AGENDA

1. Public Participation

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

3 Rules for Adoption
   a. Part 305 (School Food Service) (Chris Schmitt, Jon Furr) (Plenary pp. 155)
   b. Part 1 (Public Schools Evaluation, Recognition and Supervision) (Plenary pp. 66)
      (Becky Phillips, Dana Kinley)
   c. Part 25 (Certification) (Marti Woelfle, Dennis Williams) (Plenary pp. 82)

4 Rules for Initial Review
   a. New Part 227 (Gifted Education) (Carol McCue, Myron Mason) (Plenary pp. 22)
   b. Part 675 (Providers of Supplemental Educational Services) (Plenary pp. 35)
      (Gary Greene, Robert Wolfe, Jon Furr)
   c. New Part 1500 (School Emergency and Crisis Response Plans) (Plenary pp. 59)
      (Susan Weitekamp, Debbie Vespa)

5. Rules for Preliminary Discussion
   a. Part 254 (Vocational Education) (M. Williams, Vogl) (p. 6)

6. Informational Update: Less Red Tape (Shelley Helton) (pp. 7-18)

7. Additional Items

8. 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, February 22, 2006**  
4:00 p.m.  
State Board Room-4th Floor  
Springfield, IL

<table>
<thead>
<tr>
<th>Committee Members Present</th>
<th>Absent</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jesse Ruiz</td>
<td></td>
<td>Randy Dunn</td>
</tr>
<tr>
<td>Andrea Brown</td>
<td></td>
<td>Jonathan Furr</td>
</tr>
<tr>
<td>Dean Clark</td>
<td></td>
<td>Sally Vogl</td>
</tr>
<tr>
<td>Ed Geppert</td>
<td></td>
<td>Chris Koch</td>
</tr>
<tr>
<td>Vinni Hall</td>
<td></td>
<td>Wilma VanScyoc</td>
</tr>
<tr>
<td>Brenda Holmes</td>
<td></td>
<td>Karen Helland</td>
</tr>
<tr>
<td>Joyce Karon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Fields</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris Fields</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris Ward</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. **PUBLIC PARTICIPATION:**  
The following persons provided public participation:

   A. **Bev Johns, Jacksonville, IL.** Ms. Johns’ public participation related to the proposed rule changes to Part 226 (Special Education). Ms. Johns urged the Board to stop and wait until the federal rules are final before asking for public comment on Illinois rules. Ms. Johns stated the Board had just seen the beginning of the reaction against the proposed rules from parents and teachers, noting that “Unless you favor turning over education in Illinois to the federal government, we need special education rules to meet the unique needs of Illinois students, parents and Illinois teachers.” Ms. Johns commented on the difficulty of responding to proposed Illinois rules that reference federal rules, as final federal rules do not exist. Ms. Johns stated that the U.S. Secretary of Education stated earlier this month that they are reviewing thousands of comments on the proposed federal rules and have not as of yet even submitted a draft of final federal rules to the Office of Management and Budget. Ms. Johns asked the Board to please vote to withdraw the Part 226 rules.

   B. **Laura Arterburn, IFT, and Daryl Morrison, IEA** Ms. Arterburn’s public participation related to the proposed changes to Part 226 (Special Education). Her concerns were related to the class size requirements in Part 226.730. Ms. Arterburn requested that implementation of this Section not occur until 2008. Ms. Arterburn suggested the Board wait for the federal regulations to be completed before moving forward.

   Mr. Morrison indicated the Board needs to consider how regular education teachers will be affected by the 226 rules. Mr. Morrison said that he has received numerous emails concerning school districts that are looking at even trying to reorganize their whole department to get around this proposed rule. Mr. Morrison states there needs to be ongoing input, hearings and communication on the proposal.

   Board Member Vinni Hall asked Mr. Morrison if any of their groups have come up with any solutions or suggestions for this Board. Mr. Morrison responded that the IEA has a special ed committee, that was addressed by Dr. Koch. At the moment, the IEA is focused on ensuring an open dialogue about the rules.

   Ms. Arterburn said the IFT Special Education Committee is meeting next month and asked Dr. Koch to join them. She indicated the committee is having a great deal of
difficulty deciphering what the rules will in fact do, and the committee is concerned about what will be contained in the final federal regulations.

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

3. **DISCUSSION OF RULES FOR INITIAL REVIEW**

   **PART 226**  
   *(Special Education)*

Dr. Christopher Koch and Sally Vogl came to the Board table. Ms. Vogl and Dr. Koch indicated that the version of the rules authorized for public comment has led to significant concern from the field regarding special education personnel issues related to the class size requirements. Dr. Koch determined that the best option to address these concerns is to withdraw the proposed rulemaking and start again with a change to address personnel requirements. By taking this approach, the Board will obtain comments on the changes to address this issue and still allow for a six-month period of public comment. The Board will also be even closer to the time when we might expect more clarity from USDE on other issues not connected to class size.

Board Member Brenda Holmes asked for more clarity on the technical aspects of the withdrawal. Ms. Vogl stated the proposed rules published in the *Illinois Register* on February 10 would be withdrawn. All would be republished, except that Section 226.730 would be revised and a new Section 226.731 would be included. A six-month comment period would run from approximately the middle of March to the middle of September.

Dr. Koch indicated the '08-'09 implementation timeframe for the revised class size requirements would give districts the ability to make necessary staffing changes. Dr. Koch explained that class size and case load regulations are not provided for in federal law. These are considered State issues. Dr. Koch said he mentioned before that there is an intent and interest to reconcile the flexibility that was provided for in Chicago under the *Corey H.* settlement agreement, giving that flexibility to the rest of state.

