Ad Hoc Rules Committee of the Whole
Wednesday, December 14, 2005
10:00 a.m.
9-040 James R. Thompson Center
100 W. Randolph
Chicago, IL

Public Conference Call Access Number: 1-866-297-6391 (listen only)
Confirmation # 1 3 4 0 7 0 4 8

AGENDA

1. Minutes of the November Ad Hoc Rules Committee Meeting

2. Public Participation

*3. Rules for Initial Review
   a. Part 305 (School Food Service) (Plenary Packet pp. 30-40)
      (Chris Schmitt, Roxanne Ramage, Rita Harper)
   b. Part 1 (Public Schools Evaluation, Recognition and Supervision) (Plenary Packet pp. 16-29)
      (Dana Kinley, Becky Phillips, Mark Williams)
   c. Part 25 (Certification) (Linda Jamali) (See separate link for Part 25-Initial Review)

*4. Rules for Adoption
   a. Part 25 (Certification) (Linda Jamali) (Plenary Packet pp. 41-55)
   b. Part 60 (“Grow Your Own” Teacher Education Initiative) (Plenary Packet pp. 56-78)
      (Linda Jamali)
   c. Part 201, Repeal (Disadvantaged Students Funds Plan) (Plenary Packet pp. 79-84)
      (Donna Luallen & Rich Loman by phone)
   d. Part 202, Repeal (Disadvantaged Students Funds Plan) (Plenary Packet pp. 85-99)
      (Donna Luallen & Rich Loman by phone)
   e. Part 203 (New) (Disadvantaged Students Funds Plan) (Plenary Packet pp. 100-107)
      (Donna Luallen & Rich Loman by phone)

5. Informational Update: Less Red Tape (Shelley Helton – by phone) (pp. 4-10)

6. Additional Items

7. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.
AD HOC RULES COMMITTEE OF THE WHOLE
Wednesday, November 16, 2005
1:30 p.m.
Executive Board Room
222 Merchandise Mart Plaza, Suite 400
Chicago, Illinois

Members Present
Jesse Ruiz
Andrea Brown
Dean Clark
Ed Geppert
Dave Fields
Vinni Hall
Brenda Holmes
Joyce Karon
Chris Ward

Others
Randy Dunn
Jon Furr
Sally Vogl
Deb Vespa

1. PUBLIC PARTICIPATION:

Jonathan Furr asked if there was anyone that wished to speak to the committee for public participation. No one came forward.

2. MINUTES OF THE NOVEMBER AD HOC RULES COMMITTEE OF THE WHOLE MEETING (P.2)

The October minutes were unanimously approved.

3. DISCUSSION OF RULES FOR INITIAL REVIEW:

a) Part 401 (Nonpublic Special Education Facilities) pp. 10-35 Plenary Packet)

Sally Vogl explained the proposed revisions to Part 401. Part 401 is being streamlined to the extent possible and updated as needed. Specifically:

- The title of Part 401 is being revised to acknowledge that not only nonpublic entities may establish facilities under Section 14-7.02 of the School Code. Part 401’s applicability also includes public out-of-state schools as well as facilities owned or operated by public authorities such as regional superintendents of schools. Numerous uses of the word “nonpublic” throughout the rules are therefore being struck.

- A number of provisions are being streamlined by referring to statements in Part 226 of the rules (Special Education), and in other cases language is being added for purposes of clarification, such as to distinguish between providers, the programs they offer, and the facilities where the programs are offered.

- Specific provisions are being added to express the approach to be used in approving out-of-state programs.

- A two-year approval cycle is being instituted for purposes of efficiency.

- The timeframe for notification regarding changes in personnel is being liberalized in cases where the changes do not affect compliance with the relevant requirements.

These proposed amendments were reviewed with the State Advisory Council on the Education of Children on November 8. No issues or concerns were raised in the course of that discussion.
Deb Vespa described to the Board the proposed “common rules” developed by ISBE and the Office of the State Fire Marshal (OSFM) in response to PA 94-600. ISBE, OSFM and the Illinois Terrorist Task Force (ITTF) have been meeting with several months to draft the rules. ISBE hopes the draft rules will be completed by March 2006 so district boards can use the rules in their review of school safety plans over the summer.

