Ad Hoc Rules Committee of the Whole  
Wednesday, February 22, 2006  
3:00 p.m.  
(This meeting will begin at the conclusion of the previous session.)  
Board Room, 4th Floor  
100 N. First Street, Springfield, IL

Public Conference Call Access Number: 1-866-297-6391 (listen only); Confirmation # 1 3 8 2 0 5 3 4

AGENDA

1. Public Participation

2. Minutes of the January Ad Hoc Rules Committee Meeting (pp. 2-5)

*3. Rules for Initial Review
   b. Part 226 (Special Education) (Chris Koch, Beth Hanselman, Sally Vogl) (Plenary pp. 22-29)

*4. Rules for Adoption
   a. Part 401 (Nonpublic Special Education Facilities) (Plenary pp. 30-62)  
      (Beth Hanselman, Darren Reisberg)
   b. Part 1110 (Education Purchasing Program) (Plenary pp. 63-78)  
      (Karen Helland, Wilma VanScyoc)

5. Informational Update: Less Red Tape (Shelley Helton) (pp. 6-12)

6. Additional Items

7. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.
1. PUBLIC PARTICIPATION:
The following persons provided public participation:

A. Susy Woods, ISAC, Chesterfield, IL. Ms. Wood’s public participation related to the proposed rule changes to Part 226 (Special Education). Ms. Woods said that the rules as proposed are even more dramatically altered than the reauthorization of IDEA would require. The ISAC Executive Committee met on January 10 and took several actions which Ms. Woods was asked to communicate to ISBE. 1) It is necessary to include the language from the federal rules, rather than referring to such rule only by statutory reference. The draft proposed state rules are not user friendly for parents, teacher or administrators; 2) a) ISAC is in agreement with and thoroughly supports transition planning in Illinois beginning when the child is 14 ½; b) the use of the eligibility category “developmental delay” should be allowed for children up to age 7; and c) IEP’s should retain the use of short-term objectives; 3) ISAC also recommends the proposed changes regarding graduation include a clarification that a) an eligible student may continue receiving services through age 21-defined as “through the day before the student’s 22nd birthday”; b) if a student completes the minimum state graduation requirements such student shall receive a regular diploma upon exiting school; and c) an IEP team may elect to defer conferring such diploma until the student exits school and instead confer a certificate of completion allowing the student to continue to receive services as specified in his or her IEP.

B. Penny Richards, Learning Disabilities Association of Illinois, Palos Hills, IL. Ms. Richards’ public participation related to the proposed changes to Part 226 (Special Education). Ms. Richards has been a surrogate parent for nine years and referenced the importance of user friendly language for parents. Ms. Richards asked the Board not to approve proposed changes at this time. Ms. Richards would like ISAC or ISBE to look into an ad hoc committee to look into the Responsiveness to Intervention (RTI) issue.

Board Member Dr. Vinni Hall questioned Dr. Koch about his recommendations to make this document educator/parent friendly.

Dr. Koch explained the process to develop the proposed Part 226 rules has been inclusive. The parent manual would be updated to reflect changes in federal law and the adoption of the Part 226 rules.

Board Member Dr. David Fields commented on the various groups around the state who have concerns. Dr. Koch indicated staff would work to address these concerns during the first notice period, and staff would not recommend bringing the rules back to the Board for adoption until the federal regulations have been finalized.
Board Member Brenda Holmes asked whether emergency rules could be adopted upon the finalization of the federal regulations. Mr. Furr indicated the agency uses emergency rulemaking very sparingly, and the very fact the Board is considering a process to avoid the need for emergency rules indicates these rules should go through the normal rulemaking process.

Dr. Hall asked if discussion with interested persons could occur during the public comment period. Mr. Furr indicated that public discussion is occurring while the Part 305 School Food Service rules are on first notice, and that is what is envisioned for the Part 226 rules. All comments and discussions are being properly documented.