Board Member Vinni Hall reiterated her concerns about the proposed requirements, as special education is a function of the enrollment. Dr. Koch suggested we come up with a proposal and let people react. Dr. Hall expressed her concern about the federal requirements not being in place.

3. **DISCUSSION OF RULES FOR ADOPTION**

   **PART 401**  
   *(Nonpublic Special Education Facilities)*

Sally Vogl commented that only a small number of letters of public comment came in on this set of rules. Ms. Vogl said while a fair number of changes were made in response to those comments, she considered it accurate to state that most of those were for purposes of clarification of what the rules mean or have always been intended to mean rather than making any significant policy differences as compared to the proposed version. Ms. Vogl stated the changes dealt with alternatives to the employment of certified personnel, which is permitted in certain cases, and the applicability of various health/life/safety requirements according to where the educational program is offered. Ms. Vogl also noted the discussion last month regarding the applicability of the requirements for highly qualified teachers, and the agency’s position that these requirements do not apply to teachers in nonpublic facilities. Ms. Vogl said rather than stating that in the rules, communications have gone out to make that position clear. Ms. Vogl also noted the way in which the review cycle for providers with multiple programs had been addressed.
Dr. Hall asked about the changes to the section on related services. Ms. Vogl indicated the final language is a more precise and correct way of stating the requirements under various provisions of state law. The old language being changed left the impression that facilities are able to employ personnel who are not certified. That is correct in some instances but it is not strictly correct the way it was written. The prior version referred to “administrative” positions, even though there is no statutory authorization for persons to hold administrative positions who aren’t certified.

PART 1110
(Education Purchasing Program)

Karen Helland (staff person with Education Purchasing Program), Wilma VanScyoc (an attorney in the Legal Department) came to the Board table.

General Counsel Jonathan Furr told the Board these rules were placed on first notice last April. We only received a few items of public comment. Mr. Furr explained that while these rules were on first notice, JCAR raised some questions and had requested clarification on the process that we would use to certify contracts. With the hiring of Ms. Helland, the agency was in a position to conduct a thoughtful process regarding how to respond to JCAR’s concerns.

Sally Vogl commented that the only issue that was raised by external comment was whether the definition of supplies should or should not include insurance. Because it is not excluded by the statutory language establishing this program, there is not a reason why the definition in the rules should be in any way different from that used in the Procurement Code. Consequently, even though there isn’t any goal at this point to institute any kind of bulk purchasing with regard to insurance, neither should it be excluded it at the request of those commenting to that effect.

JCAR had requested greater specificity reading several aspects of the program, including how districts would participate and how contracts would come to be certified. Attorney Wilma VanScyoc walked the Board through the provisions of the proposed rules. Section 1110.50 discusses the registration process for the program. No one is required to participate in any of the contracts that we might certify or procure under this rule. It would be strictly the school district’s option as to whether or not to participate. The Regional Offices of Education and other educational entities composed of multiple school districts are authorized to participate in the program. Section 1110.60 discusses categories of contracts. Section 1110.70 details the process by which school districts or vendors might submit contracts for consideration for certification. The information that requested under this Section is information that will be needed in order to determine whether or not the contract has been properly bid and selected. This came directly as a result of the comments from JCAR.

Section 1110.80 lists the criteria that would be weighed and balanced by the State Superintendent in making a determination as to whether or not a contract should be certified. Section 1110.90 is a provision dealing with cooperative purchasing programs. It has become apparent that there are existing cooperative programs that may have contracts that have already gone through a government procurement process and would be of interest as part of this program. This provision would allow certification of those contracts as those cooperatives procure them on an ongoing basis at any time. Ms. Vogl clarified that the Section 1110.90 language in the rule, and not that in the summary and analysis, contained the last best version that more clearly expressed the rule’s meaning. Ms. VanScyoc stated that the last two Sections deal with evaluation of certified contracts and withdrawal of certification.

Dr. Hall asked about the amount of purchasing that stays in Illinois. Ms. VanScyoc noted the portion of the rule that addresses that concern. If in weighing the factors for certification, the Superintendent determines that two or more contracts are substantially similar, the Superintendent must give preference to the Illinois-based company. If there are no Illinois-based companies, preference is given to the company that employs the most people in Illinois.
Ms. Holmes asked for clarification on the Board’s role and how this relates to the Board’s approval authority for contracts over one million dollars. Mr. Furr stated that the Board’s approval authority relates to contracts by our agency. The certification process relates to contracts bid by other governmental bodies (and potentially nongovernmental bodies) and brought to us for certification to extend to school districts. If the agency decides to bid out a contract in which school districts can participate, the bid would be performed in accordance with ISBE’s normal procurement practices. If the contract exceeded one million dollars, it would require Board approval.

Ms. Holmes asked whether the agency had reviewed the House and Senate transcripts on the debate of SB3000 with respect to the issue of insurance. Mr. Furr explained his understanding of the legislative history of the education purchasing program. Much of the discussion about the education purchasing program with SB3000 was in the context of making some of the contracts mandatory for school districts. The mandatory component was not included in the legislation that was passed. The discussions about the insurance issue may have been in the context of a mandatory program. The language that was adopted cannot be read to have any express or implied limitation on a particular category of contracts. Insurance is obviously a type of contract districts enter into. Although the agency has no intention to certify insurance contracts, Mr. Furr could not justify creating an exclusion based on the statutory language.

Ms. Holmes responded saying she had spent a considerable part of her life putting together SB3000, and the earlier versions did have health insurance available for school districts. Originally it was mandatory, but was removed to build consensus in terms of getting a bill passed. Ms. Holmes expressed her understanding of legal interpretation principles is that transcripts are what the courts look at in terms of legislative intent. She stated that there is absolutely no question that the General Assembly was not in any mood to have a statewide entity take over or even offer health insurance for educators, teachers, and school districts. Ms. Holmes indicated it could be a problem with JCAR.

