Governmental Relations Committee
Thursday, October 20, 2005
8:00 a.m.

The Copper Penny Room, Vermilion Hall
Danville Area Community College
2000 East Main Street, Danville, Illinois

Public Conference Call Access Number: 1-866-297-6391 (listen only)
Confirmation # 1 2 9 3 5 6 3 3

AGENDA

1. Public Participation
2. Minutes of the September Governmental Relations Committee Meeting (pp. 2-3)
3. Veto Session Update (Nicole Wills/Josh Jacobs) (p. 4)
4. Potential ISBE Legislation (Nicole Wills/Josh Jacobs) (p. 5)
5. Less Red Tape Legislative Proposals (pp. 6-53)
6. Additional items
7. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action will be taken in the plenary session.
1. **PUBLIC PARTICIPATION:**
   - Chairman Brenda Holmes asked if there was anyone that wished to speak to the committee for public participation. No one came forward.

2. **FALL WAIVER REPORT**
   - Brenda Holmes stated that the 21st Annual Waiver Report recommends that the State Board of Education disapprove three different waiver requests: one waiver application for substitute teaching and two applications for waivers of physical education.

   - Winnie Tuthill stated that the waiver for substitute teaching is from the Beach Park CCSD 3 and was a renewal application from 2000. As they did in 2000, Beach Park requested to be allowed to use a substitute teacher up to 174 paid school days in any one school with the understanding that the substitute would not teach in any one classroom for more than 90 consecutive teaching days. Brenda Holmes stated that the current Board has been consistent in opposition to these types of waiver requests, in part because of fairly recent legislation that limited the number of school days in which a substitute teacher could be employed in any one particular position. Brenda Holmes asked if anyone from the IEA or IFT was prepared to comment on the substitute teaching waiver request. IFT agrees with the recommendation for disapproval and IASA and ED-RED stated that they have yet to take any type of position.

   - Winnie Tuthill stated that both P.E. waivers have been recommended to the Board for denial because neither district offered any assessment data to show how they would see if students are meeting the state goals for physical education and health. The State Board passed a policy in 2001 that requires that the school district give assessment data when requesting a P.E. waiver or P.E. modification. Clay City CUSD 10 requested a renewal of a previous waiver to allow students in two grades be excused from P.E. in order to enroll in additional classes. The waiver would last for five years. The Superintendent of Clay City asked that Winnie state on the record that although he doesn’t have any assessment data, he is sure that all of the students passed the state goals for physical education and health. Glenbard Township High School District 87 made application for the first time on a one-year waiver to allow students in grade 10 to be excused from P.E. to participate in interscholastic athletic programs. The district plans to use the Fitnessgram program for all freshman in the future to provide follow-up assessments.

   - Brenda Holmes stated that she disagreed with staff regarding the recommendation for denial of a waiver for Glenbard District 87 because it is the first time the district has made the request and it is only for one year. Andrea Brown asked if the Board has a precedent where
it has denied a school district in a similar circumstance. Winnie was unable to provide an answer to that inquiry at the time and stated that she would follow up with the information the next day. Chris Ward expressed concerns about children that try out for teams but are not chosen for that particular extracurricular activity.

- Brenda withdrew her suggestion until more information from Winnie is provided on a possible prior precedent.

- Winnie Tuthill also provided an update on the waiver process as a result of legislation passed during the spring session. Public Act 94-0198, effective January 1, 2006, moves up the deadline for submission of the spring waiver report to the General Assembly from May to March. Additionally, districts that have P.E. on a block schedule no longer need to submit a waiver request. Public Act 94-0438 removes the requirement that districts must submit a waiver request to modify the school schedule timing for the PSAE testing dates.

- Board members requested information on the status of waiver suggestions made in the Cumulative Waiver Report in 2005. Winnie stated that previous suggestions were to remove the requirements surrounding school holidays, remove the requirement that the waiver hearing not be on the day of the local board meeting and increasing the drivers education fee. Brenda suggested that a suggestion for legislative action on these three items be included in the recommendations transmittal letter to the General Assembly. The Governmental Relations Committee agreed.

3. END OF SPRING SESSION WRAP-UP

- A finalized document of all education related legislation was presented to the committee, with indications on which legislation was ISBE generated, ISBE supported, ISBE opposed or no position was taken. Dr. Ward, referencing the three pieces of legislation indicated to be ISBE initiatives, asked if ISBE had introduced less legislation than in previous years. Mark Kolaz explained that this year staff worked on quality, not quantity. Nicole also explained that ISBE actually introduced seven legislative initiatives, but four bills didn’t move because of timing factors. Additionally, Governmental Relations staff believes that SB 1856 the Obsolete & Duplicative School Code repeal will move during the fall Veto Session, and additional legislative proposals for the spring session in 2006 will be coming in November or December. Andrea Brown asked what the time line was for the Resolutions and Public Acts is and how that would affect schools and staff at the agency. Nicole stated that staff are working with the various divisions to see where they are on implementation.

- Andrea Brown asked about Rep. Mitchell’s resolution concerning the Regional Offices of Education. The Board was told that the House Elementary and Secondary Education Appropriations Committee held several meetings during the latter part of session, but no meetings have been held since its conclusion.

- Brenda updated the Board on a meeting that she and Ed Geppert had with Governmental Relations staff to discuss the fiscal impact of legislation to make sure that we are in compliance with budget.

4. ADDITIONAL ITEMS

5. ADJOURN: The Governmental Relations Committee meeting adjourned at 4:45p.m.
TO: Illinois State Board of Education

FROM: Dr. Randy J. Dunn, State Superintendent of Education
       Nicole Wills, Governmental Relations Staff
       Josh Jacobs, Governmental Relations Staff

Agenda Topic: Veto Session Update

Staff Contacts: Nicole Wills, Liaison, Governmental Relations Division
                Josh Jacobs, Liaison, Governmental Relations Division

Purpose of Agenda Item  The General Assembly will have Veto session on
October 25-27 and November 2004. This information will update Board
members on possible legislation that may see action during that time.

Materials
In order to include the most up-to-date information available, materials will be
emailed to Board members Monday, October 17th, with further updated
information available if needed on Wednesday the 19th.

Expected Outcome(s) of Agenda Item
This agenda item is intended for informational and discussion purposes only.

Next Steps
An update on action taken by the General Assembly during Veto Session will be
given at the November Board meeting.
ILLINOIS STATE BOARD OF EDUCATION MEETING  
October 19-20, 2005

TO: Illinois State Board of Education  
FROM: Dr. Randy J. Dunn, State Superintendent of Education  
       Nicole Wills, Governmental Relations Staff  
       Josh Jacobs, Governmental Relations Staff  

Agenda Topic: ISBE Legislative Initiatives for Veto Session  

Staff Contacts: Nicole Wills, Liaison, Governmental Relations Division  
                Josh Jacobs, Liaison, Governmental Relations Division  

Purpose of Agenda Item The General Assembly will have Veto session on  
October 25-27 and November 2004. This information will update Board  
members on ISBE legislative initiatives that may run during that time.

Expected Outcome(s) of Agenda Item  
This agenda item is intended for informational and discussion purposes only.

Background Information  
New legislative initiatives that run during veto session is typically only that which  
cannot wait until the Spring Session. Action may also be taken by legislators  
wishing to override the Governor’s full veto or amendatory veto.

Materials  
In order to include the most up-to-date information available, materials will be  
emailed to Board members Monday, October 17th, with further updated  
information available if needed on Wednesday the 19th.

Superintendent’s Recommendation  
This item is for informational purposes only. No action is required.

Next Steps  
An update on action taken by the General Assembly during Veto Session will be  
given at the November Board meeting.
TO: Illinois State Board of Education

FROM: Dr. Randy J. Dunn, State Superintendent of Education
Jonathan Furr, General Counsel

Agenda Topic: Lessredtape Legislative Agenda


Staff Contact(s): Jonathan Furr

Purpose of Agenda Item
To present to the Board members suggested statutory proposals resulting from the comprehensive rules review and lessredtape initiative, and to obtain the Board’s comments on the proposals and suggestions for additions.

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

Expected Outcome(s) of Agenda Item
The Board will be informed of the proposals, and have the opportunity to recommend revisions and additions.

Background Information
As a result of the comprehensive rules review process and the insights received through the lessredtape@isbe.net, staff have identified sections of the School Code that can be revised to eliminate unnecessary burdens on district administrators and teachers. The proposals fall into three broad categories: (i) school/district improvement plans; (ii) reporting requirements; and (iii) fiscal/administrative requirements.

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

Policy Implications: Since the Governor’s appointment of the new Illinois State Board of Education, the agency has pursued a policy of reviewing all agency rules and processes and related statutory provisions to determine how they can be made less cumbersome for districts and teachers. The lessredtape legislative agenda supports this policy.

Budget Implications: Certain changes will eliminate requirements imposed upon agency staff. As a result, the agency will be able to focus staff resources away from unnecessary regulatory functions towards providing additional technical assistance and support to constituents.

Legislative Action: ISBE will seek legislative approval of the proposals in the Spring 2006 legislative session.
**Communication:** The attached document has been distributed to various agency constituent groups. ISBE will be seeking further discussions with these groups over the coming months in preparation for the spring 2006 session.

**Pros and Cons of Various Actions**
The legislative proposals will support the agency’s efforts to eliminate unnecessary administrative burdens on school districts and teachers. It is possible that various constituent groups may object to certain aspects of the legislative agenda.

**Superintendent’s Recommendation**
The Superintendent recommends that the Board support the agency’s efforts to enact all aspects of the lessredtape legislative agenda.

**Next Steps**
Legal and governmental relations staff will meet with various constituent groups to discuss the legislative proposals and seek support for this initiative. Sponsors will be sought for the proposed legislation and the agency will seek the passage of these proposals in the spring 2006 session.
Illinois State Board of Education

STATUS REPORT:

COMPREHENSIVE RULES REVIEW
AND
LESS RED TAPE INITIATIVE

October 4, 2005

Rod R. Blagojevich, Governor

Illinois State Board of Education

Jesse H. Ruiz, Chairman • Dr. Christopher J. Ward, Vice Chair • Dr. Vinni M. Hall, Secretary
Dr. Andrea S. Brown • Dean E. Clark • Dr. David L. Fields • Edward J. Geppert, Jr.
Brenda J. Holmes • Joyce E. Karon

Dr. Randy J. Dunn, State Superintendent
October 4, 2005

To: Illinois State Board of Education Constituents

From: Dr. Randy J. Dunn, State Superintendent of Education
       Jonathan Furr, General Counsel

Re: Report on Comprehensive Rules Review and Less Red Tape Initiative

Upon the Governor’s appointment of the new Illinois State Board of Education, the agency immediately began a comprehensive review and overhaul of the State Board’s rules and regulations to identify how they can be made less cumbersome for districts and teachers. This process has included a thorough review of how the State Board of Education interact with its constituents – through administrative rules, forms and procedures, and statutory provisions.

As part of that overhaul, the State Board of Education launched a “Less Red Tape Campaign” and lessredtape@isbe.net email address. The lessredtape forums have helped the staff solicit input on which rules and regulations are unnecessary (i.e. fail to contribute to improved educational outcomes for students).

Each of the State Board of Education’s divisions has worked with legal staff and the agency’s rules coordinator to determine whether there are rules that can be eliminated, updated or modified to reduce burdens on the agency’s constituents. The comprehensive rules review has also performed the critical function of updating the State Board’s administrative rules to reflect agency operations. Prior to this review, over a hundred pages of administrative rules related to inactive programs while hundreds more were outdated or served no needed regulatory function. Meanwhile, critical aspects of the agency’s operations (such as the current state accountability framework) were not set forth in rule. Upon the conclusion of the comprehensive review, the State Board of Education’s constituents can be assured that the rules contain current information, requirements and programs administered by the agency.

This report is organized as follows:

Section 1 describes the progress of the comprehensive review of the State Board of Education’s rules, and highlights the changes that have resulted from this review.

Section 2 includes a summary of changes to agency processes and procedures that have resulted from lessredtape@isbe.net.

