuals will not want to have reviewers changing their minds over time. However, we do believe there is room for both statements to apply, since not every description of an activity may accurately convey what the administrator will actually do. Further, an activity cannot be accepted if the evidence of completion does not include the record of the application/dissemination component. It is correct to maintain the reviewer’s responsibility for ensuring that administrators are notified when something they have done will not help them fulfill the law’s requirements. We assume that this provision will very seldom need to be used.

Recommendation
No change is needed in response to this comment.
Comment
One commenter believed that a requirement should be stated for the reviewer’s provision of the summary verification form to the certificate-holder within a specified time frame, rather than having the certificate-holder request the form.

Analysis
Section 25.315(i)(2) gives the reviewer 30 days to respond when a certificate-holder who is nearing the time for certificate renewal requests this documentation. We believe the responsibility for requesting the summary should rest with the certificate-holder. First and foremost, each individual needs to be responsible for taking action as necessary in conjunction with his or her certificate. Different individuals will complete their requirements and be ready to submit their applications for certificate renewal at different times. In addition, not all individuals will necessarily apply to renew their certificates, and reviewers should not automatically have to generate summaries and supply them to individuals who have not requested them for one reason or another.

Recommendation
No change is needed in response to this comment.

Comment
Several regional superintendents noted that a portion of proposed subsection (i)(5) does not comply with Section 21-16 of the School Code and should be changed.

Analysis
We agree that these respondents have identified a problem that needs to be corrected. The proposed rule provides for regional superintendents to remit their registration fees to the State Superintendent along with their applications for certificate renewal, whereas Section 21-16 states that “Each holder shall pay the appropriate registration fee to the regional superintendent of schools.” We do need to revise this rule so that the statutory provision is reflected.

Recommendation
Subsection (i)(5) should be revised as shown below:

5) A certificate-holder who is a regional superintendent of schools shall submit the verification format referred to in subsection (h)(2) of this Section to the State Superintendent of Education along with his or her application for certificate renewal and payment of the applicable fee shall deposit the applicable fee in the region’s institute fund.

Comment
One correspondent suggested creating status designations of “valid and active” and “valid and exempt” as was done for teaching certificates.

Analysis
These distinctions were statutorily established in the case of teaching certificates but are not mentioned in Section 21-7.1. We believe there is no compelling need for
including them in these rules for administrators given the amount of information that will automatically be available via the CERTS system and the Teacher Service Record.

**Recommendation**
No “status” designations for administrative certificates should be added to the rules.

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**Comment**
It was noted that the rules contain no provision that would ensure that administrators comply with the requirements. For this purpose, the correspondent recommended continued use of the annual assurance form that has been provided by district superintendents under the rules now in force.

**Analysis**
The new system will rely upon the requirement for evidence of completion of activities, making an annual assurance by superintendents superfluous. In addition, the CERTS system will permit generation of reports showing the status of individuals’ progress toward fulfillment of these requirements. We would not wish to add any more provisions to the rules that might be perceived as unnecessarily bureaucratic.

**Recommendation**
No new requirement for an annual assurance should be added to the rules.

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**Comment**
Several suggestions were made regarding the advisability of a delay in implementing these rules. It was proposed that the State Board should be required to create a certificate renewal manual and that there should be an interim accommodation period until the manual is complete. No plan should be needed to cover activities in which administrators engage during that interim. It was noted that similar accommodations had been made in the new requirements applicable to teachers to acknowledge the uncertainty that existed at that time about implementation of the system.

**Analysis**
We do not agree that an uncertain situation exists at this time necessitating temporary accommodations comparable to those established in implementing the requirements for teachers. There is no litigation holding this matter in abeyance; the requirements are considerably simpler than those affecting teachers because administrators do not have to observe a circumscribed list of activities with detailed definitions; and we can predict with fair certainty that this set of rules will be in effect approximately two months before the law’s July 1 implementation date. The manual and associated training for LPDCs were required under Section 21-14 but are not required in this instance. The agency should, of course, make every effort to disseminate informational materials and to have the required formats available for downloading as soon as possible.