C. Tim Thomas, Special Education Administrator, Northern Suburb Special Education District (NSSED). Mr. Thomas’s public participation related to the proposed amendments to Part 226 (Special Education). Mr. Thomas asked that the Board reconsider the proposed rules on case load and class size. Mr. Thomas stated the rules needed additional flexibility in this area.

D. Judy Hackett, Asst. Supt. in Indian Prairie School District, Naperville: Ms. Hackett’s public participation related to the proposed changes to Part 226 (Special Education). Ms. Hackett noted that ISBE needs to streamline the process and avoid redundancy. Ms. Hackett expressed support for an extended public comment period involving collaboration with interested stakeholders.

E. Dr. Barbara DeLurie, Jr. High School Principal at the Illinois School for the Deaf. Ms. DeLurie’s public participation related to the proposed amendments to Part 226 (Special Education). Ms. DeLurie suggested to the Board that ISBE needs to meet with her staff and parents to get their feedback on the proposed rules.

2. MINUTES OF THE DECEMBER AD HOC RULES COMMITTEE OF THE WHOLE
The December Ad Hoc Rules Committee meeting minutes were unanimously approved.

3. DISCUSSION OF RULES FOR ADOPTION

PART 235
(Preschool Educational and Coordinated Model Preschool /Educational Programs)

Kay Henderson, Cynthia Zumwalt and Shelley Helton came to the Board table.

Mr. Furr explained that the Part 235 rules were placed on first notice at the October meeting. ISBE received 44 items of public comment. In general, staff is not making any recommendations for changes in response to comments on class size, screening criteria, program content and percentages for administrative costs. Staff is recommending changes in relation to staffing qualifications, information required on facilities and DCFS licensure requirements.

Ms. Henderson explained that the School Code requires the classroom teacher to be certified with an early childhood teaching certificate. We received a number of comments on the qualifications of the teaching assistant who is present in the classroom. The ratio in the classroom is one adult to ten children. Ms. Henderson said the first adult is the certified teacher. If the program serves more than ten children, then the second adult assisting would be a teacher aide. Ms. Henderson indicated staff is recommending to impose qualifications for teacher aides consistent with the requirements for state-approved paraprofessionals. Teacher aides would have until 2014 to meet the new requirements.

Mr. Furr described two other changes based on public comment. First, the RFP will require additional information on facilities used in program delivery. Second, the rules will be amended to clarify that only entities required to be licensed by the Illinois Department of Children and Family Services (DCFS) to operate a child care facility must hold such licensure in order to be eligible to apply for an Early Childhood Block Grant. For example, the DCFS licensure requirements do not apply to public schools.

Board Member Dr. Andrea Brown asked whether early childhood providers are relying on the Early Learning Standards. Ms. Henderson stated ISBE is involved with extensive training to ensure providers are using the Early Learning Standards. Board Member Brenda Holmes congratulated Ms. Henderson and her staff for their hard work with the Early Childhood Block Grant program.
Darren Reisberg, Dr. Koch, Beth Hanselman and Sally Vogl came to the Board table.

Dr. Koch first commented on the description of Part 226 as an all-inclusive “Cookbook.” Dr. Koch indicated that Part 226 has never contained all the requirements pertaining to special education. Dr. Koch highlighted components of the rules for changes. In general, the primary strategy in revising Part 226 has been to reference the proposed federal regulations instead of parroting the language and to reserve substantive text in Part 226 only for those circumstances where we are making a conscious decision to either provide more detail or offer more protection to students with disabilities than federal law provides. A few examples of areas where the rules provide more protections than federal law include transition plans, short-term measurable objectives and case load/class size.

Dr. Hall asked about the sanctions for not meeting the proposed class size requirements. Dr. Koch responded ISBE would work with districts to correct the problem, although districts would ultimately have to come into compliance with the regulations. Beth Hanselman commented staff would provide technical assistance to help districts comply with the requirements.