Section 3 includes “lessredtape legislative proposals” with suggested statutory changes to eliminate unnecessary statutory burdens on administrators and teachers. After reviewing these proposals with constituents and Board members, the agency intends to seek passage of these legislative changes in the Spring 2006 session.

The State Board of Education greatly appreciates the support and participation by our constituents that has contributed to the success of this initiative, and we hope to continue to obtain feedback as we continually look for ways to reduce unnecessary administrative burdens on the educational community. If you have any ideas for additional rule, process or statutory changes or comments on any aspects of this report, please e-mail us at lessredtape@isbe.net.
SECTION 1 – UPDATE ON COMPREHENSIVE RULES REVIEW

This update on the agency’s comprehensive rules review is organized by Part. The agency’s administrative rules are organized into over fifty separate Parts. If a Part is not listed below, the agency has reviewed this Part and determined it does not require revision as part of the comprehensive rules review process.

PART 1 – PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

Part 1 is the primary Part that details what mandates school districts have to follow. This Part has been comprehensively overhauled to include the requirements from the state’s single accountability framework mandated by the No Child Left Behind Act of 2001, delete unnecessary and cumbersome sections, and combine similar requirements in the same location.

A. Rule Revisions

- **Undocumented Immigrant Access to Preschool:** ISBE’s rules are now explicit that free public education is guaranteed regardless of immigration status under the U.S. Supreme Court’s 1982 decision in *Plyler v. Doe*. In particular, this right is extended to preschool programs. (Rulemaking is completed; effective July 13, 2005)

- **Deletion of Outdated, Unnecessary and Duplicative Regulatory Language:** With the streamlining of Part 1 and the elimination of the other unnecessary Parts, a significant amount of outdated, unnecessary and duplicative regulatory language was eliminated from the ISBE rulebook. Amendments expand existing Section 1.510 to encompass all the needed material from Part 275 (Pupil Transportation), and a new Section 1.515 has been added to set forth the training requirements for individuals who train school bus drivers. Insertion of this material allows ISBE to repeal Part 275 in its entirety and include all district transportation-related requirements in one location. Another set of amendments was generally confined to Subparts B, C, D, and E of Part 1, which were modified to remove unnecessary references to requirements that are set out in statute or in other parts of ISBE’s rules. Much of the text of four existing Parts 50, 251, 253, and 625 is not needed in rules, because it either repeats statutory language or is couched as recommendations rather than requirements. By placing the remaining needed provisions into Part 1, Parts 50, 251, 253, and 625 have been repealed. (JCAR’s review is complete; to be filed shortly)

- **Evaluation of Tenured Teachers:** With the consolidation of Part 50 into Part 1, several important changes were made to the evaluation process of tenured teachers. A definition was developed for the term “substantive change” used in Section 24A-4 of the School Code (a substantive change necessitates submission of the evaluation plan to ISBE and the exclusive bargaining representatives). Part 50 had previously indicated, and ISBE had taken the position, that a substantive change included a change in the identity of any administrator authorized to conduct evaluations. We no longer believe the change in identity of an
administrator should require a filing with ISBE, and we eliminated this unnecessary regulatory burden. (Rulemaking is completed; effective June 30, 2005)

- **State Accountability Framework:** Like it or not, most schools and almost all school districts are subject to the No Child Left Behind Act’s accountability provisions. This Part sets out the rules for our state’s accountability framework. We do not want our state rules to be pulling districts in a different direction than NCLB, or imposing requirements through the state accountability rules not derived from NCLB. The modifications to Part 1 will bring consistency between the NCLB accountability workbook requirements and the state’s accountability framework. These rules cover a variety of topics, including:
  1. the requirement for adequate yearly progress and the indicators that will be considered;
  2. the targets for each aspect of performance;
  3. the subgroups of students, their participation in state-level assessments, and the treatment of their scores;
  4. academic early warning and academic watch status and the requirements for school and district improvement plans and restructuring plans;
  5. rewards and recognition; and
  6. the appeals process related to schools’ and districts’ status.

These modifications also reflect the revisions to the State’s NCLB accountability workbook obtained in recent months through negotiations with the U.S. Department of Education. In particular, ISBE was able to obtain additional flexibility in the areas of:
  1. Increasing the subgroup size from 40 to 45, with a 95% confidence interval;
  2. Recognizing a district as not having made AYP only when one or more of its underlying grade spans have not made AYP;
  3. Changing the definition of a full academic year to May 1st; and
  4. Providing flexibility for performance scores for subgroups of students with disabilities.

(Adopted by the State Board on September 22, 2005; JCAR review pending)

B. Related Process Changes

- **School and District Improvement Plans:** The revisions to Part 1 eliminate unnecessary state-imposed requirements for improvement plans, allowing districts to create a plan targeted toward the development of better educational strategies. These rule changes are reflected in a new template for school and district improvement plans ISBE will be launching in the coming weeks.

Previously, schools and districts were required to complete lengthy improvement plans that regularly exceeded 100 pages in length per school. Numerous lessredtape e-mails have been received about the agency’s cumbersome improvement plan template and rubric. In districts where multiple schools were required to submit plans, school officials often submitted hundreds of pages of
forms. Large unit districts with 10 or more schools in improvement status literally submitted thousands of pages of school plans. Many of the “required items” in the plan were already collected by the state in other documents or not mandated by either state or federal law. The planning process was so paper-intensive that schools and districts received little in the way of meaningful feedback from the state. Accordingly, time that State Board staff could spend providing upfront assistance to schools was spent monitoring paperwork compliance. More importantly, teachers and parents were not able to clearly identify the strategies to improve school and district performance amongst the reams of data.

School and district improvement plans are required by federal and state law; they are valuable to districts as a tool for increasing student achievement, but the process dictated by ISBE need not be as cumbersome as it was before. The rule changes and new improvement planning template will generally limit the information schools and districts are required to provide to those items specified by law, and focus on outlining actions that will be taken to improve student achievement. While use of the template will be voluntary, districts that choose to use it should find that it focuses the district efforts on strategies, not paper shuffling.

- **Paperless Recognition Process:** ISBE has eliminated much of the paperwork associated with the recognition process described in Part 1. During the 05-06 school year, the agency made the application for recognition an electronic submission, rather than a paper form that has to be routed through the Board president, superintendent, principal, ROE and then to ISBE.

**PART 25 - CERTIFICATION**

Part 25 lays out the certification requirements for new teachers, the professional development requirements for existing teachers, and the process for approving teacher preparation programs. These rules have been substantially revised to remove bureaucracy from the program approval process, eliminate unnecessary barriers to entry into educational fields, and remove red tape related to professional development requirements. With the clearance of the certification backlog and these rule revisions, ISBE is better able to address the certification-related needs of its constituents.

1. **General Streamlining**

   - Numerous provisions that are outdated and/or have been replaced by new requirements have been deleted. Others are being updated so that they no longer refer to time periods that have passed. A number of provisions setting out essentially the same requirements have been consolidated for ease of reference. As a result, Part 25 will be much easier to navigate by our constituents. (JCAR’s review is complete, to be filed shortly)

2. **Program Approval**
• **Co-chairing Requirement:** (Section 25.125(d)) – Deletes the requirement for ISBE team members and an ISBE co-chair on visits involving NCATE accreditation. At the same time, the role of the ISBE consultant was clarified, i.e., this individual does participate in the visit. (Completed; effective June 30, 2005)

• **Responses to STCB:** (Section 25.160(a)) – The procedure outlined in this section has proven to contain one unnecessary step. When the State Teacher Certification Board’s recommendation is for approval or accreditation that is not provisional or conditional, there is no need for the affected institution to submit a response and consequently no need for a 30-day waiting period before the recommendation is forwarded to the State Board of Education. This was eliminated by revising subsection (a). (Completed; effective June 30, 2005).

• **School Psychologists:** The requirement that each candidate for a school psychologist’s credential have completed a program accredited by the National Association of School Psychologists (NASP) was eliminated. Not all states require that their programs be accredited by this national body, and it became clear that it was counterproductive to eliminate all individuals from certain states from the available pool for Illinois certification. In addition, NASP accreditation is a fairly recent development, so the rule also eliminated many experienced school psychologists from eligibility in Illinois. An additional unintended consequence of the rule was to preclude the establishment of additional preparation programs in Illinois because of a “chicken-and-egg” dynamic: NASP requires data on graduates (i.e., a record of a program’s success) as a condition for accreditation, but a new program would not be able to produce graduates because Illinois candidates would have no incentive to complete a program that was not already accredited. (Completed, effective June 30, 2005)

• **Duplication of Effort with NCATE:** This past year, Superintendent Dunn established an NCATE task force to determine whether better continuity could occur between NCATE review process for accreditation and State process. The agency is moving forward with drafting rules to achieve the task force’s goal of simplifying the program approval process. (Rules will be prepared for Board review in October or November)

3. **Obtaining Endorsements or Certification**

• **Endorsing Teaching Certifications:** Section 25.100(a) was amended due to a change made by P.A. 93-679. Holders of master teaching certificates are now permitted to teach honors and Advanced Placement courses in the sciences or social sciences regardless of whether they hold the specific designations, as otherwise required. (Completed; January 4, 2005)

• **Accessibility of special K-12 Certificates and Supervisory Endorsements:** Section 25.37 was amended to address the method by which certificates may be issued, making the special K-12 certificate available to certain teachers as a subsequent certificate via a streamlined procedure, helping to ease the problem of a shortage of teachers who are able to supervise other staff. Specifically, ISBE can reasonably facilitate secondary teachers’ access to supervisory endorsements by first enabling them to attain K-12 certification through this means. If they
meet the additional requirements for supervision that are imposed by Section 21-4 of the School Code they would then be able to supervise other certified staff members. (Completed; effective July 28, 2005)

- **Requirements for Teachers in the Middle Grades:** Section 25.100(k) was amended to eliminate a discrepancy in requirements that resulted from the comprehensive changes that took effect June 1, 2004. Makes requirements for reading teachers and library information specialists uniform across all grade levels. (Completed; effective July 28, 2005)

- **Requirements for School Nurses Certification:** (Section 25.245) - Rather than requiring these applicants to seek certification through Illinois approved programs, the amendment allows for a simpler method relying upon the existing degree and licensure requirements, the completion of an out-of-state program or certificate, and the Illinois standards-based examination. Language was also added to the rule on certification of out-of-state applicants (Section 25.425), particularly to state requirements for those from states that do not require completion of approved programs for certification and those that do not certify persons for fields in which certification is required in Illinois. (Completed; effective July 28, 2005)

- **Educational Interpreters:** (Section 25.550) - New Section conveys the requirements developed under P.A. 90-200. Approval for sign language interpreters and cued speech interpreters will be available at the initial, standard, and master levels. Emergency approval will also be available. Each eligible applicant will be approved to reflect the level of educational attainment and interpreting skill that he or she has demonstrated. (Completed; effective July 28, 2005)

- **Speech-language Pathologists:** The proposed changes set forth revisions to Section 25.252 and a new Section 25.255, both dealing with the certification of non-teaching speech-language pathologists in response to P.A. 93-1060. (JCAR’s review is complete; to be filed shortly)

- **Temporary Substitute Teaching Permit:** At a special meeting called in mid-September for this purpose, the Board put in place an emergency rule designed to provide the potential for employment to individuals displaced by Hurricane Katrina. An individual from one of the affected areas who provides one form of personal identification and a notarized written affirmation of having received a Bachelor’s degree will be issued a temporary substitute teaching permit valid for the 2005-06 school year. (Possession of a bachelor’s degree is generally the required qualification for substitute teaching in Illinois.) While not a guarantee of employment, this permit will at least create the potential for employment and may also be useful to Illinois school districts with staff shortages, particularly if they enroll significant numbers of students displaced by the hurricane.