Deb Vespa indicated that the rules were as limited as possible, focusing primarily on the required annual review of emergency and crisis response plans and a description of the objectives for specific drills. After Deb Vespa had left the meeting, Dr. Ward raised a concern with respect to Section 1500.30(d)(2) (requiring evacuation drills to “Instruct teachers, students and school employees that anyone who discovers fire or smells smoke or gas shall sound the fire alarm without seeking permission from school authorities”). Dr. Ward questioned whether the language should be more narrow, to avoid false alarms due to smoke or gas from normal school activities (e.g., chemistry labs). Jonathan Furr indicated he would raise this concern with staff.

5. INFORMATION UPDATE: LESS RED TAPE (PP. 14-21)

Jonathan Furr informed the Board that the agency continues to respond to comments received through the lessredtape e-mail address.

6. ADDITIONAL ISSUES

No additional issues were discussed.

7. ADJOURN

The meeting adjourned at 2:15 p.m.
TO: Ad Hoc Rules Committee of the Whole  
Illinois State Board of Education

FROM: Jonathan Furr, General Counsel

Agenda Topic: Lessredtape Update

Materials: Summary of New Submissions  
List of Responses

Staff Contact: Shelley Helton

Purpose(s) of Agenda Item
The purpose of this agenda item is to update Board members about the status of lessredtape submissions and to provide a summary of lessredtape activity.

Expected Outcome of Agenda Item
This item is informational only.

Relationship to/Implications for the State Board’s Strategic Plan
The purpose of the lessredtape initiative is to free school districts from a number of unnecessary administrative burdens. As such, district officials and school staff will be able to focus more time and resources on achieving the objectives set forth in the Strategic Plan.

Background Information
In October 2004, the agency created an email account system so that its constituents could submit ideas for streamlining agency rules and processes. As of Monday, November 28, 2005, the agency had received a total of 317 submissions (not including spam emails) concerning 74 different subjects from superintendents, school staff, regional offices of education, higher education staff, and individuals.

Included with this executive summary are databases of the 12 new requests received since the November Board report, and of the submissions and responses provided for those issues that have been resolved.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Of the 12 submissions received since the November 2005 report, five have been resolved and two were “spam” (i.e., no response needed and not included in the total of requests received). To date, 11 submissions, dealing with a variety of topics, have not received a response, although draft responses have been prepared for eight of those 11 submissions.
A summary of the status of lessredtape inquiries by submission and issues is provided below for each calendar year. Since a single submission may address several issues, the number of submissions received will be fewer than the number of issues addressed in those submissions.

<table>
<thead>
<tr>
<th>Status</th>
<th>2004 (156 Total Submissions)</th>
<th>2005 (161 submissions to date)</th>
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<tr>
<td></td>
<td>Submissions</td>
<td>Issues</td>
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<tr>
<td>Resolved (all issues resolved)</td>
<td>156</td>
<td>191</td>
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<tr>
<td>Internal Response</td>
<td>NA</td>
<td>NA</td>
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<tr>
<td>No Response</td>
<td>NA</td>
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Agency staff continue to track those requests for which follow-up is needed. In the coming months, staff will provide summaries of the specific actions taken in response to the suggestions received through the lessredtape email account, including those for which legislation will be proposed.

