Ad Hoc Rules Committee of the Whole  
Wednesday, April 18, 2007  
2:30 p.m.  

Board Room, 4th Floor  
Public Conference Call Access Number: 1-866-297-6391 (listen only)  
Confirmation # 1 7 5 5 7 0 9 7  

AGENDA  

1. Roll Call  

2. Board Member Participation by Other Means  

3. Public Participation  

4. Minutes of the March Ad Hoc Rules Committee Meeting  

*5. Rules for Initial Review  
   *a. New Part 35 (Mentoring Program for New Principals) (Linda Jamali) (Plenary pp. 11-22)  
   *b. Part 401 (Special Education Facilities Under Section 14-7.02 of the School Code) (Plenary pp. 23-41) (Beth Hanselman)  

*6. Rules for Adoption  
   *a. New Part 35 (Mentoring Program for New Principals) (Linda Jamali) (Plenary pp.11-22)  

7. Committee Agenda Planning/Additional Items  

8. Adjourn  

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.
Ad Hoc Rules Committee of the Whole
Wednesday, March 21, 2007
3:15 p.m.
State Board of Education Office
100 North First Street
Springfield, Illinois

Committee Members Present
Jesse Ruiz
Andrea Brown (participating by phone)
David Fields
Ed Geppert
Vinni Hall
Brenda Holmes
Joyce Karon
Chris Ward

Absent
Dean Clark

Others
Christopher Koch
Darren Reisberg
Sally Vogl
Deb Vespa
Melissa Oller
Beth Hanselman
Kelly Rauscher
Connie Wise
Shelley Helton

1-2. Chairman Ruiz called the meeting to order at 3:50 p.m. and noted that Dr. Brown was participating by telephone, as approved earlier in the day.

3. It was announced that no one had signed up for public participation.

4. Vinni Hall moved approval of the minutes of the February 2007 meeting. Chris Ward seconded the motion and the minutes were approved as presented. Discussion moved to the remaining agenda items, beginning with item 5. General Counsel Darren Reisberg indicated that three sets of rules were being presented for initial review, as well as one for adoption.

5. RULES FOR INITIAL REVIEW

PART 180 (Health/Life Safety Code for Public Schools)
Division Administrator Deb Vespa explained that the changes in Part 180 were mainly being made to accommodate the recommendations of the task force that had been established to recommend requirements for the qualifications of the individuals who review plans for school construction and those who conduct inspections at the various stages of construction. She noted the composition of the task force and added that another noteworthy change in the rules was the update that would incorporate the 2006 version of the International Building Code and its sub-codes as opposed to the 2003 version.

Dr. Hall inquired whether any portion of the rules would eliminate the potential for conflicts of interest as far as the roles of the plan reviewers and inspectors are concerned. Ms. Vespa noted that the task force had recognized a third-party review to be ideal but impractical in light of the absence of funding to support the involvement of additional professionals in the process. For this reason, the rules would not include such a requirement.

In relation to the updated building code, Ed Geppert mentioned a recent incident in which a child had been killed when a car was driven through the exterior wall of a school cafeteria. It could only be speculated whether this tragedy could have been prevented by new construction requirements. Ms. Vespa clarified that existing buildings generally continue to be subject to the building codes under which they were constructed.

PART 350 (Secular Textbook Loan)
Division Administrator Melissa Oller noted that a change in the law had eliminated the bonding requirement for vendors in the textbook loan program and that the amendment to Part 350 was being undertaken for the purpose of conforming the rules to the current law. Joyce Karon asked for a reminder as to whether the request forms for participation in the program must be signed by each child’s parents, to which the answer was that, by virtue of an earlier amendment to the rules, they no longer do.

PART 555 (Children’s Mental Health Initiative Grants)
Division Administrator Beth Hanselman introduced new staff member Kelly Rauscher, who would be serving as the coordinator for the mental health initiative, and Darren Reisberg noted the distribution of several replacement pages for the Board’s consideration during the discussion. Ms. Hanselman noted the preparatory work that had been going on in cooperation with the Mental Health Partnership for the last several years and indicated that these new rules would prepare ISBE for on-going implementation of grants to districts related to mental health.

An explanation was provided for the replacement pages, to the effect that the change displayed in each set of review criteria would bring additional balance to the criteria. That is, not only districts’ financial need should be given weight in the review of proposals, but also their program-specific needs.

Vinni Hall noted the need for access to the resources of mental health agencies, and Brenda Holmes asked for confirmation of her impression that the grants issued under Part 555 would not be restricted to serving students with disabilities. Ms. Hanselman stated that Ms. Holmes’ understanding was correct.

6. RULES FOR ADOPTION

PART 1 (PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION)
Darren Reisberg noted the substantial number of comments that had been included in the summary and voiced the hope that the Board members had found the extensive illustrations helpful in their review of the rulemaking. He indicated that a slight modification was being recommended for adoption in order to ensure services to homeless students. He reiterated information provided earlier, i.e., that the purpose of this entire amendment was to re-emphasize existing requirements rather than to expand on the law. He explained that equal protection for immigrant students had been required since 1982. However, he stated that, immigration status aside, each student’s residency must still be established and that that requirement would not change due to this rulemaking. Board members commented on the variety of comments and the issues related to integrating students from other cultures.

7. INFORMATIONAL ITEMS

Mr. Reisberg asked whether Board members had any questions regarding the “lessredtape” update in the packet and noted that Division Administrator Connie Wise was available to provide information regarding the immunization issue, as well as Shelley Helton of the Rules and Waivers staff. He noted that the volume of submissions had greatly diminished in recent months and mentioned the other avenues that also exist for sending inquiries and exchanging information.

David Fields hypothesized that possibly interest had waned once the opportunity had been offered, while Brenda Holmes noted that its availability was no longer being so strongly emphasized and perhaps that emphasis should be re-established. Dr. Fields indicated he would like to think that agency staff had made a strong effort resulting in less hesitancy to ask for changes. Vinni Hall voiced the hope that there would be no suggestion to do away with “lessredtape” in light of the low volume. She expected that interest and the level of submissions might prove cyclical. Mr. Reisberg complimented Ms. Helton for the excellent work she had done with the system.
8. COMMITTEE AGENDA PLANNING

Ed Geppert asked why the forecast of rulemaking for April included both an item for initial review and an item for adoption with respect to Part 25 (Certification). Sally Vogl explained that identical text would make up both items and that ordinary proposed rulemaking would be needed to replace the emergency rulemaking when that expired. She provided an overview of the expected rules for the mentoring program for new principals that ISBE must establish pursuant to P.A. 94-1039.

In addition to the rules for this mentoring program, only two other items for initial review were expected for April: amendments to Part 110 (Program Accounting Manual) and Part 401 (Special Education Facilities Under Section 14-7.02 of the School Code. On that basis, it was agreed that one-half hour should suffice for the April meeting.

8. ADJOURNMENT

Chris Ward moved that the meeting be adjourned. Ed Geppert seconded the motion, and the meeting was adjourned at 4:05 p.m.