Chairman Ruiz adjourned the meeting at 11:40 a.m. The Ad Hoc Rules Committee of the Whole reconvened at 2:00 p.m. Dr. Chris Ward joined for the afternoon session.

Dr. Koch continued with the discussion of the Part 226 rules. ISAC commended ISBE for involving them with the rules prior to the first notice period. This is the first time they had been involved with the process prior to first notice.

Mr. Reisberg commented on the desire for a “cookbook” version of the Part 226 rules. It is a regulatory document at the State level, which must also be used alongside the School Code, federal statute, federal regulations and ISBE and federal guidance. It has not been, and cannot be, a stand-alone document containing all requirements related to special education.

Ms. Vogl commented on the timeline for the rulemaking process. Once the State Board places rules on first notice, it has one year in which the rules must go into effect. Otherwise the rulemaking is lost. Ms. Vogl stated that if the rules came back to the Board for adoption in November, we would have sufficient time for the second notice period. Ms. Vogl stated that if the State Board waits until the federal regulations are finalized, Illinois rules would not be in place until approximately five months after the date of the board meeting placing the rules on first notice.

Board Member Joyce Karon asked what would happen if the federal regulations are not issued in a timely fashion. Ms. Vogl responded by saying there are several options. The Board could go ahead and adopt rules in whatever version they are ready at that time. That would trigger JCAR’s review. If there was an intervening event at the federal level that required changes in the rules before JCAR’s review was complete, JCAR would allow us to make the necessary changes.

Mr. Furr asked whether all of Part 226 could be adopted via emergency rules. Ms. Vogl did not recommend this approach. Mr. Furr commented that the rules could always be amended after adoption to address any changes to the proposed federal regulations.

Ms. Vogl suggested a public comment period of six months rather than the norm of 45 days. The Board would then have the opportunity to adopt the rules in September and submit the rules to JCAR in October.

Dr. Koch commented on Section 226.800. This part was left alone due to its Corey H implications. Ms. Vogl recommended that the Board not open up Sections 226.800, 226.810 and 226.820 due to Corey H implications. Dr. Koch indicated the rules would be shared with the Corey H. parties for comment.
PART 25
(Certification)

Gail Lieberman explained that the purpose of this set of rulemaking is to adopt Highly Qualified requirements pursuant to the No Child Left Behind Act, including the option of obtaining Highly Qualified status through HOUSSE (Highly Objective Uniform State Standard of Evaluation). The requirements only pertain to teachers in the classroom who teach core academic subjects. The rules need to be adopted to assist districts with their staffing planning for the 2006-07 school year and to meet the deadline of June 2006 for federal reporting. Also, finalizing these requirements may help the State in obtaining a one-year extension from USDE for requiring all teachers in core academic subjects to be Highly Qualified.

Ms. Vogl stated that the most important and prevalent outstanding issue was the lack of ability to provide a multi-subject HOUSSE. A multi-subject HOUSSE would be particularly beneficial for special education and middle grade teachers who are responsible for multiple subjects. Ms. Vogl stated that ISBE’s initial proposal was not acceptable to USDE, and USDE has not approved any state’s attempt to develop a multi-subject HOUSSE. We have been unable to reconcile this position with other statements of permission in federal law concerning a multi-subject HOUSSE.

Changes have been made to the number of points provided for special education teachers obtaining NBPTS certification to provide consistency with the points allowed for general education teachers receiving NBTS certification. Staff would continue to review opportunities for obtaining Highly Qualified status and/or HOUSSE points, and would bring back further amendments to the Board as warranted.

Ms. Vogl commented on the effect on teachers in non-public special education facilities. Staff do not believe that the highly qualified requirements apply to those teachers and have provided language to clarify this point. After discussion, it was agreed that the language related to teachers in non-public special education facilities would not be added to the rules, although staff could communicate this position to the field.

Dr. Hall expressed her appreciation of staff’s collaboration with various constituents on the development of the requirements, and her concern for the impact of the Highly Qualified requirements on special education teachers.