Mr. Furr stated that the starting point is always the statutory language itself, and that transcripts are used only to the extent the legislative language is not clear. Here, an exclusion of insurance was not set out in the legislation and cannot be fairly inferred from the legislative language. Chairman Ruiz supported this approach to statutory interpretation. Ms. Holmes commented that she did not think legislators would agree with that approach. Board member Ed Geppert stated he had no issue with including a reference to insurance in the rules but did not foresee that the Board ever would certify insurance contracts.

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

5. **ADJOURNMENT**
   Vinni Hall made the motion to adjourn. Ed Geppert seconded the motion.

Meeting adjourned at 4:15 p.m.
TO: Ad Hoc Rules Committee of the Whole

FROM: Jonathan Furr, General Counsel
       Ginger Reynolds, Assistant Superintendent

Agenda Topic: Information Item: Rules for Preliminary Discussion - Part 254 (Vocational Education)

Materials: None

Staff Contact(s): Mark Williams

Purpose of Agenda Item
The purpose of this agenda item is to provide an update on the status of potential revisions to Part 254 (Vocational Education).
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 27, 2006, the agency had received a total of 351 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 16 new submissions received since the February 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 16 submissions received since the January 2006 report, six have been resolved and five were “spam” (i.e., no response needed and not included in the total of requests received). Since the February report, a total of 13 submissions have been resolved. To date, six submissions, addressing Administrators’ Academies, assessments, certification, immigration status and reorganization, have not received a response. This includes one submission 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 total)</th>
<th>2006 (19 submissions to date)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Submissions</td>
<td>Issues</td>
</tr>
<tr>
<td>Resolved (all issues resolved)</td>
<td>175</td>
<td>191</td>
</tr>
<tr>
<td>Internal Response</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>No Response</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Agency staff continue to track those requests for which follow-up is needed.

**Superintendent’s Recommendation**

No recommendation is being made at this time.
<table>
<thead>
<tr>
<th>Number</th>
<th>Subject</th>
<th>Message (as originally submitted)</th>
</tr>
</thead>
<tbody>
<tr>
<td>499</td>
<td>Students</td>
<td>As a veteran educator and administrator, I feel cell phones in the schools are a distraction and not at all need by students. Every school is equipped with phones both land lines and cells if emergencies arise that communication is needed. In every situation that students have cell phones in our district and emergencies have happened the students cell phones caused more harm than good. I beg the state to please take cell phones out of the hands of our students. Most principals I know spend more time on cell phone problems than they should have to. Children come to school to learn and no were in learn does a cell phone fit. We have even had students use cell phones to plan fights after school. Let our children be children's leave the cell phones out of our student's hands.</td>
</tr>
<tr>
<td>500</td>
<td>Certificate Renewal</td>
<td>Dear Sir/madam, If ISBE is serious about &quot;less red tape&quot;, please look at the process for administrative certification. It is like something from &quot;Catch 22&quot;. There appears that the process changes weekly. What counts? What does not count? Can I use administrative academies if I take more than my prescribed 1 per year? If I changed jobs I have to go back to the job where I did my professional development and get verification through cancelled checks that I actually attended? The idea that I have to have two documented pieces of verification is ridiculous. I have 7 bosses that oversee my work on a daily basis. Let the individuals that hired me oversee the job I am doing.</td>
</tr>
<tr>
<td>501-1</td>
<td>Waivers</td>
<td>Why is this waiver process (form 33-77) so cumbersome? As a first year superintendent, I think it's ridiculous to have to jump through so many hoops to renew (in our case) an approved practice.</td>
</tr>
<tr>
<td>501-2</td>
<td>Wellness Policy</td>
<td>Also, why have you here. Why are we required to develop a wellness policy, committee, etc. (thanks for the kit) when the governor and legislators keep passing legislation pertaining to wellness. The dental exam law, junk food ban, we're already required to teach health and all related topics, we require daily physical education, administer hearing tests, etc. It seems to me the work of the wellness committee has been done in the capital. Thanks for listening.</td>
</tr>
<tr>
<td>502</td>
<td>Spam</td>
<td>Please present this information for this important program to Middle School teachers: The [identifying information deleted] Jaycees are happy to announce the start of the 2006 Jaycees Against Youth Smoking (JAYS). Jaycees Against Youth Smoking (JAYS), is a free, educational program that goes directly into elementary and middle school classrooms to teach children about the dangers of smoking and to help them make the informed decision to be smoke free. The [identifying information deleted] Jaycees provides the tools and support to operate this three to four day program based totally upon the teachers discretion. If you would like to participate please email me the number of teachers and students wishing to participate and we will distribute them the appropriate material. Schools that have participated so far: [identifying information deleted] For more information, please feel free to visit the US Jaycees JAYS Website or contact me directly.</td>
</tr>
<tr>
<td>503</td>
<td>Immigration Status</td>
<td>State Board of Education I read the article in the Tribune today about the conflict between [identifying information deleted] Schools and your agency regarding the immigrant with a travel visa but no education visa. The attorney for the Board made the comment that he doesn't understand the Districts logic in not allowing the student to enroll. I don't understand his logic and therefore the Boards logic. If a student is here illegally, they should not be entitled to an education or other services. The use of the word illegal should be the tip-off. If a person is here on a travel visa, they are supposed to travel and then return home. If they applied for and received a student visa, then they can go to school. Why are we made to feel that we must care for and offer services to anyone who finds their way into our country? We are basically offering welfare to the world if they can get in. The way the laws are working now, if I don't like the school my kids are going to, all I have to do is register at the school of my choice and claim we are homeless or in the country illegally and they can go there. Imagine if the public realizes that. You will have people changing schools all over the place. I think these laws and ways of thinking need to be revisited and thought through or I don't see how the country, state or the educational system can survive economically. Thank you for your time and consideration.</td>
</tr>
<tr>
<td>504</td>
<td>Spam</td>
<td>Duplication of #503</td>
</tr>
</tbody>
</table>
| 505    | College Information   | Red Tape? How about a little help! I think it would be a good idea if people would actually answer the e-mails sent by people
506

