AGENDA

1. Roll Call

2. Board Member Participation by Other Means

3. Public Participation

4. Minutes of the April Ad Hoc Rules Committee Meeting

*5. Rules for Initial Review
   
   *a. New Part 100 (Requirements for Accounting, Budgeting, Financial Reporting & Auditing) (*Plenary pp. 17-96) (Deb Vespa)
   
   *b. Proposed Amendment to Part 110 (Program Accounting Manual) (*Plenary pp. 97-98) (Deb Vespa)
   
   *c. Proposed Amendment to Part 125 (Student Activity Funds and Convenience Accounts) (*Plenary pp. 99) (Deb Vespa)

*6. Rules for Adoption
   
   *a. Part 1 (Public Schools Evaluation, Recognition and Supervision) (*Plenary pp. 100-117) (Ginger Reynolds)
   
   *b. Part 226 (Special Education) (Beth Hanselman) (tentative; materials to be sent under separate cover)
   
   *c. Part 475 (Contested Cases and Other Formal Hearings) (*Plenary pp. 118-122) (Darren Reisberg)
   
   *d. Part 485 (Appeal Proceedings Before the State Teacher Certification Board) (*Plenary pp. 123-133) (Linda Jamali)

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, April 18, 2007  
2:30 p.m.  
State Board of Education Office  
100 North First Street  
Springfield, Illinois

Committee Members Present  
Andrea Brown  
Dean Clark  
David Fields  
Ed Geppert  
Vinni Hall  
Brenda Holmes  
Chris Ward

Committee Members Absent  
Jesse Ruiz  
Darren Reisberg

Committee Members Others  
Linda Jamali  
Dennis Williams  
Becky McCabe  
Beth Hanselman  
Sarah Sebert  
Paul Nijensohn  
Sally Vogl

In Chairman Ruiz’s absence, Chris Ward called the meeting to order at 2:45 p.m. and noted that no members were participating by telephone. He announced that one individual had signed up for public participation.

3. PUBLIC PARTICIPATION: Lydia Bullock, speaking on behalf of the Illinois Federation of Teachers, addressed new Part 35, Mentoring Program for New Principals. She indicated that the IFT did not oppose the rules but did have one area of concern. She expressed her understanding that the fiscal provisions within these rules (which call for $2,000 per principal to be mentored, plus additional amounts for services that form part of the program) would mean an expenditure of some $5,400 per first-year principal. She had derived this figure by dividing the expected total appropriation by the 350 individuals whose participation is estimated to be required.

On the one hand, IFT applauded ISBE for devoting such a high amount to serving each new principal, because research shows mentoring to be an essential form of assistance in the first year of service. She stated that IFT would like $5,400 to become the standard for both administrators and teachers. She noted, however, that all desired programs are competing for scarce resources. Therefore IFT was concerned that funds available for teacher mentoring would be severely constricted by ISBE’s allocation plan for new principals. Many teacher mentoring programs would be operating at a much lower level.

Brenda Holmes asked Ms. Bullock to clarify the IFT’s position that the allocation of $1.9 million for principal mentoring, out of the $40 million she had mentioned as making up the Governor’s proposed budget for mentoring, would limit the funding available for programs for teachers and superintendents. Ms. Bullock mentioned that the funding level of $1,200 per new teacher had not yet been realized.

Sally Vogl explained that there was not necessarily a relationship between the expected level of the appropriation, which she noted to be outside ISBE’s control, and the forecasted cost of the program, which would be made up of two components: $2,000 to be paid to a mentor for each new principal served, and an additional fee to be identified later through a bidding process, which would cover the remaining services within the program. She noted that there was no expectation that the total appropriated would simply be divided among the number of new principals served and that discussions about allocations to specific purposes flowed from whether amounts were appropriated for individual programs or for multiple programs.
Ms. Bullock reiterated that IFT simply would not like other groups of individuals to be left out.

Ed Geppert commented further on the uncertainty of the appropriation level and Division Administrator Linda Jamali indicated that ISBE’s budget request for teacher mentoring amounted to $4 million.

Ms. Vogl noted that the $1,200 figure per new teacher had been established in the law but that the mentoring programs currently in operation were not based on that figure because of the insufficiency of appropriations to cover that cost statewide. Instead, a competitive grant program had been implemented, representing the “fall-back” position provided for in Article 21A of the School Code. She made reference to the fact that both the teacher mentoring program and the principal mentoring program were contingent upon the sufficiency of the appropriation. Whereas the law set a per-teacher figure, that was not the case for new principals, so it was necessary for ISBE to specify in rule the basis on which any appropriation would be determined sufficient or insufficient. In that respect, the two programs’ frameworks were not entirely comparable. Linda Jamali noted that, in fact, more than $1,200 per teacher was currently being spent in the teacher mentoring programs.

Mr. Geppert inquired how the emergency rules would interact with the timeframe for the appropriation, and Ms. Vogl outlined the steps in the implementation process that would be unfolding after adoption of the emergency rules and while the appropriation was becoming final.