**Recommendation**
No deferral of the new law’s requirements should be contemplated in these rules.

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Comment
Clarification was requested regarding the requirements that would apply to individuals not due for certificate renewal on July 1 of this year.

Analysis
Section 21-7.1 as recently amended overrides the current cycle on which administrators’ certificates were due to be renewed. Subsection (c-10) provides that, “Beginning July 1, 2003, except as otherwise provided in subsection (c-15) of this Section, persons holding administrative certificates must follow the certificate renewal procedure set forth in this subsection (c-10), provided that those persons holding administrative certificates on June 30, 2003 shall be issued new administrative certificates valid for 5 years (unless changed under subsection (a-5) of this Section, which may be renewed thereafter as set forth in this subsection (c-10).”

This provision means that everyone’s certificate renewal cycle will begin over again on July 1 of this year. Certificates will be valid for five years from that date, unless the period is changed to coincide with the remaining validity of the holders’ teaching certificates under Section (a-5).

Concerns of Nonpublic Schools
Approximately 15 letters were received from representatives of nonpublic schools, chiefly from organizations representing large groups of such schools. These commenters pointed out that administrators in nonpublic schools often maintain certification as a reflection of their commitment to children and families. They therefore asked that the needs of nonpublic school administrators not be forgotten in the context of this rulemaking. It was stated that some aspects of the rules create barriers for these individuals and will prohibit the renewal of their certificates. Among these was the fact that access to courses offered through the Administrators’ Academy is granted only when space is available after accommodating all public school administrators who wish to participate.

Correspondents further noted the inappropriateness of the requirement that school districts approve one activity per year for each administrator. Public control over these administrators’ professional development was stated to be undesirable; the large number of districts “covered” by some nonpublic schools was emphasized; and the commenters advocated allowing the nonpublic schools’ representatives to approve the activities instead. Additional problem areas cited were the requirement for relating one activity to the school improvement plan when nonpublic schools are not required to have these plans and the requirement for submitting individuals’ plans to LPDCs or, as another commenter stated, to the school district’s panel.

The State Board was urged not to exclude nonpublic administrators from the system implemented through these rules. The recommendations made by these commenters focused mainly on ensuring nonpublic administrators’ access to the Administrators’ Academy or the availability of state subsidies for a parallel nonpublic academy instead. A comparison was also made between the procedures worked out for nonpublic school teachers in the Chicago-area suburban counties and the requirements of these rules for
nonpublic school administrators. Suggestions were made for designating certificates as “valid and active” or “valid and exempt”, as in the case of teaching certificates, and for having regional superintendents review nonpublic administrators’ materials.

**Analysis**

We believe Illinois is fortunate to have a cadre of administrators who voluntarily maintain professional certification and nonpublic schools that are intent upon employing these professionals, and we appreciate the compliment to the Administrators’ Academy that is inherent in nonpublic administrators’ desire for greater access to its coursework. That said, however, we must point out that nonpublic school administrators are not subject to any of the requirements for certificate renewal stated in Section 21-7.1 of the School Code. They may renew their certificates without evidence of continuing professional development, so it is not accurate to characterize any element of the system described in the proposed rules as a barrier to certificate renewal for them.

There is no longer any requirement for district approval of activities (as has been the case in the current system), nor will public school administrators be submitting their plans or evidence to LPDCs. It is not necessary for anyone to be concerned about whether requirements such as these would be appropriate to nonpublic school administrators, since they do not exist even in the public school context.

The State Board of Education has no authority to regulate the professional development of nonpublic school administrators. Further, since the new statute does not assign regional superintendents to serve as reviewers for them, the agency’s rules cannot compel them to do so.