Spam

[identifying information deleted], Happy Valentine’s Day! I have a second reminder we’d like to send to ROEs similar to last one. Thanks. [identifying information deleted] ACCESS for ELLs™ - March 3 ISBE and Illinois State University are sponsoring a second workshop offered to Universities, Colleges of Education and Regional Offices of Education (including development staff). One-DAY WORKSHOP Professional Development and Overview on ACCESS for ELLs™, a new statewide English language proficiency assessment for English language learners as required by NCLB. Hosted by Illinois State University Date: Friday, March 3, 2006 Presentation is by Jim Bauman, Program Manager, Language Testing Division, Center for Applied Linguistics and WIDA Test Developer; Elizabeth Cranley, WIDA ELL Assessment Consultant; Lunch is provided and the session is free, however, registration is required through the Illinois Resource Center. Registration forms and more information is available at http://www.thecenterweb.org/irc/index.html Click on the ACCESS for ELLs icon.

507

Certification

Hi My Name is [identifying information deleted] and I applied for and received and received a temporary employment authorization for substitute teaching in May 2004. I never received my official document. I sub for a while in district [identifying information deleted] but stopped. I have reapplied and they tell me I need my Official certificate which was never sent to me. I have since moved. [identifying information deleted] Old address [identifying information deleted] New Address [identifying information deleted] Certificate number: [identifying information deleted] I have paid for this and have done all your requirements but now am required to have the official document. Please send it to immediately.

508

Grants

If the State would institute some training sessions and examples for the ESEA Title 1 - Part A subpart one Section 1118 Parental Involvement Policies and compacts it would help everyone get up to speed faster.