- **Director of Special Education:** At the September 2005 meeting, the Board agreed to propose a revision to the new requirements for directors and assistant directors of special education. The intended change will restore the availability of transcript review against a specific list of required coursework for this credential. This will respond to the needs of a large number of candidates currently “in the pipeline” and to the shortage of standards-based preparation programs for this credential. All candidates will be required to pass the content-area test as well.
4. *Professional Development/Certificate Renewal*

- **Modifications Resulting from P.A. 93-679:** One set of amendments arose almost entirely from enactment of P.A. 93-679 which made significant changes in the requirements for renewal of teaching and administrative certificates, teachers’ movement from the initial to the standard certificate, and certification testing for out-of-state applicants. The continued operation of Local Professional Development Committees is optional and is to be determined by agreement between each district and its exclusive representative, if any. (Completed; effective January 4, 2005)

- **Applications for Standard Certificates:** Section 25.11(f) was revised with respect to the definition of “four years of teaching experience” so that an individual who is approaching the end of the fourth year and who is expected to complete that year in his or her current position will be able to apply for the standard certificate. As a result, standard certificate applications can be processed earlier than before, and a backlog of applications can be avoided. (Completed; effective July 28, 2005)

- **Requirements for Approved Providers of Continuing Professional Development Activities:** In Section 25.855, the State Board deleted the requirement that approved providers notify the State Board of Education in advance of the first offering of any new activity in the fields for which the providers are approved. This requirement proved cumbersome in that it resulted in a large volume of paperwork without any substantive value in terms of monitoring or quality of professional development activities. (Completed; effective July 28, 2005)

- **Lapsed Certificates:** Section 25.450 unnecessarily restricted the timeframe within which individuals serving on reinstated certificates must complete the statutorily required five semester hours of college credit. As previously written, five semester hours of coursework had to be completed during a teacher’s one-year period of reinstatement. As a result, teachers seeking to reenter the field would receive no credit for any coursework they had completed prior to completing ISBE’s reinstatement paperwork. Under the amended rules, teachers with lapsed certificates will be able to meet the statutory requirement for five semester hours of college credit through coursework completed either during the year of reinstatement, or during the five years immediately preceding reinstatement. (Completed; effective July 28, 2005)

**PART 51 AND PART 52 - DISMISSAL OF TENURED TEACHERS; DISMISSAL OF TENURED TEACHERS AND CIVIL SERVICES EMPLOYEES UNDER ARTICLE 34**

The State Board has consolidated these two parts. Where required by the School Code, distinctions have been made within the rules to accommodate differences between the processes for the City of Chicago and for districts outside of the City of Chicago. This new version does not include requirements that are sufficiently specified by statute, so that districts, teachers and other constituents will no longer need to review both the statute and rules to determine where differences occur.
Due to “conflict of interest concerns,” the old rules provided that hearing officers involved in teacher dismissal hearings not be residents of the district in question. However, while the law is silent on Chicago, State Board rules applied the law to Chicago Public Schools (CPS). As a consequence, a hearing officer who lives one block south of Howard in Rogers Park could not hear a case in Bridgeport, whereas an officer who lives one block north could. The State Board eliminated the rule prohibiting a hearing officer used in a CPS teacher dismissal hearing from being a resident of Chicago. Elimination of that particular criterion will make it easier for CPS to obtain hearing officers when it conducts teacher dismissal hearings. Unfortunately, because of the specific parameters of the law, we were not able to extend this rule revision to any other districts in Illinois. (Completed; effective June 30, 2005)

PART 110 – PROGRAM ACCOUNTING MANUAL

Revisions to the Program Accounting Manual will eliminate outdated numbering and any unnecessary level of detail. The goal is to ensure that the chart of accounts will cover current requirements while at the same time being flexible enough to respond to future changes. In addition, the existing requirements for audits of the regional offices of education will be eliminated in response to P.A. 92-544, which transferred that responsibility to the Auditor General. Now that the Auditor General has promulgated rules to cover this function, ISBE’s obsolete provisions can be repealed. (Proposed rules expected in November or December, 2005)

PART 120 - PUPIL TRANSPORTATION REIMBURSEMENT

In addition to streamlining and general technical updating, the amendments passed by the State Board include elimination of the requirement for the “Resident Pupils Transported Work Sheet” from Section 120.110. The rules were also amended to change the depreciation threshold of $1,000 stated in Section 120.115(d)(1)(A) to $2,500 to be consistent with a related provision in existing language found in Section 120.60(e). (Completed; effective July 28, 2005)

PART 145 - TEMPORARY RELOCATION EXPENSES

These rules were amended to simplify the process for repaying loan funds to the State Board. Instead of requiring that districts submit to ISBE the proceeds of tax payments related to these expenses within 30 days after the proceeds are received (potentially requiring twelve payments per year), each affected district can make one payment annually, consisting of all proceeds received to that point. (Completed; effective June 30, 2005)

PART 155 - ELECTRONIC TRANSFER OF FUNDS
In addition to general technical updating, the revisions include elimination of the option for certain participants to designate multiple bank accounts for the receipt of electronically transmitted funds. (Completed; effective June 30, 2005)

**PART 180 - HEALTH/LIFE SAFETY CODE FOR PUBLIC SCHOOLS**

These rules have been updated to incorporate by reference the current edition of the International Building Code instead of the 1996 BOCA Code. The rules specify that fire prevention and safety financing can be used to pay for automated external defibrillators. The rules were also streamlined to eliminate unnecessary requirements or those that are adequately covered by statute or applicable standards, such as:
- The district facility inventory will no longer be required.
- Allows a district to delegate authority to seek variances to an individual (i.e., district administrator or architect).
- Allows multiple variances to be submitted on the same application.
- ISBE no longer specifies scaling and format requirements for specifications.
- Deletes a separate certification requirement for sprinkler systems.
- Deletes sketch map requirements for the safety survey report and requests for authorizations for use of fire prevention and safety funds.

(JCAR’s review is complete; to be filed shortly)

**PARTS 201 AND 202 - SUPPLEMENTAL GENERAL STATE AID PLANNING REQUIREMENTS**

These rules are being revised to link the SGSA planning process for downstate districts to the district improvement planning process, thereby eliminating a duplicative planning requirement. The SGSA planning process for Chicago Public Schools is prescribed by statute. However, the rules have been substantially revised to bring this process in line with current practice.

(Authorized for first notice on September 22, 2005)

**PART 226 - SPECIAL EDUCATION**

Legal and special education staff are currently working to revise the agency’s special education rules to address IDEA reauthorization and eliminate any unnecessary state-imposed burdens. With Part 226, the timetable is: (a) work on statutory revisions to Article 14 of the School Code for purposes of a 2005 Veto Session bill; (b) present suggested revisions to ISAC at the October meeting of ISAC; (c) present such revisions (with any acceptable suggested changes by ISAC) to the Board at the November meeting for First Notice (with a notice period of 60 or 90 days); (d) await the finalization of federal regulations on IDEA 2004 (expected in December); and (e) bring the rules back to the Board with any further changes at the February meeting.

**PART 228 – TRANSITIONAL BILINGUAL EDUCATION**

The rules for Transitional Bilingual Education will be comprehensively updated and reorganized to eliminate redundancy. Amendments will be made to require the use of
ACCESS as the annual examination of English language proficiency, with the ACCESS “screener” used as the instrument for determining students’ eligibility for and placement into bilingual education upon entry into a district. Recent statutory changes regarding dates for the submission of reports will also be reflected. (Initial board review expected in November or December, 2005)

**PART 235 – PRESCHOOL EDUCATIONAL AND COORDINATED MODEL PRESCHOOL EDUCATIONAL PROGRAMS**

Part 235 is being comprehensively revised to address recent statutory changes and the current administration of the program. A draft of the rules has been distributed for preliminary external review.  
(Initial board review expected in October 2005)

**PART 252 - DRIVER EDUCATION**

Part 252 has been streamlined to eliminate unnecessary requirements and definitions, matters adequately covered by statute, and some duplicate statements. In addition, Section 252.20 was reorganized to clarify certain points having to do with the obligation of school districts to offer driver education to all eligible students, and Section 252.40 was revised to account for the time actually needed for a driver’s license to be restored to good standing.

As part of the rules review, the agency also reviewed the need for a form we required from districts detailing driver’s ed expenses in order to obtain reimbursement. The law limits reimbursement to the per-pupil amount determined by appropriation or the amount of actual expenditures for the driver ed program. Last year, there were only three districts whose accountants indicated driver ed program expenses did not exceed the per-pupil allocation amount set by appropriation. As a result, the agency sought a statutory change to eliminate this unnecessary reporting requirement. With the enactment of Public Act 94-0440, districts no longer have to submit a detailed breakdown of program costs when virtually all districts are reimbursed based upon the appropriation level.  
(Review has been completed by JCAR; to be filed shortly)

**PART 254 – VOCATIONAL EDUCATION**

(*New rules to be titled “Career and Technical Education”*: Legal and vocational education staff are in the process of updating Part 254. The Vocational Educational rules are outdated, and can be substantially streamlined to reflect current programs.  
(Initial board review anticipated in November or December, 2005)

**PART 260 - READING IMPROVEMENT PROGRAM**

Proposed amendments are intended to streamline the operation of the program and to eliminate language that is not needed. New language in Section 260.55(i) will provide for a preliminary, less formal avenue of review when districts may be facing ineligibility.
Another change will provide additional districts with another method of establishing continuing eligibility for funding. Since districts would be able to rely on the ISAT reading scores of the students served in this program as their method for demonstrating performance progress if they so chose, we think it reasonable for ISBE to do so in instances where the results on a locally chosen method (other than the ISAT) would not make a district eligible for continued funding. The recent expansion of the State reading assessment into additional grades will make information on more students’ performance available, and staff in the Curriculum and Instruction Division have indicated that the Student Information System will permit tracking of students’ scores for this purpose. A provision has been inserted into the rules so that this alternate method of establishing continued eligibility for funding can be used. Finally, we are generally replacing the word “form” with “format” to denote the movement of this grant process to the e-grants system (thereby saving districts from dealing with a significant amount of paperwork for applications and reporting).

(Emergency amendment to change the reporting deadline effective June 20, 2005. Remainder of changes presented for adoption in September 2005 board packet.)

**PART 350 - SECULAR TEXTBOOK LOAN**

The State Board’s rules previously indicated that parents must sign for permission in order for their children to receive free textbooks (provided through the State Board’s loan program) used in classroom instruction. The statute allows either a student or parent to request permission, and does not dictate the form of request. Accordingly, the State Board revised its rules to eliminate reference to a specific form, and allow districts to develop their own procedures for collecting textbook requests.

In addition, we heard from numerous superintendents that because of a proposal to move the deadline for textbook loan request applications to December 15, 2004, many districts were unable to order new editions of textbooks for their students. The State Board decided that a more reasonable deadline for districts to submit their textbook loan applications is March 15, 2005. Pushing back the deadline is better for districts, because it allows them to work throughout the first semester to prepare a textbook recommendation for their school boards. With a December deadline, districts would be forced to purchase outdated textbook editions, or use textbook loan dollars on supplemental materials until they could get board adoption of their requests. They would then have to use their own money on new editions of textbooks. The revised deadline also meets the State Board’s needs, as it gives the agency sufficient time to get the textbooks out to the districts before the end of the school year.

(Completed; effective June 30, 2005)

**PART 375 - STUDENT RECORDS**

Amendments were made due to the changes in Section 2-3.13a of the School Code that were made by P.A. 93-859, effective January 1, 2005. The amended rules help to implement the following changes:
• requires the State Board of Education to establish by rule a system for tracking transfer students;
• requires a school or district to count a student who has withdrawn from that school or district as a dropout for purposes of its annual dropout calculation if the school or district does not receive documentation that the student has enrolled in another school within 150 days after the student withdraws; and
• allows a request for student records (academic transcripts or medical records) to be used as documentation of student enrollment.

(Completed; effective March 29, 2005)

PART 401 – NONPUBLIC SPECIAL EDUCATION FACILITIES

Special education staff is continuing to work on revisions to the agency’s rules regarding special education facilities under Section 14-7.02 of the School Code (primarily nonpublic facilities). While these rules relate in certain ways to the Part 226 rules (see above), Special Education and Legal do not believe it is necessary to present these two parts to the Board at the same time.