**Superintendent’s Recommendation**

No recommendation is being made at this time.
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<tr>
<th>Number</th>
<th>Subject</th>
<th>Message (as originally submitted)</th>
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<tbody>
<tr>
<td>462-1</td>
<td>Technology</td>
<td>Good morning. I want to express my reservations at the disparate expectations for data collection with the following examples encountered within our district over the past three weeks. I believe these examples illustrate the need to coordinate and focus efforts at the state level. Many of the requirements are the result of legislation. However, I believe they may also be unintended consequences of administration of the intent of the laws enacted. <strong>(1) Title IID Technology Grant Completion Report:</strong> Award last year was $4,619. We received IWAS notification to complete a Final Report document covering FY03-05. It was 16 pages long and required the collection of data at the end of the period that was not requested at the beginning of the period. Therefore some data could not be collected on participation. Resubmitting data on our technology inventory is redundant with the Tech plan submitted last spring which included similar data. In requesting assistance from ISBE, I learned that the individual who is responsible for the grant generates the form. There is no review or approval process to limit the demand for information or to cross reference data that already resides with ISBE. I also learned that on other grants, the programming staff (sometimes contracted) determines the data collected, not the ISBE! My staff spent 8 hours assembling the data to respond to the Title IID Technology Completion Report. With ISBE staff working in silos on data collection, we have overlapping deadlines and demands for information that has already been submitted. How will this data collected from our districts be used? <strong>(2) Reading Improvement Grant</strong> Because of the IWAS system design, completing this grant request for 2005-2006 took 3 hours. The online system moves slowly from page to page. While the state supports Reading Recovery, approved reading recovery measurements were not listed on the form as they have been in past years and therefore, we had to find research and resubmit. We ended up changing our measurement tool to comply with the state grant form rather than relying upon our leveled reading studies that have been used to provide longitudinal data. Phone calls were made in July to all the contacts listed in the bulletin for the Reading Grant. Not one call was returned. The state should include all approved reading program measurements on its form. While completing the end of the year report for 2004-2005, once again the required data needed at the end of the year was different than the prior year. Our reading recovery teachers scrambled to try to meet the new criteria. At a minimum, the data collection required should be identified in the beginning not after the fact. <strong>(3) NCLB Monitoring Report</strong> The NCLB Monitoring Report is 18 pages of 41 citations requiring 137 proof indicators. As a new superintendent, this will require extensive work on the part of staff to assemble the documents to verify compliance. While responding is as simple as clicking the radio button, identifying specific documents is time intensive. This is an overly burdensome bureaucratic approach with little effect on student achievement. A Paperwork Reduction Act is definitely needed here! I've requested an extension of time from the November 1st date to be sure that we have all the required documentation in order. Last year our district was subject to an audit, yet the monitoring report is still required. <strong>(4) Access Data Collection</strong> Our Bilingual Coordinator informed me this morning that in order to comply with requested data for the Access Test, she prepared a spreadsheet with 20 columns of information on 339 English Language Learners. Creating this database for the state required several days of her time and reduced her time available to provide instruction and teacher support. The implementation of the Access test has required considerable time for our professional development and has an unusually large demand on teacher time for administration. How will the data collected be used? Is this a one time collection or will we be expected to repeat this annually? The important point is that these are local resources expended that reduce the time available to serve students. How can we effectively develop monitoring systems at the state level that do not adversely impact local districts? How much time will be required to prepare the NCLB Monitoring Report? The IRS provides an estimate of the amount of time required to complete its forms. While it hasn't lessened the amount of reporting, it has at least required someone to stop and consider the impact of what is requested. I recommend we adopt a value-added approach and consider the impacts of ISBE/Federal requests for information on local districts. At a minimum, a review/approval process is needed that begins with &quot;Do we already have this data in our system?&quot; and ends with approval by a division administrator. I would welcome the opportunity to discuss these concerns and other examples, such as the difficulties of enrolling as a new administrator in all the separate systems of the ISBE. Thank you for your willingness to consider ways to reduce the &quot;red tape&quot;.</td>
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<td>Number</td>
<td>Subject</td>
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<td>463</td>