509

Certification

My suggestion is primarily for the special education settings, but may be applied to other learning settings as well. With many of the special education teachers having to teach multiple subjects, thereby having to achieve "highly qualified" status in numerous subjects, one way to streamline the process would be to utilize the teaching assistants to a higher degree. Have teaching assistant degree programs designed so that after "gens ed" and requirements, teachers assistants can finish their degrees with course work to make them "highly qualified" in declared major/minor areas. Since these degree programs typically require at least 60 credit hours, it would be entirely possibly to accomplish this goal. Teaching assistants completing the proper course work through an approved school program would satisfy the qualified requirement. This could also provide some substantial additional benefits to the school districts. Creating a reasonably attractive pay scale would attract teaching assistants and there would be a savings to the districts as these salaries would not be as high as the teachers and, the schools would gain para-educators with the appropriate knowledge conducive to optimal learning. Please consider the following example: A special education class has 17 students. The class has a teacher and three teacher's assistants. The teacher has a K-12 certification and has good knowledge in multiple areas. One teaching assistant has a major in American history and a minor in Earth science. One teaching assistant has a major in math and a minor in English and is being utilized for a student that requires a 1:1 aide. One teaching assistant has a major in reading and a minor in English. This combination would be effective in this example and provide a greater degree of flexibility to the schools. The assistants could be utilized to plan/present classroom instruction and be active in different class settings if needs changed. Please give this due consideration as I sincerely feel that this could be a viable solution to both the challenges of compliance with No Child Left Behind and the financial strains faced by many school districts. Also, please consider the opportunity aspect. We have an opportunity potential here to effectively utilize our resources and demonstrate a leadership role in providing solutions that serve the educational needs of our state.
<table>
<thead>
<tr>
<th>Number</th>
<th>Subject</th>
<th>Message (as originally submitted)</th>
</tr>
</thead>
<tbody>
<tr>
<td>510</td>
<td>Reorganization</td>
<td>Thank you for the opportunity to provide suggestions. I would be most interested in any feedback regarding what I have suggested. To whom it may concern: I am writing in regards of the re-districting issue in district [identifying information deleted]. I am the Vice President of the [identifying information deleted] Home Owners Association and I live in the [identifying information deleted] subdivision with my husband, my family and 170 other families. The District [identifying information deleted] Board is in receipt of a petition containing 220 signatures opposing the bussing of our children and supporting the option that allows our children to attend the only neighborhood school available to [identifying information deleted]; [identifying information deleted] School. I am strongly opposed to relocating our area children to attend school at either [identifying information deleted] or [identifying information deleted] Schools due to the extraordinary distance and element of danger that will be added to their commute in both directions. We have urged the Board to consider an alternate re-districting decision that will keep our children at [identifying information deleted] School. [identifying information deleted] is the only neighborhood school available to our children. If our children are chosen to attend an alternate school, they will have to be bussed past [identifying information deleted] and through the neighborhoods of the children that are attending [identifying information deleted], to be delivered to the alternate school, a very long 45 minutes after getting on the bus. This would place our children up to 4 miles from their elementary school, which is disproportionately higher compared to other students in our district and exposing them to additional dangers while commuting to their new destinations. [identifying information deleted] School is the only neighborhood school available to our children. Other areas within the district are logistically a more logical choice, as these areas are closer to the two schools being considered as an alternate. Out of 9 options being made, there is only one that does not include [identifying information deleted]. I have attended the past two Town Hall meetings and there was a suggestion made that was not previously offered in the 9 options. It would include expanding the borders of [identifying information deleted] and [identifying information deleted] to absorb additional students, eliminating the need to bus [identifying information deleted] subdivision children. This option would also support the “neighborhood” philosophy being adopted by the board, as they are adjacent to the neighborhoods currently attending the alternate schools. There will be an impact felt by a large number of taxpaying families, and the decision that is reached by the Board, as final, needs to be one that is fair to all constituents. All children in the district should have the equal and fair opportunity to attend a neighborhood school and [identifying information deleted] is the only neighborhood school available to [identifying information deleted]. We have urged them to make this alternate re-districting decision that will keep our children at [identifying information deleted] School. I would love to hear from someone from the Illinois State Board of Education. We are not being treated fairly and we would like some answers!</td>
</tr>
<tr>
<td>511</td>
<td>Spam</td>
<td>State Senator Dave Luechtefeld is hosting a special briefing Tuesday evening to review the impact of Senate Bill 27, the burden it creates for future taxpayers and the risk of future raids on retirement funds. Last spring, Governor Blagojevich and his legislative allies pushed through a massive raid on the state's retirement systems in Senate Bill 27 (Now Public Act 94-0004). The legislature voted to divert funds owed to the retirement systems by $1.2 billion in 2005. This year, the General Assembly is scheduled to divert another $1.1 billion, for a total two-year raid of $2.3 billion. Over 10 years, more than $4.8 billion will be diverted from state retirement funding. The retirement system raids can be reversed, but only if the public understands the issue and is vocal about demanding changes. The retirement system briefing is a first step to educate the public on this critical issue.</td>
</tr>
<tr>
<td>512</td>
<td>Administrators’ Academies</td>
<td>It is very obvious that the approval process for Administrator Academy proposals is not operating in an efficient manner. I propose that the CIP form a peer review committee to review and approve academy proposals coming from Regional Offices of Education and Intermediate Service Centers. ISBE would be responsible for approving all academy proposals coming from 3rd party providers, such as IPA, IASA, IASBO, etc. The ROEs and ISCs have always offered high quality and well planned Administrator Academies and should be able to oversee themselves. Third party providers are new to the system and it seems...</td>
</tr>
<tr>
<td>Number</td>
<td>Subject</td>
<td>Message (as originally submitted)</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>513</td>
<td>Immigration Status</td>
<td>Dear ?: In regards to the article in today's Tribune &quot;State Slaps District That Barred Teen&quot; WHY ARE WE WASTING OUR TAX DOLLARS EDUCATING PEOPLE WHO ARE NOT UNITED STATES CITIZENS AND DO NOT PAY TAXES? THIS IS AN UNJUSTICE TO OUR STUDENTS. PLEASE CONSIDER THE THOUSANDS OF TAXPAYERS WHO HAVE CHILDREN IN THE [identifying information deleted] SCHOOL DISTRICT. PLEASE RESPOND WITH YOUR BEST DEFENCE ON THIS MATTER. SINCERELY: PORK BELLY IN ILLINOIS.</td>
</tr>
<tr>
<td>514</td>
<td>Related to #513</td>
<td>DEAR RANDY: PLEASE INDICATE A TIME FOR YOUR RESPONSE. I EXPECT AS A TAXPAYER FOR YOU TO CONTACT ME BACK NO LATER THAN WEDS 3-1-06 AT 12:00PM. THIS IS HOW IT IS DONE IN THE REAL WORLD. SINCERELY PORK BELLY</td>
</tr>
<tr>
<td>Date</td>
<td>#</td>
<td>Message (as originally submitted)</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9/19/05</td>
<td>443</td>
<td>#443 At our area superintendents’ meeting last week a great grano went up from all present about all the red tape required for the Title IID funds. For our small, rural, poor district where 1 person is everything - supt., business mgr., curric. coordinator, bldgs. &amp; grounds, transportation, etc., etc., the requirements are staggering &amp; time consuming. Please conside cutting through some of this red tape by allowing the Learning Technology Centers send an assurance form to ISBE indicating which districts have an approved tech plan on file along with the comments from the peer review, since these documents are already on file at the ltcS. THIS WOULD ELIMINATE SOME OF THE PAPER WORK - not all by any means. May I also suggest that you review the rest of the required paperwork and the amount of time it takes to get all of this together in a short time and the amount of money is not hugh by any means - for us it's approx. $1,600. It is truly a hardship for many of us. You cannot imagine the many hours that went into the Technology Plan - hundreds of hours - I almost killed off two of my principals and Tech. Coordinator.</td>
</tr>
<tr>
<td>9/21/05</td>
<td>445</td>
<td>#445 here seemed to be much extra work and paperwork regarding the technology portion of the Title IID grant this year. For most districts that do not receive much funding, the amount of effort and headaches seemed to be disproportionate to the funding level. We were told that we could submit information as part of an amendment, but the online process would not allow for this on Friday. Our director of operations prides himself on efficiency and we did not find this to be either effective or efficient. Our technology plan is online, yet we are to submit a paper copy of our tech plan as per the consultant he spoke with in Springfield. Our concern is that this process is going to further delay approval of our other NCLB applications.</td>
</tr>
<tr>
<td>9/22/05</td>
<td>446</td>
<td>#446 Instead of having districts supply three different pieces of information in order to receive Title II funding, why not have the</td>
</tr>
<tr>
<td>9/27/05</td>
<td>451</td>
<td></td>
</tr>
<tr>
<td>9/29/05</td>
<td>453</td>
<td></td>
</tr>
</tbody>
</table>
| 2/27/06|      | The State Board of Education is aware of the complexity of the current technology plan requirements. During this past year, staff have been reviewing all the requirements for federal grants set forth by the No Child Left Behind Act of 2001 (NCLB), the requirements for e-rate established by the Universal Service Administration Company, and requirements set forth by the National Center for Technology Planning. (See [http://www.ed.gov/nclb/landing.jhtml?src=pb](http://www.ed.gov/nclb/landing.jhtml?src=pb), [http://www.fcc.gov/learnnet/](http://www.fcc.gov/learnnet/) and [http://www.nctp.com/](http://www.nctp.com/) for further information.)  