If these administrators do wish to meet the rules’ requirements voluntarily, the CERTS system will permit them to enter information and track their progress during each cycle. However, they will not need to submit any evidence of completion or any verification form regarding these requirements when they apply for renewal of their certificates. Information automatically available on CERTS and the Teacher Service Record will enable staff in regional offices to determine whether an individual was employed in a capacity that required the certificate and was therefore subject to the requirements of these rules. Consequently it will not be necessary to designate certificates as “valid and active” or “valid and exempt”, and we think it is preferable to avoid any additional procedural requirements in the implementation of this system.

**Recommendation**

No change should be made in the rules in response to these comments.

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**Comments Regarding Requirements for the Standard Certificate**

Ten letters of comment addressed the proposed requirements in new Subpart K of the rules and related matters.
Comment
In connection with existing Section 25.11(d), it was noted that individuals who do not complete four years of teaching within twelve years may qualify for another initial certificate by meeting all requirements then in force, but that individuals who do complete four years of teaching will lose certification if they do not meet the requirements for the standard certificate. This provision was characterized as unreasonable and lacking in flexibility for unforeseen circumstances, hardship, illness, or just cause. Further, some of the requirements for professional development are beyond the control of teachers, such as ISBE’s approval of coursework or programs of induction and mentoring. The correspondent indicated that ISBE could be depriving teachers of their livelihood and would be intensifying the teacher shortage through implementation of this rule. A one-year reinstated certificate was proposed as a solution to this problem, during which the individual would complete the balance of the professional development required and five semester hours of coursework related to professional education or his or her teaching duties.

Analysis
The various provisions of Section 25.11(d) were devised several years ago as part of the implementation of the two-tiered certification system, one of whose cornerstones is that the initial certificate is valid for four years of teaching and may not be renewed. The point of such a system is that someone who has completed the initial period of teaching is not permitted to continue unless he or she has fulfilled the requirements for the standard certificate. For this reason, subsection (d)(2) does not allow issuance of another, comparable initial certificate.

When the system was originally put into the law, of course, the gateway to the standard certificate was to be an examination. Under the rules, someone who failed the examination could retake it as often as necessary, whether or not he or she held a valid certificate. We acknowledge that most of the methods that will now be available for receiving the standard certificate will require a person to be a practicing teacher, i.e., to hold a valid certificate. Since it is not in the State’s interest to make individuals permanently ineligible to teach, some provision for situations of hardship or other unforeseen circumstances would be useful. We therefore concur that a year of reinstatement would be an appropriate opportunity for a candidate to complete the relevant requirements. We do not believe that additional requirements should be imposed during this year such as the five semester hours suggested.

Recommendation
Section 25.11(d)(3) should be revised to provide for a year of reinstatement.

3) A candidate who has taught for four years on an initial certificate but has not met the requirements of Subpart K of this Part may not receive another comparable initial teaching certificate. For example, a holder of an initial elementary certificate will not be eligible to receive another initial elementary certificate. However, such an individual may receive a reinstated certificate, valid for one year, during which he or she may complete the option chosen as a means of qualifying for the standard teaching certificate. No initial certificate-holder may receive a reinstated certificate more than once pursuant to this subsection (d)(3).
Comment
Representatives of the Illinois Alliance of Administrators of Special Education noted that applying the new requirements for the standard certificate as of July 1, 2003, as indicated in Section 25.900 would leave very little time for the distribution of information to holders of initial certificates. They related this situation to the period of special accommodations that was established with regard to certificate renewal during the development of that system and suggested creation of an “interim period” during which the State Board would be required to develop a manual and provide training for LPDCs on these requirements. If the manual were not complete and widely distributed by November 1 of this year, the requirements would not apply until July of 2004.

Analysis
We do not agree that the current situation for holders of initial certificates is comparable to that of standard certificate-holders several years ago. One of the chief accommodations made for that group was to award credit for activities earned before their plans were submitted (otherwise not permitted by the rules) during a short period of time. In this case no plan is required and no similar accommodation is needed. Further, litigation caused a delay in that system’s implementation but is not a factor in this instance. That statute required a manual and training, neither of which is mentioned in P.A. 92-796.