(Initial board review anticipated in November 2005)

PART 475 AND PART 480 - CONTESTED CASES AND OTHER FORMAL HEARINGS; HEARINGS BEFORE THE STATE TEACHER CERTIFICATION BOARD

The State Board combined these two Parts and repealed Part 480. With this consolidation, ISBE no longer requires staff and outside attorneys to follow separate rules for similar hearing processes. Part 475 will now require evidentiary hearings that are under the jurisdiction of the Certification Board to be conducted by a hearing officer in accordance with the Illinois Administrative Procedure Act, unless the STCB specifically elects not to appoint a hearing officer. A hearing can be held in the presence of the entire Certification Board or independent of it. The STCB will make the final decision. Other changes affect timeframes for notices and responses in order to give the parties more time to prepare their material. The language of the rules is generally being brought into conformance with current rulemaking style.

(Completed; effective June 30, 2005)

PART 525 - REGIONAL OFFICES OF EDUCATION AND INTERMEDIATE SERVICES

Legal and program staff are in the process of updating and eliminating unnecessary aspects of Part 525.

(Initial board review anticipated in November, 2005)

PART 1100 - PROCUREMENT BY THE STATE BOARD OF EDUCATION

Part 1100 has been repealed, and a new Part 1105 has replaced it. ISBE’s previous procurement rules mirrored the Standard Procurement Rules promulgated by the Department of Central Management Services. The State Board has repealed this duplicative regulatory language, and will now rely almost entirely on the rules of the
Department of Central Management Services. ISBE did, however, retain its independent procurement authority.  
(JCAR’s review is complete; to be filed shortly)

**PART 5001 - ACCESS TO INFORMATION OF THE STATE BOARD OF EDUCATION UNDER THE FREEDOM OF INFORMATION ACT**

These rules were amended to eliminate unnecessary language otherwise found in statute.  
(Completed; effective June 2, 2005)

**REPEAL OF INACTIVE AND UNNECESSARY RULES**

A. **Inactive Rules**

Nine parts and two subparts of the agency’s rules relate to programs that are not funded or are otherwise not current. Keeping these on the books does a disservice to districts, as it makes it more difficult to determine what programs we have in place to serve our constituents. The repeal of inactive rules was adopted by the State Board in August, and is pending JCAR’s review in October 2005.

A. Staff Development Plans and Programs (23 Illinois Administrative Code 30).
B. Insurance for Certificated Employees (23 Illinois Administrative Code 56).
C. Professional Development Block Grant (23 Illinois Administrative Code 160).
D. Scientific Literacy (23 Illinois Administrative Code 220).
E. Alcohol and Drug Education Initiative (23 Illinois Administrative Code 225).
F. Summer School for Remedial Education (23 Illinois Administrative Code 230).
H. Urban Education Partnership Program (23 Illinois Administrative Code 245).
I. Comprehensive Arts Program (23 Illinois Administrative Code 250).
J. Mathematics and Science Loan Program (23 Illinois Administrative Code 360).
K. School Technology Program (23 Illinois Administrative Code 575, Subpart A).

B. **Unnecessary Rules**

As part of the streamlining process, the agency has identified a number of Parts that can be consolidated with other Parts to avoid duplication and to allow our constituents to find
information about similar topics in one location. The following Parts have been or will be eliminated for these reasons:


B. Disadvantaged Students Funds Plan – Districts Between 1,000 and 50,000 ADA) (23 Illinois Administrative Code 201): Necessary information consolidated into new Part 203.


G. Hearings Before the State Teacher Certification Board (23 Illinois Administrative Code 480): Consolidated into Part 475.

SECTION 2 – SUMMARY OF CHANGES TO AGENCY POLICY AND PROCEDURES RESULTING FROM LESSREDTAPE

To date, the agency has received a total of over 280 submissions through the lessredtape@isbe.net address concerning 73 different subjects. These submissions have resulted in rule changes, as described in Section 1, and proposals for statutory changes, as described in Section 3. In many other instances, the e-mail submissions have given us an opportunity to clarify areas of concern or confusion for superintendents, school staff, regional offices of education, higher education staff, and individuals.

Lessredtape has been particularly effective in identifying ways to improve ISBE’s communications to the field and our processes for operating our programs. Set out below are examples of changes to agency processes that have been completed or are in progress as the result of lessredtape suggestions:

<table>
<thead>
<tr>
<th>Lessredtape Suggestion</th>
<th>Agency Response</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verification of data on SchoolHouse too time-consuming</td>
<td>Pearson and the State Board have worked together to provide a better process. Data is being corrected within 24 hours, and districts are able to download or print data, as well. The agency also will have discrepancy checks available within 24 hours of entry so that districts can see where they need to check their data. A timeline of the steps to be taken relative to your data and the SchoolHouse site can be found at <a href="http://www.isbe.net/assessment/htmls/schoolhouse_data.htm">http://www.isbe.net/assessment/htmls/schoolhouse_data.htm</a>.</td>
<td>Complete</td>
</tr>
<tr>
<td>Have the State Board put data needed for various purposes from a centralized system rather than having district submit data multiple times and allow districts to access same for reporting purposes.</td>
<td>The Student Information System will enable the agency to find previously submitted data; the system started accepting data starting on August 15, 2005. In addition, the agency is seeking an outside contractor to assist with the development of “data warehousing” approaches to limit submission and reporting requirements for districts.</td>
<td>Partially completed; in progress</td>
</tr>
</tbody>
</table>
| Do not send IWAS reminders if a district has already made the required submission. | ISBE completed IWAS enhancements for sending broadcast mail only to the non submitted users in the month of January 2005. Since then the following systems have implemented the process to send broadcast emails only to the not submitted:  
  - PreK Student Record  
  - Orphanage Tuition 18-3  
  - Early Childhood - Parent Evaluations  
  - NCLB Choice and Supplemental Educational Services  
  We are currently implementing this in Fall Housing. Other systems will be making this change in the future. | Partially completed; in progress |
<table>
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<td><strong>Suggestion</strong></td>
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<td><strong>Status</strong></td>
</tr>
<tr>
<td>School improvement plan template is too cumbersome; technology plan should be part of district improvement plan.</td>
<td>As discussed in Section 1, ISBE will be launching a streamlined school and district improvement plan template in the coming weeks that is generally limited to required elements and much more focused on strategy development. As part of this process, staff is exploring ways to add as many other district planning requirements into the template as possible (including SGSA, Title III and technology plan requirements).</td>
<td>In progress; will be completed in October 2005.</td>
</tr>
<tr>
<td>Link ISBE’s Online Teacher Information System (OTIS) and the Certification Renewal Tracking System (CeRTS)</td>
<td>ISBE’s Online Teacher Information System (OTIS) and the Certification Renewal Tracking System (CeRTS) are being merged into a new system which will be named the Educator Certification System (ECS). Implementation of the new ECS system, expected in January of 2006, will provide educators with a single web-based system to apply for certificates, record professional development activities, submit statements of assurance, and register and renew their certificates. ISBE’s Data Systems team is approximately 40% complete with the project at this time.</td>
<td>In progress.</td>
</tr>
<tr>
<td>Require that persons answering telephones at the State Board ask the name of the caller and the nature of his or her business before transferring the call.</td>
<td>A new telephone policy with this requirement and others aimed at providing better customer service was provided to staff on September 8, 2005.</td>
<td>New policy completed.</td>
</tr>
<tr>
<td>Do not use color in graphs for reports; copies poorly.</td>
<td>Data systems staff is exploring ways in which to make the images clear and sharp no matter what kind of printer is used.</td>
<td>In progress.</td>
</tr>
<tr>
<td>Provide a way to access previous Superintendent’s Weekly Messages.</td>
<td>A link to these messages has been added to the State Board’s website through the Board’s homepage; it is accessible through [<a href="http://www.isbe.net/board/archivemessages/archive">http://www.isbe.net/board/archivemessages/archive</a> message.htm](<a href="http://www.isbe.net/board/archivemessages/archive">http://www.isbe.net/board/archivemessages/archive</a> message.htm). In addition, the format of the weekly message has been overhauled to improve readability.</td>
<td>Completed.</td>
</tr>
<tr>
<td>Statement of Assurance form for certificate renewal should include a place to indicate</td>
<td>ISBE form 73-98 has been modified to include such a check. To view the change, please refer to <a href="http://www.isbe.net/certification/html/forms.htm">http://www.isbe.net/certification/html/forms.htm</a>, choosing 73-98 under the heading of &quot;Statement of Assurances.&quot; The change responding to the</td>
<td>Completed.</td>
</tr>
<tr>
<td>whether the submitter has a master’s degree.</td>
<td>suggestion can be found on page 1 in the box on the left side of the page with the heading of &quot;Certificate Type and Status&quot;; it will be the last choice in that box.</td>
<td></td>
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</tbody>
</table>
SECTION 3—LESSREDTAPE LEGISLATIVE PROPOSALS

As a result of the comprehensive rules review process and the insights received through lessredtape@isbe.net, staff have identified sections of the School Code that can be revised to eliminate unnecessary burdens on district administrators and teachers. These suggested changes are included below. The proposals fall into three categories: (i) school/district improvement plans; (ii) reporting requirements; and (iii) fiscal/administrative requirements.

I. SCHOOL/DISTRICT IMPROVEMENT PLANS

School districts across Illinois are struggling to comply with the federal mandates set out in the No Child Left Behind Act of 2001 (NCLB). For the most part, the Illinois General Assembly’s implementation of NCLB through Public Act 93-470 adhered to the spirit and letter of the federal law. However, as ISBE and school districts have adjusted to the law’s requirements over the past few years, ISBE believes the Illinois General Assembly can take action to eliminate several State-imposed planning burdens and to allow ISBE to better support districts’ efforts to implement NCLB. These revisions will also eliminate duplicative requirements associated with the school and district improvement planning processes.

A. School and District Improvement Plans Relating to Academic Early Warning or Watch Status

105 ILCS 5/2-3.25d:

- Remove requirement that the State Superintendent approve school and district improvement plans: ISBE is not required by federal law to approve school and district improvement plans—this approval requirement is only set out in the School Code. Under NCLB, ISBE is required to “annually review the progress of each local agency receiving funds under this part to determine … if each local educational agency is carrying out its responsibilities under this section and sections 1117, 1118, and 1119….” NCLB 1116(c)(1)(A). We believe there are a number of ways ISBE could meet this requirement without having all plans submitted and reviewed by ISBE, and we will continue to ensure that improvement plans contain all necessary legal requirements. However, we have found that ISBE’s current scoring and approval of the plans does not provide meaningful feedback to the districts, and comes too late in the improvement plan process to assist the district with the development of improvement strategies. Philosophically, we believe local school boards, and not ISBE staff, are best positioned to determine the improvement strategies most likely to improve educational outcomes for the district’s students. This revision will free up staff resources for ISBE to improve its provision of technical assistance in the development and implementation of improvement plans (the main obligation of a State with respect to improvement plans under NCLB). The proposed revisions also require that all plans be posted on the internet (if the district maintains a website) and made available at the school or district to provide a greater
opportunity for the community to comment on the plans prior to their adoption by the local board. This revision will therefore make the plans more accountable to the local community.

- **Remove requirement for district restructuring plan:** This is not derived from NCLB, and therefore adds an unnecessary planning process for local districts that does not align with the NCLB framework.

- **Specify that improvement plans will be subject to peer review and developed in collaboration with parents, staff in the affected school or districts, and outside experts:** With the elimination of school and district improvement panels (see below), these revisions will give districts flexibility to determine the best way to obtain community involvement and participation in the process in accordance with NCLB’s requirements (NCLB 1116 (b)(3)(A), (b)(3)(E)).

(105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

Sec. 2-3.25d. Academic early warning and watch status.

(a) Beginning with the 2005-06 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those schools that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall be placed on academic early warning status for the next school year. Schools on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall remain on academic early warning status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall be placed on initial academic watch status. Schools on academic early warning status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall remain on academic watch status. Schools on academic early warning or academic watch status that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

The school district of a school placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

A school district that has one or more schools on academic early warning or academic watch status shall prepare a revised School Improvement Plan or amendments thereto setting forth the district's expectations for removing each school from academic early warning or academic watch status and for improving student performance in the affected school or schools. Districts operating under Article 34 of this Code may
prepare the School Improvement Plan required under Section 34-2.4 of this Code.

The revised School Improvement Plan for a school that is initially placed on academic early warning status or that remains on academic early warning status after a third annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code).

The revised School Improvement Plan for a school that is initially placed on initial academic watch status after a fourth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education.