On July 1, 2006, the State Board will be releasing new technology plan guidelines that are based only upon the information found in the three sites mentioned above. These guidelines should ensure that once an Illinois district has written a plan and that plan is approved, then the district will be eligible to apply for all federal and state funding, including e-rate funding. The new guidelines can be accessed in three ways: as part of the District Improvement Plan found in the e-plan website, as part of the online technology plan found in the e-plan website or as a Word template on the State Board’s Curriculum and Instruction website. Any other technology planning templates found at any other websites (including individual Learning Technology Center’s websites) will not be approved by the State Board. Those plans that have been entered into the current online technology plan prior to July 1, 2006, will be transferred into the e-plan website. Also, when districts revise their technology plans once the system is online, they will find that their current plan will be loaded into the new plan’s guidelines. Districts will only be required to meet the new guidelines when their current technology plans expire. When the online technology plans are completed, the State Board will be notified and will appoint reviewers to read and comment on the plans. Those districts that choose to use the word template will be asked to submit electronic copies of their plan directly to the agency. Starting July 1, 2006, districts will no longer be required to submit their technology plan to the State Board when applying for grant funding since their plans will be submitted directly to it for approval. Once the new planning process is implemented, districts will find completion of their technology plans to be less time-consuming and that the plans rely on a consistent format regardless of how an individual district chooses to write its plan. Finally, the use of the online template is voluntary, and districts can continue to submit technology plans in any format they choose as long as the critical elements as outlined in the online template are addressed. Further information about this initiative will be shared with districts in the upcoming months. |
<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></td>
<td></td>
<td>Learning Technology Centers send an assurance form to the ISBE indicating which districts have an approved tech plan on file along with the comments from the peer review since these documents are already on file with the LTC. <strong>#451</strong>  Documents, mailing, reviewing &amp; storing documents that have already done - most of which have already been submitted, approved and filed through our Region V Technology Hub. Now - to take a step backwards - Superintendents recently received this memo from the state board regarding the Title I IID grant application process for THIS year: &quot;Title I IID grants should be applied for as an amendment to the NCLB Consolidated Grant Application. Title I IID recipients are required to submit the most current copy of their district's technology plan, the technology plan peer review comments and feedback form, acceptable use policy and document of board approval of the district's acceptable use policy. Title I IID budgets can not be approved until these documents are received. Please submit these documents to the following address: Curriculum and Instruction Division Jamey Baiter (C-215) Illinois State Board of Education&quot; Please understand that of the tens of thousands of dollars our district and many other small districts receive (for which we are very grateful), this grant brings us $1,299. The superintendent that was frustrated over this said they were to receive $800 from the Title I IID grant this year. It seems to be to be a terrible waste of taxpayer and state time and money for all districts to mail all of these documents and then to have to store them somewhere at the state level. Thus the question from the supt - what happened to PAPERWORK REDUCTION? Our local districts already submitted the comments to our regional technology hubs; the hubs have copies of the tech plans and the comments they provided to us - need these be copied and mailed to someone again? Sometimes administrators find it hard to understand these things and feel like we have take the long hard route to accomplish an easy thing. I just say - &quot;does anybody know we're trying to have school today?&quot; Please double check</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>#</td>
<td>Message (as originally submitted)</td>
<td>Resolved</td>
<td>Response (substantive portion only)</td>
</tr>
<tr>
<td>------</td>
<td>-----</td>
<td>--------------------------------------------------------------------------------------------------</td>
<td>----------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1/30/06</td>
<td>496</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>
<td>2/16/06</td>
<td>You indicate that the state of California has established a website for other states to use in verifying information related to the certificate application process. You believe that that website makes the filing of Illinois form 73-99, &quot;Confirmation of State Certification Tests Taken&quot;, unnecessary. Further, you expressed concerns that the California Commission on Teacher Credentialing no longer uses a state seal to notarize paperwork submitted as part of the application process. A teaching certificate applicant wishing to have Illinois accept content area and basic skills tests completed in another state for the purpose of receiving an Illinois certificate are asked to submit ISBE 73-99 to that state in order for it to verify to the Illinois State Board of Education that the applicant passed the required tests. It is not clear how a website to allow a review of teachers' credentials would help State Board staff determine whether an applicant holding a California teaching certificate has successfully completed the requisite tests. Moreover, the Division of Certification each week receives hundreds of applications and documents for review. It does not have sufficient staff to check online whether applicants for an Illinois certificate have passed certain tests, even if those tests are listed by the state of origin on its website. Finally, Certification staff appreciate your bringing to their attention the fact that California no longer uses a seal, but the agency has been aware of this for some time and it will not prevent the processing of your application.</td>
</tr>
</tbody>
</table>
| 2/6/06 | 499 | As a veteran educator and administrator, I feel cell phones in the schools are a distraction and not at all need by students. Every school is equipped with phones both land lines and cells if emergencies arise that communication is needed. In every situation that students have had cell phones in our district and emergencies have arisen that knowledge and communication is needed. | 2/15/06 | Sections 10-20.28 and 34-18.14 of the School Code (105 ILCS 5/10-20.18 and 34-18.14) govern the use of cellular radio telecommunication devices on school grounds (I have copied Section 10-20.28 below; the text of the sections are identical, with Section 34-18.14 pertaining to the City of Chicago School District 299 only). While the law originally prohibited the possession or use of cell phones by students on school grounds during regular school hours, it was substantially amended in 2002 to allow school boards to "establish appropriate rules and disciplinary procedures governing the use or possession of cellular radio telecommunication devices by a student while in a school or on school property, during regular school hours, or at any other time."
Rules Committee Packet - Page 16