We cannot delay the effective date of the new legislation via this rulemaking, and the agency has no need to publish a manual relative to these requirements. The role of the LPDC is quite limited; procedural requirements are much simpler than in the case of certificate renewal; and the evidence of completion for each of the activities is either very straightforward or exactly the same as for the same activity in the certificate renewal rules. Further, the law is quite explicit and will have been in effect for nearly a year by the time the requirements of the rules take effect. (See below for related issues.)

Recommendation
No change in the effectiveness of the requirements should be incorporated into the rules.

Comment
Another group of suggestions was made on behalf of special education administrators to allow teachers to receive credit for some of the activities described in these rules if begun or completed before the rules go into effect. It was proposed that completion of two-year induction and mentoring programs by individuals who were certified as of the law’s enactment on August 10, 2002, should be considered as meeting the requirements of Section 25.910 without approval of the program by the State Board. Instead, the LPDC would review documentation verifying that the program consisted of an established sequence of sessions as the proposed rule requires. Further, completion of one year of such a program would count and would result in a 50% reduction in the requirement, yielding full credit for completion of the induction and mentoring requirements.
Much the same approach was taken to graduate-level coursework as discussed in Section 25.915. The LPDC would review the course syllabus to determine whether its successful completion required the main components that will be required by the rules. Candidates enrolled in or completing such courses before July 1, 2003, would receive credit for meeting this requirement without needing the course to have been approved for this purpose.

Similarly, it was proposed that teachers should be able to accrue CPDUs in accordance with the Certificate Renewal Manual for activities completed prior to September 1, 2003.

Analysis
When the new statutory provisions for the standard certificate were under development, all interested parties understood the need for an option that would be fair to individuals who had already completed part of the teaching on their initial certificates. Accumulation of continuing professional development units was specifically included in the law because the other options would not lend themselves to proportionate reduction. Questions of program approval aside, we therefore do not believe that one year’s participation in a program of induction and mentoring should be considered as fulfilling either half or all of these requirements.

We do, however, accept the proposition that completion of a two-year induction and mentoring program should be counted if the program meets the requirements of Section 25.910 and eventually receives approval under the rules. As long as a teacher completes such a program, it should not matter when he or she began or completed it within the initial certification period. We do not believe it would be feasible to ask individual LPDCs to review program descriptions, particularly in light of concerns for the existing workload of these committees and their very limited role in this process. We also believe that pre-existing programs should be held to the standards specified in the rules if they are to qualify retroactively. Program descriptions should come to the agency for review on a uniform basis, consistent with the requirements of the law.

The intent of the rules on CPDUs is that they would be accepted for qualifying activities teachers completed at any time while they held initial certificates. There is no provision in the proposed rules limiting the activities to the period beginning September 1, 2003. It would probably be advisable to state this explicitly, since the meaning may not have been clear to all readers. However, it would not be appropriate to link this in any way to the Certificate Renewal Manual, since that document is not applicable to acquiring the standard certificate.

For the sake of clarity, we should probably also amplify the rule on advanced degrees, since it would not be in Illinois’ best interest to disregard or “disqualify” advanced degrees earned prior to acquisition of the initial teaching certificate. For example, a scientist who decides to become a teacher will probably have an advanced degree in the subject area to be taught. While that degree would predate the individual’s teaching certificate, it would be counterproductive to suggest that it is irrelevant to his or her qualifications as a teacher and that he or she should earn yet another degree or have to fulfill one of the other sets of requirements for the standard certificate.
Finally, representatives of teacher preparation programs have been surveyed and have indicated that in their view there has been some coursework offered to date that would fulfill the requirements of Section 25.915. We should provide an opportunity for this coursework and any that meets the requirements of Section 25.920 of the rules to be counted, again through an agency review of course syllabi and accompanying material.