The revised School Improvement Plan for a school that remains on academic watch status after a fifth annual calculation must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code, unless the school is on probation pursuant to subsection (c) of Section 34-8.3 of this Code) and the State Superintendent of Education. In addition, the district must develop a school restructuring plan for the school that must be approved by the school board (and by the school's local school council in a district operating under Article 34 of this Code) and subsequently approved by the State Superintendent of Education.

A school on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation shall implement its approved school restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(b) Beginning with the 2005-06 school year, unless the federal government formally disapproves of such policy through the submission and review process for the Illinois Accountability Workbook, those school districts that do not meet adequate yearly progress criteria for 2 consecutive annual calculations in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall be placed on academic early warning status for the next school year. Districts on academic early warning status that do not meet adequate yearly progress criteria for a third annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall remain on academic early warning status. Districts on academic early warning status that do not meet adequate yearly progress criteria for a fourth annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall be placed on initial academic watch status. Districts on academic watch status that do not meet adequate yearly progress criteria for a fifth or subsequent annual calculation in the same subgroup and in the same subject or in their participation rate, attendance rate or graduation rate shall remain on academic watch status. Districts on academic early warning or academic watch status
that meet adequate yearly progress criteria for one annual calculation shall be considered as having met expectations and shall be removed from any status designation.

A district placed on either academic early warning status or academic watch status may appeal the status to the State Board of Education in accordance with Section 2-3.25m of this Code.

Districts on academic early warning or academic watch status shall prepare a District Improvement Plan or amendments thereto setting forth the district's expectations for removing the district from academic early warning or academic watch status and for improving student performance in the district. All District Improvement Plans for a district that is initially placed on academic early warning status must be approved by the school board.

The revised District Improvement Plan for a district that remains on academic early warning status after a third annual calculation must be approved by the school board.

The revised District Improvement Plan for a district on initial academic watch status after a fourth annual calculation must be approved by the school board and the State Superintendent of Education.

The revised District Improvement Plan for a district that remains on academic watch status after a fifth annual calculation must be approved by the school board and the State Superintendent of Education. In addition, the district must develop a district restructuring plan that must be approved by the school board and the State Superintendent of Education.

A district on academic watch status that does not meet adequate yearly progress criteria for a sixth annual calculation must implement its approved district restructuring plan beginning with the next school year, subject to the State interventions specified in Section 2-3.25f of this Code.

(c) All revised School and District Improvement Plans shall be developed in collaboration with parents, staff in the affected school or school district, and outside experts. All revised School and District Improvement Plans shall be developed, submitted, and monitored approved pursuant to rules adopted by the State Board of Education. At least thirty days prior to the approval of a revised School or District Improvement Plan by a school board, each school district required to revise a Plan pursuant to this Section shall: (1) make copies of a revised district improvement plan available at the district’s primary administrative office; (2) make copies of a revised school improvement plan available at the school’s primary administrative office; and (3) if the school district has a website maintained by full-time staff, post the plans to the school district’s website. During the school years covered by a revised plan, the school district shall ensure that copies of the revised plans shall remain available at the applicable primary administrative office and, if the school district has a website maintained by full-time staff, remain posted on the school district’s website. The revised Improvement Plan shall address measurable outcomes for improving student performance so that such performance meets adequate yearly progress criteria as specified by the State
Board of Education. All school districts required to revise a school improvement plan in accordance with this Section shall establish a peer review process for the evaluation of school improvement plans.

(d) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.

(e) The State Board of Education, from any moneys it may have available for this purpose, must implement and administer a grant program that provides 2-year grants to school districts on the academic watch list and other school districts that have the lowest achieving students, as determined by the State Board of Education, to be used to improve student achievement. In order to receive a grant under this program, a school district must establish an accountability program. The accountability program must involve the use of statewide testing standards and local evaluation measures. A grant shall be automatically renewed when achievement goals are met. The Board may adopt any rules necessary to implement and administer this grant program.

(Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04.)

105 ILCS 5/2-3.25e:

- Eliminate school and district improvement panels: These panels are not required by NCLB. The process for appointing these panels by the State Superintendent has created unnecessary bureaucracy and paperwork for both school districts and ISBE. Districts should be able to decide how to best collaborate with parents, staff, and outside experts during the development of plans. With more flexibility at the local level, districts can obtain outside input with less bureaucracy and more focus on improving the quality of education in schools and districts.

(105 ILCS 5/2-3.25e) (from Ch. 122, par. 2-3.25e)

Sec. 2-3.25e. School and district improvement panels. A school or school district on academic watch status shall have a school or district improvement panel appointed by the State Superintendent of Education. Members appointed to the panel shall include, but not be limited to, individuals who are familiar with educational issues. The State Superintendent of Education shall designate one member of the panel to serve as chairman. Any panel appointed for a school operated under Article 34 of the School Code shall include one or more members selected from the school's subdistrict council and one or more members from the school's local school council. The school or district improvement panel shall (1) assist the school or district in the development and implementation of a revised Improvement Plan and amendments thereto and (2) make progress reports and comments to the State Superintendent of Education pursuant to rules promulgated by the State Board of Education.

(Source: P.A. 93-470, eff. 8-8-03.)

105 ILCS 5/2-3.25f: Technical revisions to correspond to changes in other sections.

(105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)
Sec. 2-3.25f. State interventions.

(a) A school or school district must submit the required revised Improvement Plan pursuant to rules adopted by the State Board of Education. The State Board of Education shall provide technical assistance to assist with the development and implementation of school and district improvement plans.

Schools or school districts that fail to make reasonable efforts to implement an approved Improvement Plan may suffer loss of State funds by school district, attendance center, or program as the State Board of Education deems appropriate.

(b) In addition, if after 3 years following its placement on academic watch status a school district or school remains on academic watch status, the State Board of Education shall take one of the following actions for the district or school:

(1) The State Board of Education may authorize the State Superintendent of Education to direct the regional superintendent of schools to remove school board members pursuant to Section 3-14.28 of this Code. Prior to such direction the State Board of Education shall permit members of the local board of education to present written and oral comments to the State Board of Education. The State Board of Education may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement. The State Superintendent of Education shall designate one member of the Independent Authority to serve as chairman. The Independent Authority shall serve for a period of time specified by the State Board of Education upon the recommendation of the State Superintendent of Education.

(2) The State Board of Education may (A) change the recognition status of the school district or school to nonrecognized, or (B) authorize the State Superintendent of Education to direct the reassignment of pupils or direct the reassignment or replacement of school district personnel who are relevant to the failure to meet adequate yearly progress criteria. If a school district is nonrecognized in its entirety, it shall automatically be dissolved on July 1 following that nonrecognition and its territory realigned with another school district or districts by the regional board of school trustees in accordance with the procedures set forth in Section 7-11 of the School Code. The effective date of the nonrecognition of a school shall be July 1 following the nonrecognition.

(c) All federal requirements apply to schools and school districts utilizing federal funds under Title I, Part A of the federal Elementary and Secondary Education Act of 1965.
(Source: P.A. 93-470, eff. 8-8-03.)

B. Staff development plans
The State no longer funds staff development programs developed under Section 2-3.59. Without State funding, ISBE should leave the development of these programs as a matter of local control and not be statutorily required to approve these plans.

§ 105 ILCS 5/2-3.59.
Statute text
Sec. 2-3.59. Staff development programs. School districts, cooperatives or joint agreements with a governing board or board of control, administrative agents for educational service centers, and regional superintendents acting on behalf of such entities shall conduct staff development programs and may contract with not-for-profit organizations to conduct summer staff development program institutes which specify outcome goals, including the improvement of specific instructional competencies, and which conform to locally developed plans. The State Board of Education shall approve all staff development plans developed under this Section. Following approval of such plans, the State Board of Education shall provide State funds, appropriated for this purpose, to aid in conducting and contracting with not-for-profit organizations to conduct such programs.

C. Local learning objectives and assessment

All school districts are subject to the single state-wide accountability system developed under NCLB. This system serves as the basis for state-wide assessments and all sanctions imposed under state and federal law. While local school districts should remain free to establish local objectives, the State should not mandate that such objectives be established and should not be required to approve such objectives.

§ 105 ILCS 5/2-3.63.

Sec. 2-3.63. Local learning objectives and assessment. The State Board of Education shall require each school district to set student learning objectives which meet or exceed goals established by the State and to also establish local goals for excellence in education. Such established, such objectives and goals shall be disseminated to the public along with information on the degree to which they are being achieved, and if not, what appropriate actions are being taken. As part of its local assessment system each district shall identify the grade levels used to document progress to parents, the community, and the State in all the fundamental learning areas described in Section 27-1 [105 ILCS 5/27-1]. There shall be at least 2 grade levels in each fundamental learning area before high school and at least one grade level during high school. The grades identified for each learning area shall be defined in the district's school improvement plan by June 30, 1993, and may be changed only upon approval by the State Superintendent of Education. The State Board of Education shall establish a process for approving local objectives mentioned in this Section, for approving local plans for improvement, for approving public reporting procedures, and for recognition and commendation of top achieving districts. To the extent that a local plan for improvement or school improvement plan required by the State Board of Education includes developing either individual school plans for improvement or individual school improvement plans, a school in a district operating under Article 34 of the School Code may submit the school improvement plan required under
Section 34-2.4 [105 ILCS 5/34-2.4] and this plan shall address and meet improvement plan requirements set forth both by the State Board of Education and by Section 32-2.4 [105 ILCS 5/32-2.4].

History
(Source: P.A. 84-126; 87-934, § 1; 88-686, § 5.)

Annotations

Sec. 2-3.64
(b) It shall be the policy of the State to encourage school districts to continuously test pupil proficiency in the fundamental learning areas in order to: (i) provide timely information on individual students' performance relative to State standards that is adequate to guide instructional strategies; (ii) improve future instruction; and (iii) complement the information provided by the State testing system described in this Section. Each district's school improvement plan must address specific activities the district intends to implement to assist pupils who by teacher judgment and test results as prescribed in subsection (a) of this Section demonstrate that they are not meeting State standards or local objectives. Such activities may include, but shall not be limited to, summer school, extended school day, special homework, tutorial sessions, modified instructional materials, other modifications in the instructional program, reduced class size or retention in grade. To assist school districts in testing pupil proficiency in reading in the primary grades, the State Board shall make optional reading inventories for diagnostic purposes available to each school district that requests such assistance. Districts that administer the reading inventories may develop remediation programs for students who perform in the bottom half of the student population. Those remediation programs may be funded by moneys provided under the School Safety and Educational Improvement Block Grant Program established under Section 2-3.51.5. Nothing in this Section shall prevent school districts from implementing testing and remediation policies for grades not required under this Section.

Sec. 27-1. Areas of education taught - discrimination on account of sex. The State of Illinois, having the responsibility of defining requirements for elementary and secondary education, establishes that the primary purpose of schooling is the transmission of knowledge and culture through which children learn in areas necessary to their continuing development and entry into the world of work. Such areas include the language arts, mathematics, the biological, physical and social sciences, the fine arts and physical development and health.

Each school district shall give priority in the allocation of resources, including funds, time allocation, personnel, and facilities, to fulfilling the primary purpose of schooling.

The State Board of Education shall establish goals consistent with the above purposes and define the knowledge and skills which the State expects students to master and apply as a consequence of their education.

Each school district shall establish learning objectives consistent with the primary purpose of schooling, shall develop appropriate testing and assessment systems for determining the degree to which students are achieving the objectives and shall develop reporting systems to apprise the community and State of the assessment results.

Each school district shall submit upon request its objectives and assessment results, plans for improvement, and reporting systems to the State Board of Education, which shall promulgate rules and regulations.
for the approval of the objectives and systems. Each school district shall make available to all students academic and vocational courses for the attainment of learning objectives.