Board Member Dean Clark asked whether any other states have developed a multi-subject HOUSSE. Gail Lieberman responded by saying USDE is not aware of any other state with a multi-subject HOUSSE.

Dr. Brown asked how veteran teachers were obtaining professional development to meet the HOUSSE requirements. Dennis Williams stated professional development is increasingly focused on content area to allow teachers to meet the Highly Qualified requirements.

Board Member Ed Geppert commended the staff for communicating to all the stakeholders and providing a detailed analysis. He encouraged staff to aggressively pursue the one-year extension from USDE. Ms. Lieberman indicated staff was diligently working to prepare the extension request, and the finalization of the rules will help with that process.

Board Member Dr. Chris Ward commended staff for developing the requirements given the restrictions of federal guidelines. Additionally, teachers want to know what will be required.

Mr. Williams said if approved, staff will train ROEs, teacher unions and other organizations on the 30th of January. ISBE will work with the teacher unions and ROEs to get the information out as soon as possible to the field. Ms. Lieberman discussed the spreadsheet being sent to teachers.

4. UPDATE ON LESS RED TAPE
   Mr. Furr provided a brief update on the Less Red Tape initiative.

5. ADJOURNMENT
   Dr. Fields made the motion to adjourn. Dr. Ward seconded the motion.

Meeting adjourned at 3:05 p.m.
TO: Illinois State Board of Education

FROM: Dr. Randy J. Dunn, State Superintendent of Education
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 February 6, 2006, the agency had received a total of 340 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 nine new submissions received since the January 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 nine submissions received since the January 2006 report, five have been resolved and one was “spam” (i.e., no response needed and not included in the total of requests received). To date, nine submissions, addressing technology planning, assessments, certification and employee issues, have not received a response. This includes six submissions from calendar year 2005.
A summary of the status of lessredtape inquiries by submission and issues is provided below for each calendar year (all of the issues from 2004 have been resolved and that chart has not been included). 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>2005 (176 submissions to date)</th>
<th>2006 (eight 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>170</td>
<td>186</td>
</tr>
<tr>
<td>Internal Response</td>
<td>1</td>
<td>1</td>
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<tr>
<td>No Response</td>
<td>5</td>
<td>5</td>
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Agency staff continue to track those requests for which follow-up is needed.