<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></td>
<td></td>
<td>happened the students cell phones caused more harm than good. I beg the state to please take cell phones out of the hands of our students. Most principals I know spend more time on cell phone problems than they should have to. Children come to school to learn and no were in learn does a cell phone fit. We have even had students use cell phones to plan fights after school. Let our children be children's leave the cell phones out of our students' hands.</td>
<td>2/15/06</td>
<td>As you know, Section 21-7.1 of the School Code (copied below) sets forth requirements for the administrative certificate, with subsection c-10 providing criteria specific to renewal of that certificate. Further requirements can be found in administrative rules governing Certification at 23 Illinois Administrative Code 25.315 (see <a href="http://www.isbe.net/rules/archive/pdfs/25ark.pdf">http://www.isbe.net/rules/archive/pdfs/25ark.pdf</a>). You are correct that the administrative certificate renewal process has changed several times in recent years. P.A. 92-796, effective July 1, 2003, contained a number of requirements that were in effect for only one year; one of those requirements included review and approval by the local district superintendent (or their designee) of an administrator's certificate renewal plan and claims for credit (see <a href="http://www.ilga.gov/legislation/publicacts/pubact92/acts/92-0796.html">http://www.ilga.gov/legislation/publicacts/pubact92/acts/92-0796.html</a>). A year later, P.A. 93-679, effective June 30, 2004, removed the requirement that an administrator create a certificate renewal plan and amended requirements dealing with claims for credit and local review of completed activities (see <a href="http://www.ilga.gov/legislation/publicacts/93/PDF/093-0679.pdf">http://www.ilga.gov/legislation/publicacts/93/PDF/093-0679.pdf</a>). It did not change the professional development requirements; they remained the same. P.A. 93-679 also required that administrators &quot;maintain documentation&quot; showing completion of each activity. Such documentation need not be submitted but must be produced if the administrator is chosen for an audit. The law further removed the requirement that the renewal plan and verification of completed activities be reviewed by a &quot;panel of peers,&quot; while maintaining the requirement that the administrator's respective Regional Superintendent of Schools &quot;review and validate&quot; the administrator's verification form showing completion of the required professional development activities and Administrators' Academy hours. The verification form must be submitted to the Regional Superintendent of Schools for review sometime in the last year of validity of an administrator's certificate. If an administrator completes more than one Administrators' Academy during any school year, then the additional one(s) can be used to meet the requirement for professional development hours. Administrators who evaluate staff also must complete the Administrators' Academy titled &quot;Introduction to Evaluation of Certified Staff,&quot; however, that course is in addition to, and cannot be used toward the accumulation of, the required professional development hours. The State Board of Education proceeds as quickly as possible to implement changes signed into law, but it does not govern the legislative process. For instance, SB 2825, introduced on January 20, 2006, proposes more changes to the administrative certificate renewal process. You may want to review the implications of this bill, should it be signed into law, and discuss those with your state organization and your legislators. The bill can be found at <a href="http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2825&amp;GAIN=8&amp;DocTypeID=SB&amp;LegId=23923&amp;SessionID=50&amp;GA=94">http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2825&amp;GAIN=8&amp;DocTypeID=SB&amp;LegId=23923&amp;SessionID=50&amp;GA=94</a>.</td>
</tr>
<tr>
<td>2/7/06</td>
<td>501-1</td>
<td>Why is this waiver process (form 33-77) so cumbersome? As a first year superintendent, I think it's ridiculous to have to jump through so many hoops to renew (in our case) an approved practice. Also, why have you here, why are we required to develop a wellness policy, committee, etc. (thanks for the kit) when the governor and</td>
<td>2/16/06</td>
<td>Waiver Process. I enjoyed talking with you on the telephone on Tuesday, and I hope you understand that the State Board of Education has attempted without success to simplify the waiver process. The requirements for that process are set forth in Section 2-3.25g of the School Code, which I have copied below for your ease of reference. As you can see from the list of public acts at the end of the law, the law has been changed numerous times since its enactment in 1995 to remove flexibility from both the areas from which a waiver can be considered and the process by which a waiver or modification is requested. While the agency has rules governing the waiver process (23 Illinois Administrative Code 1.100; see</td>
</tr>
</tbody>
</table>
residents keep passing legislation pertaining to wellness, the dental exam law, junkfood ban, we're already required to teach health and all related topics, we require daily physical education, administer hearing tests, etc. It seems to me the work of the wellness committee has been done in the capital. Thanks for listening.

Response (substantive portion only)

http://www.isbe.net/rules/archive/pdfs/oneark.pdf. It has not promulgated requirements that reduce district flexibility. In instances when the rules do set forth certain criteria to amplify the law, those criteria are often beneficial for districts. For instance, the rule describing how incomplete applications are treated by the agency ensures that petitions lacking required elements are not automatically considered ineligible. The State Board has supported legislation in the past year to remove the requirement that waiver and modification requests be considered at a meeting other than when the local board of education regularly meets, although the General Assembly failed to pass that bill (see SB 2829 at http://www.ilga.gov/legislation/94/SB/PDF/09400SB2829lv.pdf). It is anticipated that a compromise proposal will be introduced in the spring; I will let you know the bill number and provide you with a link to the General Assembly's website if the proposal is introduced.