Andrea Brown voiced concern for the number of administrative layers that she believed would be involved in the program’s implementation and related the cost of administration to the resources already devoted to the professional preparation of teachers and administrators.

Dennis Williams of the Certification Division offered some comments based on his work with the contractor involved so far and outlined a per-person expenditure of $500 - $750 in addition to the $2,000 per recipient of mentoring. He noted the expectation set forth in the rules for 50 hours of work on the part of the mentor. Dr. Brown reiterated her hope that a return on that investment would be realized.

General Counsel Darren Reisberg noted that the State Superintendent would be able to evaluate the providers, and Dr. Brown expressed the desire for a means to consider accomplishments rather than merely activities.

Vinni Hall indicated that the Chicago Public Schools (CPS) expected to have 117 vacancies for principals in the coming year and stated the average age of principals to be high. It was clarified that CPS was excluded by law from the requirement to participate in the program described in new Part 35. Dr. Hall also questioned why no priority had been established for hard-to-staff schools; Ms. Jamali and Ms. Vogl noted that the legislation explicitly required participation by each new principal outside CPS.

4. APPROVAL OF MINUTES: David Fields moved approval of the minutes of the March 21, 2007, meeting. Ed Geppert seconded the motion and the minutes were approved as presented.

5. RULES FOR INITIAL REVIEW:

PART 35 (Mentoring Program for New Principals)
General Counsel Darren Reisberg turned the meeting over to Linda Jamali and Dennis Williams to discuss Part 35 further, explaining that this discussion would encompass agenda items 5a and 6a because there were both emergency and proposed rules for consideration. Mr. Williams reported on the discussion of these rules that had been held with the State Teacher Certification Board. It was noted that the different dollar figures had been brought up at that time but that the Certification Board had not focused on that aspect. The STCB had unanimously recommended Part 35 for consideration by the State Board of Education.
Dr. Hall moved to approve Part 35 (agenda items 5a and 6a) for action by the full Board in the plenary session. Ms. Holmes seconded the motion, and the motion carried.

PART 401 (Special Education Facilities Under Section 14-7.02 of the School Code)
Mr. Reisberg invited Division Administrator Beth Hanselman to discuss the proposed amendments to Part 401 and noted that Division Administrator Becky McCabe was also available to participate with respect to the assessment-related aspect of the rules.

Ms. McCabe introduced the need for the special education facilities to be able to administer the various State assessments and noted that this was particularly important in connection with the Prairie State Achievement Examination and now, more recently, also in connection with the Illinois Alternate Assessment. The security considerations of these examinations made it crucial to establish a means of accountability for their use.

Ms. Hanselman went on to outline the other portions of Part 401 in which revisions were being proposed. Specifically, this was an opportune time to make class size provisions for the facilities explicit instead of continuing to rely on a cross-reference to the rules for Special Education. In addition, Ms. Hanselman explained the staff’s desire to eliminate facilities from consideration for approval if they used behavior management techniques that rely upon inflicting pain. Finally, the rules would be updated with regard to criminal background checks, improving the procedures available to the affected facilities for gaining access to the necessary information and ensuring students’ safety.

Ms. Hanselman then commented on the process by which these amendments had been developed, which had included significant and early involvement by representatives of the facilities as had been requested by Ms. Helmholtz at the December Board meeting. She introduced Chicago-based staff members Paul Nijensohn and Sarah Sebert and indicated they had been instrumental in working with the facilities and developing the revisions to the rules.

Ms. Hanselman concluded with an overview of the discussion with the State Advisory Council on Education of Students with Disabilities (ISAC), during which a concern had been raised with regard to lowering the number of hours required in summer school programs. It had been acknowledged that careful revisions could be made in this rule in response to public comment, meaning that nothing needed to be changed before publication in the Illinois Register.

Andrea Brown indicated she had participated in a lengthy conversation with the Chicago Public Schools and understood that these amendments would solve a large number of problems. Vinni Hall asked whether the facilities would receive students’ test scores, and Becky McCabe indicated that they would continue to do so, although the accountability for performance would continue to rest with the students’ “home” schools.

Brenda Holmes voiced her appreciation for the opportunity to meet the Chicago-based staff and for their work.

David Fields moved to approve the amendments to Part 401 (agenda item 5b) for action by the full Board in the plenary session. Ed Geppert seconded the motion, and it carried.

7. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS
Darren Reisberg noted that the planned comprehensive updates to Part 110 had proven impossible to complete for this meeting and would therefore be coming forward for initial review in May instead. This would involve leaving Part 110 in effect through FY 08 and placing the revised provisions into a new Part 100. Further, work was still underway on potential revisions related to the rules for Special Education (Part 226). Mr. Reisberg noted that staff had been working with both the Illinois Education Association and the Illinois Federation of Teachers, as well as other
parties, in an effort to resolve the remaining concerns so that the Board could adopt some further changes and present them for JCAR’s consideration in June.

8. **ADJOURNMENT**

Dr. Fields moved that the meeting be adjourned. Dr. Hall seconded the motion, and the meeting was adjourned at 3:20 p.m.