**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>490</td>
<td>Assessment</td>
<td>Has anyone ever calculated how much instructional time is consumed with all of the testing mandates? Here's an actual scenario. 3rd grade bilingual student in Reading First school: -3 Dibels assessments: Oct Jan and May -Child is tested with TPRI or Tejas Lee if he is in the lowest 20% of his class on Oct. Dibels (The gross error here is that all bilingual students are tested with the English Dibels and may be in the lowest 20% because of language and not academics. IDEL (Spanish Dibels) is going to be used in the future but not instead of Dibels, it's in addition to the Dibels.) -Progress monitoring for the lowest 20% must be conducted every 2 weeks. -ACCESS for language proficiency -IMAGE OR ISAT If repeated testing was a key to higher achievement, all this would be fruitful. Gathering data is important but at what point do we realize how much instruction time is lost? Teachers are pulled out of their rooms 3 times for Dibels, 2 days for ACCESS, etc. Somebody please do the math...minutes spent on assessment instead of instruction.</td>
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<td>491</td>
<td>NCLB</td>
<td>Repeal Bush's idiotic No Child Left Behind laws for a start. What a waste of taxpayer dollars and a way to &quot;Teach the Tests.&quot; These Nazi's in public office have failed in every single thing they have tried from the time they stole the Presidency in 2000 once and in 2004 and onward to the the most corrupt, fascist regime known in what used to be a Democracy in America. I don't know what happened to my country but this is not my America and this is not a &quot;No Child Left Behind&quot; this is a scheme for future 'draftees' for Right Wing Oil wars such as the present ones. I'm fed up and I don't care if these fascist do tap my stupid, boring phone conversations!</td>
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<td>492</td>
<td>Assessment</td>
<td>Could you please place a link to the rules for what is permissible to be displayed as well as conduct (illegal prompts to special Ed students, etc.) during testing on the ISBE HOME PAGE with a flashing &quot;NEW&quot; sign. It is my understanding that letters were mailed regarding this issue. However, it would help if right on the home page there would be &quot;eye-catching&quot; link. We just had a series of very well attended ISAT and PSAE workshops (both reading and mathematics) and the audience definitely had mixed views on what is permissible for this year's testing. The link should also carry any updates (clarification) to &quot;what ifs&quot; that always arise after the rules are provided. Thanks for reviewing my suggestion!</td>
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<td>493</td>
<td>Special Education</td>
<td>1)determine cost of all rules/regulations which Illinois has which exceed Federal rules. Provide funding to each district based on special education enrollment for those costs. This then would force ISBE to see if these rules are worth keeping or if so pay for them! 2)abolish the complicated formula for the $2000 extra-ordinary 3)treat high cost children who are included much like those in Private Facilities.</td>
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<td>494</td>
<td>Legal Holidays</td>
<td>Abolish this as a legal holiday (Casimir Pulaski Day). Districts are required to pay holiday pay for 260 day employees (maintenance, custodial, technology, secretarial, and other position). This is in play even if a district requests a waiver. The estimated cost of this legislative holiday is .5 of the current student enrollment. ISBE provided incorrect information to the General Assembly back in 1985. If the General Assembly wants this holiday then pay for it in a line item.</td>
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<td>495</td>
<td>Grants</td>
<td>Please clean up your grant / RFP web site as many postings are very outdated.] Very annoying when trying to find new information. There are documents that are almost a year old.</td>
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<td>496</td>
<td>Certification</td>
<td>California is no longer answering any information regarding status of paperwork coming or going through their office. They have set up a website online that allows all other states to access any paperwork questions directly from their website. This would eliminate the need for the 73-99 to need to be mailed from IL to CA, wait for their 5 month paper back log for a response, and return it to IL. Also, CA Commission on Teacher Credentialing informed me they do not have a state seal to put on any 73-99 paperwork. This is causing problems for some teachers who have passed their Basic Skills Tests in CA.</td>
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<td>497</td>
<td>Employees</td>
<td>Here is my idea...having been in the military for the last 17yrs, I have moved around quite a bit. It has always been a mystery to me why each state cannot accept a school physical form from another state as long as the form is signed and stamped by an Accredited provider (M.D., NP or PA)? It really puts a strain on our military system, in some areas, to provide extra appointments for a physical that someone just accomplished in another state.</td>
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<tr>
<td>498</td>
<td>Spam</td>
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As you know, in order to be “certified” to administer the ACCESS for ELLs -- the state's new language proficiency test -- teachers must be trained and take the quizzes through the State Board of Education's website. Teachers' access to this online system is restricted, so a teacher wishing to enter the system needs to log in and use a password. While obtaining a password by using an Individual Educators Identification Number from the Online Teacher Information System (OTIS) is a multi-step process and may be perceived as cumbersome, it seemed a reasonable approach to provide each teacher with a unique identifier, rather than using the teacher's Social Security Number.

Lessredtape: Messages and Responses (1-06-06 through 2-9-06)