<td>School Foods</td>
<td>I would like to know if Superintendent Dunn has a working knowledge of what is happening between food service vendors (my case is [identifying information deleted]) and the State Board of Education. The use of common sense has gone on this issue and districts are being stuck between and argument over an interpretation of a food contract. I have heard the amount disputed has run from under .50 cents to a max of $1500 in our area of the state. My amount is $520.00, which makes me realize that receiving legal assistance will cost more than the amount disputed. Red tape or common sense, call this what you may, has created a no win situation for several school districts in Illinois.</td>
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<td>464</td>
<td>Katrina Update</td>
<td>At [identifying information deleted] we held a massive backpack filling drive. All grade levels were to bring in different school supplies so we could pack up backpacks. Originally we had 50 backpacks, but then the Peoria Journal Star donated an additional 50. All clubs in the district donated funds, and many community groups donated money to pay for the gas involved in driving the van that’s use was donated by the local Ford dealership. I have attached the powerpoint that was created to highlight the project.</td>
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<td>465</td>
<td>School Improvement Plan</td>
<td>I am interested in viewing the new school improvement template the ISBE has created. I listened to Jonathan Furr speak at the SIUC Legal Roundtable in early October and liked what he had to say. I have looked on the ISBE web site but have been unable to find the template. Any help would be greatly appreciated.</td>
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<td>466</td>
<td>Accountability</td>
<td>To the Recipient of My Venting, Getting rid of the Application for Recognition of Schools would be a great step in the journey toward requiring less red tape. Is there ever any school that responds &quot;No&quot; to any of the questions? Truly, school boards and administrators have far more important issues to attend to. We are responsible and conscientious about adhering to Illinois Code; mandating the completion of this form seems superfluous to me.</td>
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<tr>
<td>467</td>
<td>Spam</td>
<td>To Whom It May Concern: I was notified by my elementary principal, [identifying information deleted], that she had been contacted regarding my signature on page 3 of the Reading Improvement Block Grant. It was the opinion of ISBE that this might have been a 'stamped signature'. I assure you this was my signature and not a stamp. I have resigned this grant in blue ink under my previous original black signature and will hardcopy this to your office via U.S. Mail. I believe this is another example of the bureaucracy and paperwork being made much more cumbersome than needed. I know State Superintendent Dunn has requested recommendations from districts on how paperwork can be reduced and the bureaucracy can be made more efficient. This is definitely an example of burdensome paperwork. Sincerely, (signed in blue ink on original)</td>
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<td>Reading</td>
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<td>469</td>
<td>Katrina Update</td>
<td>I was told that I can report to you what our school has done to help the Katrina victims at the time of need. [identifying information deleted] School, located in [identifying information deleted], Illinois has held two fundraisers in order to assist the Katrina victims in getting back on their feet. We have &quot;adopted&quot; a school in Houston Texas, Douglass Elementary School, which I believe the name has changed to NOW School. Our fundraisers were a penny drive which the students generously donated $1,650. The second fundraiser was a raffle. Our local businesses, teachers, and staff members donated prizes for the raffle. The raffle brought in $1,350 more dollars, for a grand total of $3,000 to be donated to the Houston School. I am very proud of our students, staff, and community for being so generous and caring. If you have any questions or would need anymore information from me please feel free to contact me. Thanks!</td>
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<td>470</td>
<td>Duplication of #431, #444 and #457 (see September Board packet)</td>
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<td>School Code</td>
<td>Could something be done to enable us to actually find what we're looking for in the IL School Code? Some suggestions might be to separate Chicago from &quot;the rest of the world&quot; and to revise the index. In its present form, the index makes it difficult to find anything.</td>
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<td>472</td>
<td>Technology</td>
<td>Why doesn't ISBE have the budgeting process online? I work for [identifying information deleted] ROE and serve as the Learning Technology Director of [identifying information deleted] (identifying information deleted) County and I'm totally frustrated by the lack of technology for this process. I am sure we are not the only organization that must submit a budget to ISBE. Yet I find it incredibly time consuming to do a budget (for a grant) and then get signatures in BLUE ink and then mail it to ISBE. Then wait to see if it needs some type of revision and possibly do this all over again. After that, we must wait as it gets</td>