No student shall be refused admission into or be excluded from any course of instruction offered in the common schools by reason of that person's sex. No student shall, solely by reason of that person's sex, be denied equal access to physical education and interscholastic athletic programs or comparable programs supported from school district funds. This Section is violated when a high school subject to this Act participates in the post-season basketball tournament of any organization or association that does not conduct post-season high school basketball tournaments for both boys and girls, which tournaments are identically structured. Conducting identically structured tournaments includes having the same number of girls' teams as boys' teams playing, in their respective tournaments, at any common location chosen for the final series of games in a tournament; provided, that nothing in this paragraph shall be deemed to prohibit the selection for the final series of games in the girls' tournaments of a common location that is different than the common location selected for the final series of games in the boys' tournaments. Except as specifically stated in this Section, equal access to programs supported by school district funds and comparable programs will be defined in rules promulgated by the State Board of Education in consultation with the Illinois High School Association. (Source: P.A. 87-934; 87-1215; 88-45.)

D. Supplemental General State Aid Plans (Downstate Districts with an ADA of more than 1,000 and less than 50,000)

The submission and approval of these plans is a purely perfunctory process. All districts receiving Supplemental General State Aid (SGSA) also receive federal Title I funds. Under both state and federal accountability frameworks, districts are already required to develop improvement strategies for low-income students as part of the school and district improvement planning process if this subgroup does not make adequate yearly progress for two consecutive years.

105 ILCS 5/18-8.05(H) (3)

(3) School districts with an Average Daily Attendance of more than 1,000 and less than 50,000 that qualify for supplemental general State aid pursuant to this subsection shall submit a plan to the State Board of Education prior to October 30 of each year for the use of the funds resulting from this grant of supplemental general State aid for the improvement of instruction in which priority is given to meeting the education needs of disadvantaged children. Such plan shall be submitted in accordance with rules and regulations promulgated by the State Board of Education.

II. REPORTING REQUIREMENTS

The State should not mandate reporting from school districts and teachers unless the benefits associated with the receipt of the information outweigh the burdens on districts to provide it. Several statutory reporting requirements fail this criteria. Obtaining
information for the reporting requirements set out below is a burden for local districts and teachers, and ISBE is not aware of any significant usage of this information.

A. Latch key reports

§ 105 ILCS 5/2-3.11b.

Statute text

Sec. 2-3.11b. Latch key reports. To report to the General Assembly and Governor annually on or before January 14, the following information for the preceding year ending on June 30: the general nature and manner of operation of before and after school programs conducted for pupils by the public schools in the several school districts of the State; a brief description of the types of programs offered and the most common age and grade range of pupil benefited thereby; the source and sufficiency of the funding available to and used by school districts to conduct and operate such programs; the number of pupils participating, by school district, in before and after school programs offered by each such district; and the number of certified employees, the number of uncertified employees and the number of independent contractors used by each such district to conduct and operate its before and after school programs.

B. Report of teacher dismissals


Sec. 10-20.26. Report of teacher dismissals. To send an annual report, on or before September 15, to the State Board of Education which discloses the number of probationary teachers and the number of teachers in contractual continued service who have been dismissed or removed as a result of the board's decision to decrease the number of teachers employed or to discontinue any type of teaching service. The report will also list the number in each teacher category which were subsequently reemployed by the board.

History

C. Assurance Statements

By statute, assurance statements must include the purposes for each activity. This requirement can be streamlined to only require an indication of purposes related to serving students with disabilities by making the following revision to 105 ILCS 5/21-14(e)(4):

A person must complete the requirements of this subsection (e) before the expiration of his or her Standard Teaching Certificate and must submit assurance to the regional superintendent of schools or, if applicable, a local professional development committee authorized by the regional superintendent to submit recommendations to him or her for this purpose. This statement of assurance shall contain a list of the activities completed, the provider offering each activity, the number of credits earned for each activity, and the activities attributed to purpose (E) purposes to which each activity is attributed. The
certificate holder shall maintain the evidence of completion of each activity for at least one certificate renewal cycle. The certificate holder shall affirm under penalty of perjury that he or she has completed the activities listed and will maintain the required evidence of completion. The State Board of Education or the regional superintendent of schools for each region shall conduct random audits of assurance statements and supporting documentation.

III. FISCAL/ADMINISTRATIVE

A number of statutory requirements can be revised to reduce the administrative and financial burdens on school districts associated with publishing financial information in newspapers, administering building code requirements, abiding by administrative cost limitation provisions, obtaining criminal background checks, filing reimbursement claims, and obtaining waivers and modifications of School Code mandates.

A. Publication of Statement of Affairs

Several lessredtape e-mails have requested relief from the financial burden on publishing a statement of affairs in a local newspapers. ISBE can publish this statement on its website, thereby making the information available to members of the public. Publication on ISBE’s website would serve the same public reporting purposes as publication in a local newspaper at no cost to school districts. This proposal adds a requirement to post payments of $500 or more to a single vendor from a district’s activity or convenience funds. ISBE believes greater accountability is needed of districts for payments from said funds.

AN ACT concerning schools.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by amending Section 10-17 and adding Section 10-17.1 as follows:

(105 ILCS 5/10-17) (from Ch. 122, par. 10-17)
Sec. 10-17. Statement of affairs. Basis of Accounting. In Class I or Class II county school units the school board may use either a cash basis or accrual system of accounting; however, any board so electing to use the accrual system may not change to a cash basis without the permission of the State Board of Education. School Boards using either a cash basis or accrual system of accounting shall maintain records showing the assets, liabilities and fund balances in such minimum forms as may be prescribed by the State Board of Education. School boards shall publish a statement of the affairs of the district prior to December 1 annually in a newspaper of general circulation published in the respective school districts and if no newspaper is published in the district then in a newspaper published in the county in which the school district is located and if no newspaper is published in the county then in a newspaper published in the educational service region in which the regional superintendent has supervision and control of such school district in such form as may be
prescribed by the State Board of Education. Not later than December 15 annually the clerk shall file with the regional superintendent a certified statement that the publication has been made together with a copy of the newspaper containing it. After December 15 annually the regional superintendent of schools shall withhold from each treasurer any public moneys due to be distributed to the treasurer until the duties required under this section have been complied with.

When any school district is the administrative district for several school districts operating under a joint agreement as authorized by this Act, no receipts or disbursements accruing, received or paid out by that school district as such an administrative district shall be included in the statement of affairs of the district required by this Section. However, that district shall have prepared and published in the same manner and subject to the same requirements as are provided in this section for the statement of affairs of that district, a statement showing the cash receipts and disbursements by funds (or the revenue, expenses and financial position, if the accrual system of accounting is used) of the district as such administrative district, in the form prescribed by the State Board of Education. The costs of publishing this separate statement prepared by such an administrative district shall be apportioned among and paid by the participating districts in the same manner as other costs and expenses accruing to those districts jointly.

School districts on a cash basis shall have prepared and publish a statement showing the cash receipts and disbursements by funds in the form prescribed by the State Board of Education.

School districts using the accrual system of accounting shall have prepared and publish a statement of revenue and expenses and a statement of financial position in the form prescribed by the State Board of Education.

In Class II county school units such statement shall be prepared and published by the township treasurer of the unit within which such districts are located, except with respect to the school board of any school district that no longer is subject to the jurisdiction and authority of a township treasurer or trustees of schools of a township because the district has withdrawn from the jurisdiction and authority of the township treasurer and trustees of schools of the township or because those offices have been abolished as provided in subsection (b) or (c) of Section 5-1, and as to each such school district the statement required by this Section shall be prepared and published by the school board of such district in the same manner as required for school boards of school districts situated in Class I county school units.

In Class I and Class II counties the statement of school districts on either a cash or accrual basis shall show such other information as may be required by the State Board of Education, including:

a) Annual fiscal year gross payment for certificated personnel to be shown by name, listing each employee in one of the following categories:

1) Under $15,000
2) $15,000 to $24,999
3) $25,000 to $39,999
4) $40,000 and over

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b) Annual fiscal year payment for non-certificated personnel to be shown by name, listing each employee in one of the following categories:
   (a) Under $15,000
   (b) $15,000 to $24,999
   (c) $25,000 to $39,999
   (d) $40,000 and over

3. In addition to wages and salaries all other moneys in the aggregate paid to recipients of $1,000 or more, giving the name of the person, firm or corporation and the total amount received by each.

4. Approximate size of school district in square miles.

5. Number of school attendance centers.

6. Numbers of employees as follows:
   (a) Full-time certificated employees;
   (b) Part-time certificated employees;
   (c) Full-time non-certificated employees;
   (d) Part-time non-certificated employees.

7. Numbers of pupils as follows:
   (a) Enrolled by grades;
   (b) Total enrolled;
   (c) Average daily attendance.

8. Assessed valuation as follows:
   (a) Total of the district;
   (b) Per pupil in average daily attendance.

9. Tax rate for each district fund.

10. District financial obligation at the close of the fiscal year as follows:
   (a) Teachers' orders outstanding;
   (b) Anticipation warrants outstanding for each fund.

11. Total bonded debt at the close of the fiscal year.

12. Percent of bonding power obligated currently.

13. Value of capital assets of the district including:
   (a) Land;
   (b) Buildings;
   (c) Equipment.

14. Total amount of investments each fund.

15. Change in net cash position from the previous report period for each district fund.

In addition to the above report, a report of expenditures in the aggregate paid on behalf of recipients of $500 or more, giving the name of the person, firm or corporation and the total amount received by each shall be available in the school district office for public inspection. This listing shall include all wages, salaries and expenditures over $500 expended from any revolving fund maintained by the district. Any resident of the school district may receive a copy of this report, upon request, by paying a reasonable charge to defray the costs of preparing such copy.

This Section does not apply to cities having a population exceeding 500,000.

(Source: P.A. 86-96; 86-1441; 87-191; 87-473; 87-895.)

Sec. 10-17.1. Statement of affairs.

a) This section applies to all school districts and joint agreements subject to the provisions of Section 3-7 of the School Code.
b) On or before December 15 annually, the State Board of Education shall post a statement of affairs for each school district and joint agreement as hereinafter specified. If any school district or joint agreement shall fail to provide the State Board of Education with the information required to be included in its statement of affairs by December 1, then the State Board of Education shall withhold from each such school district, township, or joint agreement treasurer state moneys due to such district or joint agreement until the information is provided in the manner prescribed by the State Board of Education.

c) Each Statement of Affairs shall include tables or statements showing:

1) the beginning and ending balances; the receipts and disbursements or revenues and expenses; the total amount of investments; and the change the fund balances over the fiscal year;

2) the amount of long term debt outstanding at the beginning of the fiscal year; amounts retired or defeased during such fiscal year; amounts issued during such fiscal year, and the amount outstanding at the end of such fiscal year.

3) the amount of short term debt outstanding at the beginning of the fiscal year; amounts retired during such fiscal year; amounts issued during such fiscal year, and the amount outstanding at the end of such fiscal year.

4) the amount of capital assets owned by the school district or joint agreement at the beginning of the fiscal year; amounts retired during such fiscal year; amounts acquired during such fiscal year, and the value of such assets at the end of such fiscal year.

5) Staffing and payroll information including:
   A) Numbers of employees as follows:
      (i) Full-time certificated employees;
      (ii) Part-time certificated employees;
      (iii) Full-time non-certificated employees;
      (iv) Part-time non-certificated employees.
   B) Annual fiscal year gross payment for certificated personnel to be shown by name, listing each employee in one of the following categories:
      (i) Under $15,000
      (ii) $15,000 to $24,999
      (iii) $25,000 to $39,999
      (iv) $40,000 and over
   C) Annual fiscal year payment for non-certificated personnel to be shown by name, listing each employee in one of the following categories:
      (i) Under $15,000
      (ii) $15,000 to $24,999
      (iii) $25,000 to $39,999
      (iv) $40,000 and over

6) Assessed valuation and tax rate data, including:
   A) Total assessed valuation;
   B) Assessed valuation per pupil in average daily attendance;
   C) Tax rates for various purposes.

7) Approximate size of school district in square miles and the number of school attendance centers;
8) Numbers of pupils as follows:
A) Enrolled by grades;
B) Total enrolled;
C) Average daily attendance

9) A listing all other moneys in the aggregate paid to recipients of $1,000 or more, giving the name of the person, firm or corporation and the total amount received by each.

(d.) Provision of Information. The information required by this Section shall be provided by the school board of each district or the administrative district of a joint agreement, except that in the case of districts located in Class II county school units that are subject to the authority of township trustees, the financial information shall be provided by the township treasurer.