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<tr>
<th>Date</th>
<th>Message (as originally submitted)</th>
<th>Resolved</th>
<th>Response (substantive portion only)</th>
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<tr>
<td>12/29/05</td>
<td>489-1 Thank you for the opportunity to address procedural issues that are cumbersome. 1. Certifying teachers to give the ACCESS for ELLs test this year. A very important test that looks well done, but the certification process was very difficult. First, the teacher had to go to OTIS to obtain his/her IEIN number. They then had to go to a different website <a href="https://db.wida.us/d2l">https://db.wida.us/d2l</a> and log in with a complicated password and the IEIN number and make up a password to use for the future. After receiving an email with the password he or she chose and some additional info added on to the password, a third site could be accessed <a href="http://www.uwosh.edu.d2l">http://www.uwosh.edu.d2l</a> where the teacher could take the certification quiz. Can we please make this simpler for new teachers next year?</td>
<td>1/19/06</td>
<td>As you know, in order to be &quot;certified&quot; to administer the ACCESS for ELLs -- the state's new language proficiency test -- teachers must be trained and take the quizzes through the State Board of Education's website. Teachers' access to this online system is restricted, so a teacher wishing to enter the system needs to log in and use a password. While obtaining a password by using an Individual Educators Identification Number from the Online Teacher Information System (OTIS) is a multi-step process and may be perceived as cumbersome, it seemed a reasonable approach to provide each teacher with a unique identifier, rather than using the teacher's Social Security Number. The Division of English Language Learning shares your concerns about this process, which was piloted for the first time this past year, and its staff are exploring options for future streamlining.</td>
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| 1/29/06    | 489-2 Communication for grant submission and reporting is not consistent. Sometimes we receive a hard copy of a letter, other times it is a message in IWAS, sometimes it is an email to the grant manager and other times, it is only mentioned in the Superintendent's newsletter. This makes it very difficult for new grant managers to know where to look to find when items are due. In addition, I give Randy Dunn a lot of credit for his frequent correspondence with superintendents across the state. Unfortunately, his email is such a mixture of important and not important items that it is easy to overlook something critical if it is new to you. I would be happy to provide you with more information or give you some ideas on solving the problems. 495 Please clean up your grant / RFP website as many postings are very outdated.] Very annoying when trying to find new information. There are documents that are almost a year old. | 2/6/06   | You suggested that the State Board of Education establish a consistent and predictable mode of communication about grant opportunities and for reporting and other activities that occur once a grant is awarded. Since grants are handled in at least a half of dozen divisions in the agency, staff in each have a different process for communicating with eligible applicants and grantees. Another concern centered around the reason grant applications and RFPs are maintained on the agency's website after the date that proposals are due. First, we want you to know that the agency has struggled with establishing standardized procedures across its numerous divisions. For noncompetitive grants loaded into the Illinois Web Application Security system (IWAS), reminders are sent via that system. For grants not on IWAS, staff use a combination of their divisions' home pages on www.isbe.net, the Superintendent's Weekly Message, and paper and other electronic communication. Improvements are being made in these modes of communication; for instance, a new feature of the Superintendent's Weekly message is a section called "Upcoming Deadlines" that appears immediately following the State Superintendent's remarks. District superintendents and others receiving the weekly message should ensure that their staff responsible for meeting those deadlines are forwarded a copy of the message. Updates to IWAS over the next year also will assist users in viewing status and deadlines for various grants and programs more easily than in the past. As for maintaining RFPs on a division's website past the proposal due date, staff report that there are several reasons this is done:  
- Information for one fiscal year is kept online until the grant period has expired. Often pages from the original application or RFP are needed for amendment purposes.  
- State Board staff frequently get questions from their clientele about grants that are available. It is much easier to respond to these questions if the information is still posted on the Internet. Applications and RFPs contain pertinent information about requirements, assurances, timelines, use of funds, etc. Even though the submission date may have expired, the information is still needed.  
- State Board staff frequently get requests from the U.S. Department of Education regarding forms used with grants, information it shares with grantees, etc. The department expects staff to direct it to information on the State Board's website. |