**Recommendation**  
Section 25.910(a) should be revised as shown below:

a) The program selected by a certificate-holder must have been approved for this purpose by the State Board of Education in consultation with the State Teacher Certification Board. Two or more school districts or other organizations may jointly offer a program of induction and mentoring under this Section. An entity or group of entities that wishes to offer an approved program of induction and mentoring shall submit to the State Superintendent of Education a written plan for the program that conforms to the requirements of Section 21-2(c)(2)(A) of the School Code [105 ILCS 5/21-2(c)(2)(A)]. A program shall be approved if the plan demonstrates that the program will meet the specifications of subsections (b) through (g) of this Section. Entities that were conducting programs of induction and mentoring prior to July 1, 2003, may apply to the State Superintendent under this Section for verification that those programs met the requirements of this Section so that individuals who have completed them may fulfill the requirements of this Subpart K on that basis. The State Board of Education shall annually publish a list of induction and mentoring programs that have been approved for this purpose.

Sections 25.915(f) and 25.920(f) should be amplified along the same lines:

f) An eligible Illinois entity that offered coursework relevant to this Section prior to July 1, 2003, may apply to the State Superintendent, based on the submission of material meeting the requirements of subsection (b) of this Section, for verification that the coursework met the requirements of this Section so that individuals who have completed it may fulfill the requirements of this Subpart K on that basis. An individual who wishes to use coursework completed in another state to fulfill the requirements of this Subpart K shall submit to the State Superintendent of Education a course description or syllabus. Based upon a comparison of the course’s content with the requirements of this Section and Section 21-2(c)(2)(C) of the Code, the State Superintendent shall determine whether the out-of-state course is equivalent and notify the candidate as to whether the course will be accepted.

Section 25.925(a) should be amplified as shown below:

a) For purposes of this Section, an “advanced degree” is a master's degree, a doctoral degree, a certificate of advanced study, or an education specialist that is earned by the individual either while he or she holds an initial teaching certificate or prior to his or her receipt of that certificate.
Section 25.930 should be revised with language explicitly allowing CPDUs for qualifying activities completed before the rules’ effectiveness. This should be accomplished in subsection (c):

c) The activities selected by a certificate-holder pursuant to subsection (b) of this Section shall conform to the requirements of clauses (A) through (D) of Section 21-2(c)(3) of the School Code [105 ILCS 5/21-2(c)(3)] and may have been completed at any time while the individual held an initial teaching certificate.

Comment
Several respondents noted that Section 25.910 establishes a very high standard for mentoring and induction programs, particularly with respect to the training required of mentors. Some of these noted the difficulty in having enough mentor teachers in place because the percentage of novice teachers is steadily increasing. The difficulty of ensuring the quality of a two-year program was pointed out, and several commenters suggested reducing the time period to one year. One commenter proposed an alternative for the second year involving sustained support through activities related to the Professional Teaching Standards but identified at the district level.

Related comments noted the cost of release time for training or stated that the three required observations would be “overkill” when combined with the three required observations by administrators. Mentors were thought not to need the experience of receiving feedback that the rule requires, and the cost of release time for these observations was highlighted. It was also proposed that training should be at the district’s discretion and based on the individual needs of the mentors. Entities with programs in place believed those programs were adequate and objected to additional requirements.

Inclusion of formal mentoring among these options was stated to be a positive step. Mentoring as described in the rules was noted to be costly, and the State Board was asked to “find the money” so that this worthwhile program could be available. One respondent asked that those who participate not be burdened with laborious paperwork, suggesting that districts be allowed to develop their own forms.

Finally, one commenter thought it problematic that not all novices are required to complete mentoring and induction, stating that all should participate and that the other available options are not equal in value. This respondent objected to leaving “first professional experiences” subject to random, uninformed choices.

Analysis
The two-year requirement for mentoring and induction programs for this purpose is now specified in the law and cannot be reduced through rulemaking. However, there certainly is flexibility to make the intensity of the second year’s experience different from the first year’s. It is entirely possible that district-identified support activities would form part of plans that could be approved under Section 25.910.