(e.) Each school district and joint agreement shall, in addition to supplying the above information, shall compile a report of expenditures in the aggregate paid on behalf of recipients of $500 or more, giving the name of the person, firm or corporation and the total amount received by each, which report shall be available in the school district or joint agreement office for public inspection. This listing shall include all wages, salaries and expenditures over $500 expended from any revolving fund or student activity fund maintained by the district. Any resident of the school district or joint agreement may receive a copy of this report, upon request, by paying a reasonable charge to defray the costs of preparing such copy.

Section 99. Effective date. This Act takes effect upon becoming law.

B. Administration of the Health/Life/Safety Code

The proposed amendments to the School Code section dealing with Health/Life/Safety issues remove the requirements for obtaining “extensions of time” for completing projects identified in the 10-year survey. (The revisions also delete an obsolete paragraph, add numbering to simplify references and clarify the process for fire officials to undertake routine inspections of school facilities.) “Extensions of time” constitute burdensome and unnecessary paperwork for school districts and regional superintendents. Enforcement of health/life/safety requirements is more effectively addressed in subsection 3-14.21 (b) of the School Code. Under this subsection, if the regional superintendent determines that a school board has failed in a timely manner to correct urgent items, the regional superintendent orders the school board to submit a plan for the immediate correction of the building violations. Unlike the “extension of time” process in Section 2-3.12, subsection 3-14.21(b) provides a means of fixing the problem rather than just shuffling paperwork saying there is a problem.

AN ACT concerning schools.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by amending Section 2-3.12 as follows:
Sec. 2-3.12. School building code. (a) To prepare for school boards with the advice of the Department of Public Health, the Capital Development Board, and the State Fire Marshal a school building code that will conserve the health and safety and general welfare of the pupils and school personnel and others who use public school facilities.

The document known as "Efficient and Adequate Standards for the Construction of Schools" applies only to temporary school facilities, new school buildings, and additions to existing schools whose construction contracts are awarded after July 1, 1965. On or before July 1, 1967, each school board shall have its school district buildings that were constructed prior to January 1, 1955, surveyed by an architect or engineer licensed in the State of Illinois as to minimum standards necessary to conserve the health and safety of the pupils enrolled in the school buildings of the district. Buildings constructed between January 1, 1955 and July 1, 1965, not owned by the State of Illinois, shall be surveyed by an architect or engineer licensed in the State of Illinois beginning 10 years after acceptance of the completed building by the school board. Buildings constructed between January 1, 1955 and July 1, 1955 and previously exempt under the provisions of Section 35-27 shall be surveyed prior to July 1, 1977 by an architect or engineer licensed in the State of Illinois. The architect or engineer, using the document known as "Building Specifications for Health and Safety in Public Schools" as a guide, shall make a report of the findings of the survey to the school board, giving priority in that report to fire safety problems and recommendations thereon if any such problems exist. The school board of each district so surveyed and receiving a report of needed recommendations to be made to improve standards of safety and health of the pupils enrolled has until July 1, 1970, or in case of buildings not owned by the State of Illinois and completed between January 1, 1955 and July 1, 1965 or in the case of buildings previously exempt under the provisions of Section 35-27 has a period of 3 years after the survey is commenced, to effectuate those recommendations, giving first attention to the recommendations in the survey report having priority status, and is authorized to levy the tax provided for in Section 17-2.11, according to the provisions of that Section, to make such improvements. School boards unable to effectuate those recommendations prior to July 1, 1970, on July 1, 1980 in the case of buildings previously exempt under the provisions of Section 35-27, may petition the State Superintendent of Education upon the recommendation of the Regional Superintendent for an extension of time. The extension of time may be granted by the State Superintendent of Education for a period of one year, but may be extended from year to year provided substantial progress, in the opinion of the State Superintendent of Education, is being made toward compliance. However, for fire protection issues, only one one-year extension may be made, and no other provision of this Code or an applicable code may supersede this requirement. For routine inspections, fire officials shall provide written notice to the principal of the school to schedule a mutually agreed upon time for the fire safety check. However, no more than 2 routine inspections may be made in a calendar year.

(b) Within 2 years after the effective date of this amendatory Act of September 23, 1983, and every 10 years thereafter, or at such other times as the State Board of Education deems necessary or the regional
superintendent so orders, each school board subject to the provisions of this Section shall again survey its school buildings and effectuate any recommendations in accordance with the procedures set forth herein.

(1.) An architect or engineer licensed in the State of Illinois is required to conduct the surveys under the provisions of this Section and shall make a report of the findings of the survey titled "safety survey report" to the school board.

(2.) The school board shall approve the safety survey report, including any recommendations to effectuate compliance with the code, and submit it to the Regional Superintendent.

(3.) The Regional Superintendent shall render a decision regarding approval or denial and submit the safety survey report to the State Superintendent of Education.

(4.) The State Superintendent of Education shall approve or deny the report including recommendations to effectuate compliance with the code and, if approved, issue a certificate of approval.

(5.) Upon receipt of the certificate of approval, the Regional Superintendent shall issue an order to effect any approved recommendations included in the report.
   (i.) Items in the report shall be prioritized.
   (ii.) Urgent items shall be considered as those items related to life safety problems that present an immediate hazard to the safety of students.
   (iii.) Required items shall be considered as those items that are necessary for a safe environment but present less of an immediate hazard to the safety of students.
   (iv.) Urgent and required items shall reference a specific rule in the code authorized by this Section that is currently being violated or will be violated within the next 12 months if the violation is not remedied.

(6.) The school board of each district so surveyed and receiving a report of needed recommendations to be made to maintain standards of safety and health of the pupils enrolled shall effectuate the correction of urgent items as soon as achievable to ensure the safety of the students, but in no case more than one year after the date of the State Superintendent of Education's approval of the recommendation.

(7.) Required items shall be corrected in a timely manner, but in no case more than 5 years from the date of the State Superintendent of Education's approval of the recommendation.

(8.) Once each year the school board shall submit a report of progress on completion of any recommendations to effectuate compliance with the code. For each year that the school board does not effectuate any or all approved recommendations, it shall petition the Regional Superintendent and the State Superintendent of Education detailing what work was completed in the previous year and a work plan for completion of the remaining work. If in the judgement of the Regional Superintendent and the State Superintendent of Education substantial progress has been made and just cause has been shown by the school board, the petition for a one year extension of time may be approved.
(c.) As soon as practicable, but not later than 2 years after January 1, 1993 the effective date of this amendatory Act of 1992, the State Board of Education shall combine the document known as "Efficient and Adequate Standards for the Construction of Schools" with the document known as "Building Specifications for Health and Safety in Public Schools" together with any modifications or additions that may be deemed necessary. The combined document shall be known as the "Health/Life Safety Code for Public Schools" and shall be the governing code for all facilities that house public school students or are otherwise used for public school purposes, whether such facilities are permanent or temporary and whether they are owned, leased, rented, or otherwise used by the district. Facilities owned by a school district but that are not used to house public school students or are not used for public school purposes shall be governed by separate provisions within the code authorized by this Section.

(d.) The 10 year survey cycle specified in this Section shall continue to apply based upon the standards contained in the "Health/Life Safety Code for Public Schools", which shall specify building standards for buildings that are constructed prior to the effective date of this amendatory Act of 1992 January 1, 1993 and for buildings that are constructed after that date.

(e.) The "Health/Life Safety Code for Public Schools" shall be the governing code for public schools; however, the provisions of this Section shall not preclude inspection of school premises and buildings pursuant to Section 9 of the Fire Investigation Act, provided that the provisions of the "Health/Life Safety Code for Public Schools", or such predecessor document authorized by this Section as may be applicable are used, and provided that those inspections are coordinated with the Regional Superintendent having jurisdiction over the public school facility.

(f.) Nothing in this Section shall be construed to prohibit a local fire department, fire protection district, or the Office of the State Fire Marshal from conducting a fire safety check in a public school. For routine inspections, fire officials shall provide written notice to the principal of the school to schedule a mutually agreed upon time for the fire safety check. However, no more than 2 routine inspections may be made in a calendar year.

(g.) Upon being notified by a fire official that corrective action must be taken to resolve a violation, the school board shall take corrective action within one year. However, violations that present imminent danger must be addressed immediately.

(h.) Any agency having jurisdiction beyond the scope of the applicable document authorized by this Section may issue a lawful order to a school board to effectuate recommendations, and the school board receiving the order shall certify to the Regional Superintendent and the State Superintendent of Education when it has complied with the order.

(i.) The State Board of Education is authorized to adopt any rules that are necessary relating to the administration and enforcement of the provisions of this Section.

(j.) The code authorized by this Section shall apply only to those school districts having a population of less than 500,000 inhabitants.

(Source: P.A. 92-593, eff. 1-1-03.)
Section 99. Effective date. This Act takes effect upon becoming law.

C. Limitation on Administrative Costs

By changing the focus of Section 17-1.5 from administrative expenditures to administrative salaries, this Section will no longer penalize school districts for administrative expenditures outside of the district’s control. Since the current calculation contains non-salary administrative expenditures, there is no way to determine whether administrative salaries have increased more than 5% from year to year. The changes will also ease the burden on districts that have not increased administrative salaries more than 5% but have an increase in non-salary expenditures (increase in health insurance costs beyond their control, purchase of new copier for supt office, etc.). These districts currently have additional procedures they would have to follow to be in compliance with the limitation, even though their actual administrative salaries did not exceed the limitation. The change would eliminate the need for districts in this situation to complete additional procedures.

(105 ILCS 5/17-1.5)
Sec. 17-1.5. Limitation of administrative costs.
(a) It is the purpose of this Section to establish limitations on the growth of administrative expenditures salaries in order to maximize the proportion of school district resources available for the instructional program, building maintenance, and safety services for the students of each district.
(b) Definitions. For the purposes of this Section:
"Administrative expenditures salaries" mean the annual expenditures of school districts properly attributable to salaries within the expenditure functions defined by the rules of the State Board of Education as: 2320 (Executive Administration Services); 2330 (Special Area Administration Services); 2490 (Other Support Services □ School Administration); 2510 (Direction of Business Support Services); 2570 (Internal Services); and 2610 (Direction of Central Support Services). Provided, however, that "administrative expenditures" shall not include early retirement or other pension system obligations required by State law.
"School district" means all school districts having a population of less than 500,000.
(c) For the 1998-99 school year and each school year thereafter, each school district shall undertake budgetary and expenditure control actions so that the increase in administrative expenditures salaries for that school year over the prior school year does not exceed 5%. School districts with administrative expenditures salaries per pupil in the 25th percentile and below for all districts of the same type, as defined by the State Board of Education, may waive the limitation imposed under this Section for any year following a public hearing and with the affirmative vote of at least two-thirds of the members of the school board of the district. The public hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. Any district waiving the limitation shall notify the State Board within 45 days of such action.
School districts shall file with the State Board of Education by November 15, 1998 and by each November 15th thereafter a one-page report that lists (i) the actual administrative expenditures salaries for the prior year from the district's audited Annual Financial Report, and (ii) the projected administrative expenditures salaries for the current year from the budget adopted by the school board pursuant to Section 17-1 of this Code.

If a school district that is ineligible to waive the limitation imposed by subsection (c) of this Section by board action exceeds the limitation due to (i) a full-time administrator following part-time or interim administrator, (ii) more than one administrator in the same position for a short period of time to ease in transition between administrators, or (iii) a change in accounting for administrative salaries to better align expenditures to rules of the State Board of Education, the district may request an exception to the limitation from the State Board of Education. Approval of an exception by the State Board of Education will only be granted after the district supplies adequate documentation to backup the request for an exception.

If a school district that is ineligible to waive the limitation imposed by subsection (c) of this Section by board action exceeds the limitation solely because of circumstances beyond the control of the district and the district has exhausted all available and reasonable remedies to comply with the limitation, the district may request a waiver pursuant to Section 2-3.25g. The waiver application shall specify the amount, nature, and reason for the relief requested, as well as all remedies the district has exhausted to comply with the limitation. Any emergency relief so requested shall apply only to the specific school year for which the request is made. The State Board of Education shall analyze all such waivers submitted and shall recommend that the General Assembly disapprove any such waiver requested that is not due solely to circumstances beyond the control of the district and for which the district has not exhausted all available and reasonable remedies to comply with the limitation. The State Superintendent shall have no authority to impose any sanctions pursuant to this Section for any expenditures for which a waiver has been requested until such waiver has been reviewed by the General Assembly.