I hope you find this information helpful. The State Board will consider the concerns expressed in your
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<td>1/17/06</td>
<td>490</td>
<td>Has anyone ever calculated how much instructional time is consumed with all of the testing mandates? Here's an actual scenario. 3rd grade bilingual student in Reading First school: -3 Dibels assessments: Oct Jan and May - Child is tested with TPRI or Tejas Lee if he is in the lowest 20% of his class on Oct. Dibels (The gross error here is that all bilingual students are tested with the English Dibels and may be in the lowest 20% because of language and not academics. IDEL (Spanish Dibels) is going to be used in the future-but not instead of Dibels, it's in addition to the Dibels. ) - Progress monitoring for the lowest 20% must be conducted every 2 weeks. - ACCESS for language proficiency - IMAGE OR ISAT If repeated testing was a key to higher achievement, all this would be fruitful. Gathering data is important but at what point do we realize how much instruction time is lost? Teachers are pulled out of there rooms 3 times for Dibels, 2 days for ACCESS, etc. Somebody please do the math....minutes spent on assessment instead of instruction.</td>
<td>1/31/06</td>
<td>We are in the era of the No Child Left Behind Act of 2001 (NCLB), and the method of accountability - under both state and federal law -- is testing. The State Board of Education is very much aware that testing requires an enormous amount of time for teachers and students, sometimes to the detriment of instructional time. It is extremely frustrating. As division administrator for the Student Assessment Division, I try to find ways that we can better assess students, as required by law, and not spend more time out of the classroom. To that end, we are looking at the administration of ACCESS and ways in which its administration can be improved so that it does not unduly affect resources and time. On the other hand, the information you will receive from results of state testing will assist you in your work as a teacher. The more complete and detailed the data you receive, the better your tools will be for enhancing teaching and learning. The Illinois Standards Achievement Test (ISAT) and ACCESS this year will produce this type of useful data, and in the future, similar information will be gleaned from the Prairie State Achievement Examination (PSAE) and Illinois Measure of Annual Growth in English (IMAGE). Again, my apologies for the amount of time you are spending on testing. I highly encourage you to contact your congressional delegation, your state legislators and the governor to express your frustrations. Until the laws change, testing will be the method of accountability.</td>
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<td>1/18/06</td>
<td>491</td>
<td>Repeal Bush's idiotic No Child Left Behind laws for a start. What a waste of taxpayer dollars and a way to &quot;Teach the Tests.&quot; These Nazi's in public office have failed in every single thing they have tried from the time they stole the Presidency in 2000 once and in 2004 and onward to the the most corrupt, fascist regime known in what used to be a Democracy in America. I don't know what happened to my country but this is not my America and this is not a &quot;No Child Left Behind&quot; this is a scheme for future 'draftees' for Right Wing Oil wars such as the present ones. I'm fed up and I don't care if these fascist do tap my stupid, boring phone conversations!</td>
<td>1/25/06</td>
<td>You mention that you believe the law encourages &quot;teaching to the test&quot;; however, this is not a requirement in the law. The federal law, like earlier state laws, requires assessing what students know and are able to do relative to knowledge and skills outlined in the Illinois Learning Standards (see <a href="http://www.isbe.net/ils/Default.htm">http://www.isbe.net/ils/Default.htm</a>). To do well on the assessments, students need to know test-taking strategies and learn the course material, but I would not define acquisition of those skills and of subject matter knowledge as &quot;teaching to the test&quot;.</td>
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<td>1/24/06</td>
<td>493</td>
<td>Determine cost of all rules/regulations which Illinois has which exceed Federal rules. Provide funding to each district based on special education enrollment for those costs. This then would force ISBE to see if these rules are worth keeping or if so pay for</td>
<td>2/6/06</td>
<td>Your comments about the rules governing Special Education (23 Illinois Administrative Code 226) are timely, as proposed amendments to those rules are currently in the first notice period to allow for the public to provide comment. In proposing these changes, the State Board of Education has sought to make clear those provisions that exceed federal requirements. As to your suggestion about cost, State Board staff are currently in the process of reviewing the possible fiscal impact, if any, of such rules. Moreover, we invite you to provide comment about the proposal. The deadline for submitting written</td>