It is understandable for districts that have put mentoring and induction programs in place to be reluctant to change those, and these rules contain no mandate that they do
so unless they wish their novice teachers to be able to use them to qualify for the standard teaching certificate. If so, then it must be recognized that the program will serve a purpose for the state as well as meeting the district’s own needs, making it necessary to ensure at least some uniformity in training for those who will perform the mentoring and some comparability in the experience for teachers in different districts. We must also separate employment functions from certification functions. For example, observations that are conducted by administrators may be used for evaluative purposes and are *ipso facto* not conducted by mentor teachers.

In light of the potential cost of the aspect of training for mentors that would involve the experience of undergoing observation and receiving feedback, we agree that this requirement can be deleted.

We understand the commenters’ concerns for the burden of paperwork. There are several requirements for written products in Section 25.910, but there are no forms specified in connection with mentoring and induction until the point (in subsection (i)) where teachers are verifying that they have completed a program that was approved. We believe it will be most convenient for all concerned if the agency develops a simple format for this.

Finally, we agree in principle with the comment that it would be preferable for all novice teachers to participate in induction and mentoring. However, the present legislation does not require this or authorize the agency to require it.

**Recommendation**

Section 25.910(b)(5) should be made simpler, as shown below:

5) Classroom Observation Skills Related to Assessment of Performance (which shall include observation of each prospective mentor by another experienced teacher, as well as receipt of and response to feedback provided by that individual, in order to understand the process of mentoring from the perspective of the recipient teacher);

**Comment**

One commenter proposed the insertion of language expressly permitting the required formal mentoring to include electronic mentoring and permitting the required episodes of observation to be done via videoconferencing or videotaping.

**Analysis**

The language used in the proposed rule would not have precluded these mechanisms, and we see no reason not to acknowledge possible uses of technology for these purposes.

**Recommendation**

Section 25.910(c) should be revised as shown below:

c) Each new teacher shall receive formal mentoring, which may include mentoring conducted electronically, consisting of an established sequence of sessions no less than two school years in duration. The planned sequence for each teacher
shall comprise no fewer than three episodes of observation, which may be conducted using videoconferencing or videotaping, that include preparation with the mentor teacher prior to observing the new teacher in the classroom; observation of the new teacher’s teaching practice; and provision of feedback, suggestions, and techniques to the recipient teacher in response to each period of observation.

Comment
In the same vein, it was suggested that the observation of teaching practice required as part of the coursework discussed in Section 25.915 be expressly permitted to occur through videoconferencing or videotaping.

Analysis
Here again, there is no reason not to amplify the rule, given that this meaning was present in the proposed language but perhaps not readily apparent to some readers.

Recommendation
Section 25.915(c)(1) should be revised as shown below:

1) Each participant’s teaching practice shall be observed on at least one occasion, either in person or through videoconferencing or videotapes, either by the course instructor or by a designee identified by the instructor who:

Comment
A suggestion was submitted for changing the word “coursework” in Section 25.915(c) to “a course”. Another commenter urged that the coursework discussed in both Section 25.915 and 25.920 be practical, affordable, and convenient in acknowledgment that teachers are working hard already and many need to pay off student loans. A third mentioned that taking coursework during the academic year takes valuable time and attention away from students.

Analysis
The statute establishes two options of qualifying for the standard certificate through coursework. One calls for “Successful completion of 4 semester hours of graduate-level coursework…” and the other requires “Successful completion of a minimum of 4 semester hours of graduate-level coursework…” It may or may not be true that a single course will fulfill these requirements, since many university courses generate three hours of credit. The word “coursework” was intentionally used throughout both Section 25.915 and Section 25.920 in light of these factors.

Recommendation
No change should be made in the rules in response to this comment.