Wellness Policy. The U.S. Department of Agriculture (USDA) has required each school district participating in the federal meals programs to adopt a wellness policy by the start of the 2006-07 school year. If your district is participating in the federal meals programs, then it must adopt a wellness policy and meet the requirements set forth by USDA. (See http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html for more information about the federal requirements.) You may also be aware that Section 2-3.137 of the School Code, added on July 12, 2005, directs the State Board of Education to establish a goal that "all school districts have a wellness policy that is consistent with recommendations of the Centers for Disease Control and Prevention (CDC)". This requirement is on the State Board to establish a goal, rather than on school districts to adopt such policies. In addition, the law creates a School Wellness Policy Task Force charged with recommending statewide school nutrition standards. To view the law, go to http://www.ilga.gov/legislation/lcs/lcs4.asp?DocName=010500050HArt%2E+2&ActID=1005&ChapAct=105%26nbsp%3BILCS%26nbsp%3B5%26nbsp%3B17%26nbsp%3BChapterName=SCHOOLS%26nbsp%3BSectionID=48674%26nbsp%3BSeqStart=11200%26nbsp%3BSeqEnd=28700%26nbsp%3BActName=School+Code%2E.

While there are laws governing health and physical education, those elements are just one component of a comprehensive wellness policy. The wellness policy should be developed around the unique needs of your district, rather than taking a "one-size-fits-all" approach. Much of the work required in the development of these policies must be done at the local level and cannot be dictated by the state or federal government.

Junk Food Ban. The public comment period on proposed changes to rules governing School Food Service (23 Ill. Adm. Code 305; see http://www.isbe.net/rules/proposed/pdfs/305wf.pdf) ends next week. Your comments will be considered as the staff prepare recommendations for the Board's consideration when it is asked to adopt the proposed amendments in March. You can view those recommendations and any recommended changes to the proposed amendments about a week before the March 15-16, 2006, meeting at http://www.isbe.net/board/Default.htm.

2/9/06 503 504 State Board of Education read the article in the Tribune today about the conflict between Elmwood Park Schools and your agency regarding the immigrant with a travel visa but no education visa. The attorney for the Board made the comment that he doesn't understand the Districts logic in not allowing the student to enroll. I don't understand his logic and therefore the Board's logic. If a student is here illegally, they should not be entitled to an education or other services. The use of the word illegal should be the tip-off. If a person is here on a travel visa, they are supposed to travel and then return home. If they applied for and

2/15/06 First, under federal and state law, a child's immigrant status can not and should not be considered as part of a district's enrollment decision. See Plyler v. Doe, 457 U.S. 202 (1982) (a United States Supreme Court case finding violations of the U.S. Constitution; see http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=457&invol=202); Section 10-20.12a of the School Code (105 ILCS 5/10-20.12a; copied below); and Section 1.240 of ISBE rules governing Public School Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1.240; see http://www.isbe.net/rules/archive/pdfs/oneark.pdf). Moreover, we are not aware of any law—federal or otherwise—that prohibits a school district from enrolling a student due to his or her immigrant status (including his or her being on a tourist visa). Indeed, in the Chicago Tribune article which you reference, a spokesperson for the Chicago office of the U.S. Customs and Immigration Enforcement stated that the federal agency would not take any action against the school district for enrolling the student in question.

Second, both federal and state law provide homeless students with the opportunity to enroll in their school of origin or, alternatively, the school in which they are temporarily residing. You note that if the public realizes these rights, then they will simply register in the school of their choice and claim
received a student visa, then they can go to school. Why are we made to feel that we must care for and offer services to anyone who finds their way into our country? We are basically offering welfare to the world if they can get in. The way the laws are working now, if I don't like the school my kids are going to, all I have to do is register at the school of my choice and claim we are homeless or in the country illegally and they can go there. Imagine if the public realizes that. You will have people changing schools all over the place. I think these laws and ways of thinking need to be revisited and thought through or I don't see how the country, state or the educational system can survive economically. Thank you for your time and consideration.

homelessness. ISBE has actually worked with various organizations and with school districts to best ensure that homeless families are in fact aware of their rights under the applicable homelessness laws. We are not aware of homeless (or non-homeless) families abusing the laws in the manner you suggest. To the extent a school district disputes the alleged homelessness status of a child, the school district certainly has the right to formally challenge that status in accordance with applicable procedures. You may review the federal law at http://www.ed.gov/policy/elsec/leg/esea02/pg116.html and state law at 105 ILCS 45; see http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1013&ChapAct=105%26nbsp%3BILCS%26nbsp%3B45%2F&ChapterID=17&ChapterName=SCHOOLS&ActName=Education+for+Homeless+Children+Act.

Red Tape? How about a little help! I think it would be a good idea if people would actually answer the e-mails sent by people asking a question! I am from Maine and I have sent in an e-mail from the "Contact Us" screen in December, in January and again in February, asking the same question and have yet to receive an answer. It asks for my address, yet when I type in my zip code I get a red error message saying it's an invalid code. I know my own zip code! So, I left it blank. I tried calling the Chicago number at 4pm Chicago time and the phone just rang. Why can't there be a message saying the department is closed? Or what the department hours are? I had no idea if people were just too busy to answer or if it was closed. I am looking for information on a College that no longer exists, a College where I have received a diploma and the DOE website has absolutely no place for me to go for help. I realize this probably isn't a problem you run into all the time, but if someone would at least answer my e-mails, I could get this problem solved.

If the State would institute some training sessions and examples for the ESEA Title 1 - Part A subpart one Section 1118 Parental Involvement Policies and compacts it would help everyone get up to speed faster.

On October 3, 2005, Donna Luallen, Division Administrator for the Accountability Division, sent a letter to all district superintendents about the requirements for parent involvement policies. I am copying the link to that letter, which includes links to the templates that can be used in developing such policies. (See http://www.isbe.net/nclb/pdfs/supt_notification_guidance.pdf.)