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<td>Response (substantive portion only)</td>
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<td>1/25/06</td>
<td>494</td>
<td>Abolish this as a legal holiday. Districts are required to pay holiday pay for 260 day employees (maintenance, custodial, technology, secretarial, and other position). This is in play even if a district requests a waiver. The estimated cost of this legislative holiday is .5 of the current student enrollment. ISBE provided incorrect information to the General Assembly back in 1985. If the General Assembly wants this holiday then pay for it in a line item.</td>
<td>1/31/06 Your request is similar to one you submitted to lessredtape in November of 2004; I will try update the response we provided to that request, rather than repeating it in its entirety. As you know, the expansion of the waiver law (105 ILCS 5/2-3.25g) in 1995 has resulted in approximately 95 percent of school districts statewide receiving approval to use legally mandated school holidays for student attendance or other purposes. Sixty-seven percent of districts (585) receiving holiday approvals have requested that Casimir Pulaski Day not be recognized as a legally mandated school holiday. The number of requests concerning legally mandated school holidays has led the State Board of Education since 1998 to recommend in its cumulative waiver report that the General Assembly amend Section 24-2 of the School Code to allow school districts to determine locally how certain legally mandated school holidays should be used. I have attached the most recent report and the chart summarizing approvals to this email. Since 2002, the General Assembly has considered several bills to grant local discretion to school districts concerning the use of some legally mandated school holidays. The ones being considered during the 94th General Assembly include HB 403 (see <a href="http://www.ilga.gov/legislation/BillStatus.asp?DocNum=403&amp;GAI=8&amp;DocTypeID=HB&amp;LegId=14737&amp;S">http://www.ilga.gov/legislation/BillStatus.asp?DocNum=403&amp;GAI=8&amp;DocTypeID=HB&amp;LegId=14737&amp;S</a> essionId=50&amp;GA=94), which was sent to the Rules Committee on March 10, 2005, and HB 4381 (see <a href="http://www.ilga.gov/legislation/BillStatus.asp?DocNum=4381&amp;GAI=8&amp;DocTypeID=HB&amp;LegId=22546&amp;">http://www.ilga.gov/legislation/BillStatus.asp?DocNum=4381&amp;GAI=8&amp;DocTypeID=HB&amp;LegId=22546&amp;</a> SessionId=50&amp;GA=94) introduced this month. The State Board of Education has supported passage of these bills and will continue to support such bills in the future. We recommend that you work with your legislators to push for changes to Section 24-2 of the School Code.</td>
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| 2/1/06  | 497 | Here is my idea...having been in the military for the last 17yrs, I have moved around quite a bit. It has always been a mystery to me                                                                                                                                                   | 2/9/06 Section 24-5 of the School Code (copied below) requires new employees to submit evidence of physical fitness and freedom from communicable disease, including tuberculosis. The evidence required consists of a "physical examination and a tuberculin skin test made by a physician licensed to practice
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<td>why each state cannot accept a school physical form from another state as long as the form is signed and stamped by an Accredited provider (M.D., NP or PA)? It really puts a strain on our military system, in some areas, to provide extra appointments for a physical that someone just accomplished in another state</td>
<td>medicine in Illinois or any other state* (emphasis added). As you suggested in your inquiry, new employees can potentially submit a copy of a physical exam conducted out of state, but only if the exam was conducted within 90 days of presenting it to the school district and the “accredited provider” is a licensed physician.</td>
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105 ILCS 5/24-5. Physical fitness and professional growth
Statute text
Sec. 24-5. Physical fitness and professional growth. School boards shall require of new employees evidence of physical fitness to perform duties assigned and freedom from communicable disease, including tuberculosis. Such evidence shall consist of a physical examination and a tuberculin skin test and, if appropriate, an x-ray, made by a physician licensed in Illinois or any other state to practice medicine and surgery in all its branches not more than 90 days preceding time of presentation to the board and cost of such examination shall rest with the employee. The board may from time to time require an examination of any employee by a physician licensed in Illinois to practice medicine and surgery in all its branches and shall pay the expenses thereof from school funds. School boards may require teachers in their employ to furnish from time to time evidence of continued professional growth.