Comment
One individual suggested that the time for completing 60 CPDUs should be increased from two years to three years.
Analysis
Section 25.930 establishes the number of CPDUs required under the statute for the four years of teaching on the initial certificate and discusses the proportionate reduction from the four-year, 60-CPDU requirement that will apply to teachers who were already certified when the law was enacted. As stated in that Section, the reduction will be calculated according to the amount of teaching time remaining as of July 1, 2003, a date that was chosen to coincide with the beginning of a certification year and to correspond to the approximate time the rules can be expected to take effect. A person with two years of teaching time left as of that date will be required to complete 30 CPDUs. There is no one who will be required to complete 60 CPDUs within two years.

Recommendation
No change in the rules is needed.

Comment
A representative of the Red Cross proposed addition of another type of activity for which CPDUs could be earned under Section 25.935. This would involve “receiving certification” in coursework for emergency preparedness, including courses on First Aid or CPR, disaster and terrorism training, training in the use of automated external defibrillators, and HIV/AIDS training. This commenter stated the belief that school personnel should be prepared to respond to various emergencies that might arise. Recent violent and disastrous events were given as examples of why lifesaving training is important for teachers and administrators. He also noted that the Critical Health Problems and Comprehensive Health Education Act requires inclusion of disaster survival and AIDS education in the health curriculum and stated that these rules could help provide an incentive for teachers to receive training in these areas.

Analysis
Section 25.935 enumerates the activities available to teachers as options for earning the “balance” of the CPDUs they need in conjunction with the half that must directly address the Illinois Professional Teaching Standards. The list contained in Section 25.935 is taken directly from the related provisions of the new law, which does not authorize the State Board to add to the list. However, at least some workshops and training provided under the auspices of the Red Cross could qualify under Section 25.935(a) (non-university credit directly related to student achievement, the Illinois Professional Teaching Standards, or content-area standards) because they would address several of the content-area standards for health education in Section 27.280 of our rules. The Red Cross would need to become an approved provider as indicated in the rules.

Recommendation
No change in the rule is needed to accommodate this suggestion.

Comment
With regard to Section 25.940, one commenter indicated opposition to adding another test, stating that teachers already are required to take enough tests.
Analysis
The statute provides for a test as one more available option in the event that an appropriate one is identified. Should a test be identified for this purpose, no teacher would be required to take it.

Recommendation
No change is needed in the rule.

Comment
It was noted that individuals who already have held initial certificates for some time will not be able to comply with the requirement to notify their LPDCs of the options they have chosen for moving to the standard certificate “no later than two years after receiving an initial certificate,” as the proposed rule would require.

Analysis
This commenter is correct, and the rule should give currently certified individuals reasonable notice of the requirement. (We should also note that there is no penalty for failing to notify the LPDC in keeping with the timeline; its main purpose is to provide a basis for reminding initial certificate-holders who have not contacted their LPDCs, in case they may be unaware of the requirements for the standard certificate.)

Recommendation
Section 25.945 should be revised as shown below:

a) In order to qualify for a standard teaching certificate, a holder of an initial teaching certificate shall choose one of the methods described in Section 25.905 of this Part. No later than two years after receiving an initial certificate or January 1, 2004, whichever occurs later, he or she shall provide written notification of the method chosen to the local professional development committee (LPDC)....

Comment
One correspondent noted that by trying to please everyone in the new law and rules, quality has suffered, stating that these rules will not allow new teachers to have the highest quality support and then the positive impact in the classroom that is the goal of the system. Another stated that the rules are ridiculous and expressed objection to the two-tiered certification structure. She found it personally degrading to be “checked up on” by the State after receipt of the initial certificate and believed the employing district's mentoring program to be a sufficient guide for new teachers. Several other comments had to do with the cost of fulfilling these requirements at one’s own expense, stated to be hundreds or thousands of dollars. It was suggested that the State should rethink these changes in order to attract people to teaching.

Analysis
Since the two-tiered certification structure and the requirements for moving to the standard certificate are part of the law, the agency has no ability to deviate from them in its rulemaking.