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<td>passed along to other departments for their approval. Currently our LTC budget for this year is in some office waiting for an approval signature. You must have someone in your organization that can visualize the process and include all the necessary players and approvers. They could place this on a secured web site. Then using pull down menus and check off list could speed this process. I don't know who gets this email but I would be happy to have a conversation about this idea.</td>
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<td>473</td>
<td>egrants</td>
<td>While I appreciate being able to complete grants electronically, it would be very helpful if electronic grant applications had a section for our comments or questions. My NCLB grant was repeatedly disapproved due to a misunderstanding. Had I been able to respond back to the reviewer and ask for clarification, the misunderstanding would have been cleared up more quickly. Ultimately the reviewer called me and we resolved the problem, but in the meantime both she and I got very frustrated and wasted precious time. It might also help if the reviewers provided their phone numbers so they could be contacted if there is a question about how to correct the grant. The only phone numbers I’ve seen on the grants are those for technical support.</td>
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<td>Date</td>
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<td>11/9/05</td>
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<td>11/8/05</td>
<td>468</td>
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Rules Packet - Page 9
<table>
<thead>
<tr>
<th>Date</th>
<th>#</th>
<th>Message (as originally submitted)</th>
<th>Resolved</th>
<th>Response (substantive portion only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/15/05</td>
<td>471</td>
<td>Could something be done to enable us to actually find what we're looking for in the IL School Code? Some suggestions might be to separate Chicago from &quot;the rest of the world&quot; and to revise the index. In its present form, the index makes it difficult to find anything.</td>
<td>11/17/05 You are correct in noting that the topic areas of each Article are broad. As the Code has been amended over the years, new requirements often are added to the end of the Article rather than being grouped with existing sections that may relate to the new requirements. As a general rule of thumb, requirements pertaining to the State Board of Education can be found in Articles 1A and 2; Regional Offices of Education, Articles 3 and 3A; school boards, Article 10; certification requirements, Article 21; special education, Article 14; instructional mandates, Article 27; and City of Chicago Public School District 299, Articles 34 through 34B. In addition, other laws pertinent to school districts are found outside of the School Code; examples include the Illinois School Student Records Act (105 ILCS 10), the Education for Homeless Children Act (105 ILCS 45), and the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110). The School Code can be found on the Illinois General Assembly website at <a href="http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1005&amp;ChapAct=105%26nbsp%3BLCS%26nbsp%3B5%26nbspChapterID=17&amp;ChapterName=SCHOOLS&amp;ActName=School+Code%2E">http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1005&amp;ChapAct=105%26nbsp%3BLCS%26nbsp%3B5%26nbspChapterID=17&amp;ChapterName=SCHOOLS&amp;ActName=School+Code%2E</a> If you have the 2004 Illinois School Code distributed by the Illinois Association of School Boards and have loaded the CD-ROM, then you also could search the Code for specific issues electronically, using key words or phrases. You may also be interested in knowing that the State Board of Education this past spring introduced legislation to eliminate from the School Code sections that are either obsolete or duplicative of other School Code provisions. The agency hopes to push for that bill's passage and enactment again in the spring 2006 legislative session. Additionally, the State Board will be exploring ways in which the School Code can be reorganized so that the laws it contains are organized in a more logical and easier-to-use format. We welcome any ideas you may have for improving the Code’s organization and usability.</td>
<td>contents. When the principal consultant for the Reading Improvement Block Grant could not ascertain whether the signature on your district's performance report was an original, the consultant immediately faxed a signature page to Principal [identifying information deleted] for use in getting another signature. The consultant also informed Ms. [identifying information deleted] that the form could be sent to the State Board via regular mail. We do appreciate your promptness in returning the page with your signature. Many of our program areas recommend in Requests for Proposals and other documents that the signature be applied in blue ink so that such confusion does not occur. Please be assured that the principal consultant’s communication with Ms. [identifying information deleted] was intended to expedite the acquisition of the signature rather than to create burdensome paperwork. The consultant believed that she was proceeding in the most efficient manner given this situation, and we regret that it caused you undue work. If you have any suggestions that would help our consultants avoid situations like this in the future, please don't hesitate to send them to me. The State Board appreciates your taking the time to point out how requests that appear to be routine tasks may be perceived as burdensome for districts.</td>
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