If the report and information required under this subsection (d) are not provided by the school district in a timely manner, or are subsequently determined by the State Superintendent of Education to be incomplete or inaccurate, the State Superintendent shall notify the district in writing of reporting deficiencies. The school district shall, within 60 days of the notice, address the reporting deficiencies identified.

If the State Superintendent determines that a school district has failed to comply with the administrative expenditure salary limitation imposed in subsection (c) of this Section, the State Superintendent shall notify the district of the violation and direct the district to undertake corrective action to bring the district's budget into compliance with the administrative expenditure salary limitation. The district shall, within 60 days of the notice, provide adequate assurance to the State Superintendent that appropriate corrective actions have been or will be taken. If the district fails to provide adequate assurance or fails to undertake the necessary corrective actions, the State Superintendent may impose progressive sanctions against the district that may culminate in withholding all subsequent payments of general State aid due the district under Section
18-8.05 of this Code until the assurance is provided or the corrective actions taken.

(f) The State Superintendent shall publish a list each year of the school districts that violate the limitation imposed by subsection (c) of this Section and a list of the districts that waive the limitation by board action as provided in subsection (c) of this Section.

(g) The State Superintendent may impose progressive sanctions against any district that is in violation of the limitation imposed by subsection (c) of this Section. The sanction for first year violations of the limitation will be a warning letter and inclusion in the published list required by subsection (f) of this Section for the year of non-compliance. The sanction for subsequent violations of the limitation will be inclusion in the published list required by subsection (f) of this Section for the year of non-compliance and withholding of general State aid due the district under Section 18-8.05 of this Code in the amount the district exceeded the limitation.

D. Criminal Background Checks

P.A. 93-909 (eff. August 2004) imposed a nationwide fingerprint-based criminal history records check on all certified and noncertified employees of a school district (and other personnel as indicated in the law). The most notable complication that arose from that change is the seemingly superfluous and arbitrary distinction that allows regional superintendents to share criminal history record information (CHRI) for concurrent employees with districts in their educational service region, but not with districts outside the educational service region. Because the CHRI check is done at the point of employment, many concurrent employees find themselves subject to multiple checks. This distinction serves not only to duplicate efforts and create more backlog at regional superintendents’ offices, the Illinois State Police and the FBI, but may also be an impediment to concurrent employees who may now limit the number of districts in which they will work in order to avoid this duplication.

Illinois Criminal History Records Checks

(105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

Sec. 10-21.9. Criminal history records checks.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been
convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute teacher in more than one such district may rely on the certificate issued by the any regional superintendent to that applicant substitute teacher or concurrent part-time teacher or concurrent educational support personnel employee, or may initiate its own criminal history records check of the applicant through the Department of State Police as provided in subsection (a). Any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

Chicago Public Schools Criminal History Records Checks

(105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)
Sec. 34-18.5. Criminal history records checks.

(b) Any information concerning the record of convictions obtained by the president of the board of education or the regional superintendent shall be confidential and may only be transmitted to the general superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the board of education for the school district, the presidents of the appropriate board of education or school boards if the check was requested from the Department of State Police by the regional superintendent, the State Superintendent of Education, the State Teacher Certification Board or any other person necessary to the decision of hiring the applicant for employment. A copy of the record of convictions obtained from the Department of State Police shall be provided to the applicant for employment. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Department of State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been
punishable as a felony under the laws of this State and so notifies the regional superintendent, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Department of State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. The school board of any school district located in the educational service region served by the regional superintendent who issues such a certificate to an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one such district may rely on the certificate issued by the any regional superintendent to that applicant substitute teacher or concurrent part-time teacher or concurrent educational support personnel employee, or may initiate its own criminal history records check of the applicant through the Department of State Police as provided in subsection (a). Any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by this Section.

E. ISBE Claim Deadlines

1. Mandated Categorical Claims

The current statutory correction window for mandated categorical claims presents problems to both ISBE and local school districts. Because corrections can occur through November 30, ISBE cannot provide timely appropriation projection information to the agency budget division nor the State office of management and budget. This correction window also delays ISBE’s ability to present local education agencies with final reimbursement amounts. With this revision, ISBE would set a final correction date providing a sufficient amount of time for corrections to occur, while allowing the claim file to be closed earlier in the year.

Sec. 14-12.01. Account of expenditures - Cost report - Reimbursement Claims received at the State Board of Education after August 15 shall not be honored. Claims received by August 15 may be amended until November 30.

2. District Transportation Claim Date

School districts have voiced numerous complaints about the current statutory claim date because they do not receive timely mileage and other cost information from contractual bus companies. This results in districts filing incomplete or inaccurate information to ISBE in order to meet the statutory deadline. These new dates will give the districts additional time and mirror the current transmission dates for mandated categorical programs. The approval by the Regional Superintendent has proven to be an unnecessary
bureaucratic step. With the advent of filing claims electronically, ISBE’s claim system automatically provides for many edits that appeared in paper claims of the past.

§ 105 ILCS 5/29-5. Reimbursement by State for transportation

On or before **July 10 August 15**, annually, the chief school administrator for the district shall certify to the regional superintendent of schools upon forms prescribed by the State Superintendent of Education the district's claim for reimbursement for the school year ended on June 30 next preceding. The regional superintendent of schools shall check all transportation claims to ascertain compliance with the prescribed standards and upon his approval shall certify not later than **July 25** to the State Superintendent of Education the regional report of claims for reimbursements. The State Superintendent of Education shall check and approve the claims and prepare the vouchers showing the amounts due for district reimbursement claims. Beginning with the 1977 fiscal year, the State Superintendent of Education shall prepare and transmit the first 3 vouchers to the Comptroller on the 30th day of September, December and March, respectively, and the final voucher, no later than **June 15 June 20**.

If the amount appropriated for transportation reimbursement is insufficient to fund total claims for any fiscal year, the State Board of Education shall reduce each school district's allowable costs and flat grant amount proportionately to make total adjusted claims equal the total amount appropriated.

F. Waivers and Modifications of the School Code

During the 2005 spring session, the General Assembly acted to ease the administrative burden associated with obtaining waivers and modifications related to the Prairie State Achievement Exam. While this was an important step, more could be done. A number of less red tape requests have related to the special meeting requirement for waivers and modifications. Special meetings impose a financial and administrative hardship on districts, with no discernible benefit to the public. ISBE has not obtained any evidence that the special meeting requirement for waivers and modifications has led to increased public comment on these actions by school districts. In fact, ISBE has heard just the opposite from the field — ISBE has received complaints from parents and concerned community members who did not know about action on a waiver or modification because the action was not taken at the regularly scheduled meeting.

School districts should also be able to decide to hold class on certain holidays without interference by the State. ISBE recommends amending Section 24-2 of the School Code to allow school districts to determine locally whether students should attend school on certain legal holidays or whether these holidays should be used for activities other than school attendance, provided that instruction about the contributions of the individual(s) being honored by the holiday(s) is presented to students.

1. Special Meeting:

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)
Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:
"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.
"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education.
"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, or teacher tenure and seniority or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110).

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification. Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from educators directly involved in its implementation, parents, and students. If the applicant is a school district or joint agreement, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held. If the applicant is a school district, the public hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district.
that sets forth the time, date, place, and general subject matter of the hearing. If the applicant is a joint agreement or regional superintendent, the public hearing must be preceded by at least one published notice (setting forth the time, date, place, and general subject matter of the hearing) occurring at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from educators. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Following receipt of the request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by
eligible applicants of requests disapproved by the State Board
with the Senate and the House of Representatives before each
May 1 and October 1. The General Assembly may disapprove the
report of the State Board in whole or in part within 30
calendar days after each house of the General Assembly next
convenes after the report is filed by adoption of a resolution
by a record vote of the majority of members elected in each
house. If the General Assembly fails to disapprove any waiver
request or appealed request within such 30 day period, the
waiver or modification shall be deemed granted. Any resolution
adopted by the General Assembly disapproving a report of the
State Board in whole or in part shall be binding on the State
Board.

(e) An approved waiver or modification may remain in
effect for a period not to exceed 5 school years and may be
renewed upon application by the eligible applicant. However,
such waiver or modification may be changed within that 5-year
period by a board or regional superintendent of schools
applying on behalf of schools or programs operated by the
regional office of education following the procedure as set
forth in this Section for the initial waiver or modification
request. If neither the State Board of Education nor the
General Assembly disapproves, the change is deemed granted.

(f) On or before February 1, 1998, and each year
thereafter, the State Board of Education shall submit a
cumulative report summarizing all types of waivers of mandates
and modifications of mandates granted by the State Board or
the General Assembly. The report shall identify the topic of
the waiver along with the number and percentage of eligible
applicants for which the waiver has been granted. The report
shall also include any recommendations from the State Board
regarding the repeal or modification of waived mandates.
(Source: P.A. 93-470, eff. 8-8-03; 93-557, eff. 8-20-03;
93-707, eff. 7-9-04.)

2. Holidays:

105 ILCS 5/24-2

Holidays. (a) Teachers shall not be required to teach on Saturdays;
nor, except as provided in subsection (b) of this Section, shall
teachers or other school employees, other than noncertificated school
employees whose presence is necessary because of an emergency or for
the continued operation and maintenance of school facilities or
property, be required to work on legal school holidays, which are
January 1, New Year's Day; the third Monday in January, the Birthday of
Dr. Martin Luther King, Jr.; February 12, the Birthday of President
Abraham Lincoln; the first Monday in March (to be known as Casimir
Pulaski's birthday); Good Friday; the day designated as Memorial Day by
federal law; July 4, Independence Day; the first Monday in September,
Labor Day; the second Monday in October, Columbus Day; November 11,
Veteran's Day; the Thursday in November commonly called
Thanksgiving Day; and December 25, Christmas Day. School boards may
grant special holidays whenever in their judgment such action is
advisable, except that no school board or board of education may
designate or observe as a special holiday on which teachers or other
school employees are not required to work the days on which general elections for members of the Illinois House of Representatives are held. No deduction shall be made from the time or compensation of a school employee on account of any legal or special holiday.

(b) A school board and other entities eligible to apply for waivers and modifications under Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g] are authorized to hold school on the following legal holidays or to use the holiday for teachers’ institutes, parent-teacher conferences, staff development, or other purposes, provided the person or persons honored by the holiday are recognized through instructional activities conducted on that day or at another time during the school year: the third Monday in January, the Birthday of Dr. Martin Luther King, Jr.; February 12, the Birthday of President Abraham Lincoln; the first Monday in March (to be known as Casimir Pulaski’s birthday); the second Monday in October, Columbus Day; and November 11, Veterans’ Day.

(c) Commemorative holidays, which recognize specified patriotic, civic, cultural or historical persons, activities, or events, are regular school days. Commemorative holidays are: January 28 (to be known as Christa McAuliffe Day and observed as a commemoration of space exploration), February 15 (the birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans’ Day), September 11 (September 11th Day of Remembrance), the school day immediately preceding Veterans’ Day (Korean War Veterans’ Day), October 1 (Recycling Day), December 7 (Pearl Harbor Veterans’ Day) and any day so appointed by the President or Governor. School boards may establish commemorative holidays whenever in their judgment such action is advisable. School boards shall include instruction relative to commemorated persons, activities, or events on the commemorative holiday or at any other time during the school year and at any point in the curriculum when such instruction may be deemed appropriate. The State Board of Education shall prepare and make available to school boards instructional materials relative to commemorated persons, activities, or events which may be used by school boards in conjunction with any instruction provided pursuant to this paragraph subsection.

(d) City of Chicago School District 299 shall observe March 4 of each year as a commemorative holiday. This holiday shall be known as Mayors’ Day which shall be a day to commemorate and be reminded of the past Chief Executive Officers of the City of Chicago, and in particular the late Mayor Richard J. Daley and the late Mayor Harold Washington. If March 4 falls on a Saturday or Sunday, Mayors’ Day shall be observed on the following Monday.