Illinois State Board of Education

Ad Hoc Rules Committee of the Whole
December 17, 2009
8:30 a.m.

(This meeting will begin immediately following the previous session.)
All open meetings will be audio cast on the Internet at: www.isbe.net

AGENDA (timeframes are estimated for planning purposes)

I. Roll Call

II. Board Member Participation by Other Means

III. Public Participation 8:30 – 8:45 a.m.

IV. Minutes of the October Ad Hoc Rules Committee of the Whole Meeting (pp. 2-6)

V.*Rules for Initial Review 8:45 – 9:15 a.m.

A. Part 35 (Mentoring Program for New Principals) (pp. 7-20)

B. Part 145 (Temporary Relocation Expenses) (pp. 21-30)

VI. Committee Agenda Planning/Additional Items

VII. Committee Wrap-up – as needed (Superintendent Koch)

VIII. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.
Chairman Jesse Ruiz called the meeting to order at 3:10 p.m. He noted that all but Dr. Vinni Hall and Dr. Chris Ward were present. There was no need for Board member participation by other means.

1. APPROVAL OF MINUTES

Board member David Fields moved the approval of the minutes of the Committee’s meeting of September 17, 2009, and Board member Lanita Koster seconded the motion. It was adopted unanimously, and the minutes were approved as presented.

2. PUBLIC PARTICIPATION

Parts 228 (Transitional Bilingual Education) and 235 (Early Childhood Block Grant).

Francesca Alcozer, a non-English speaker when she entered Illinois public schools as a child and who worked for 20 years in early childhood education for the City of Chicago School District 299, voiced her support of the changes proposed in Parts 228 and 235. She cited the tremendous assistance the early childhood program received from other personnel, such as social workers, nurses, and bilingual education teachers, and urged that similar support be continued in early childhood bilingual programs despite the fiscal restrictions many districts are now facing.

Marta Moya-Leang, who is a lead teacher of the Belmont-Cragin Early Childhood Center in Chicago, has worked for 25 years as an early childhood teacher. Ms. Moya-Leang stressed the value of home language instruction, particularly in preschool settings, to enable students to make the transition to English more quickly. Maintaining the home language, she said, also is a crucial way to keep students connected to their families and their culture.

Graciela Mendoza, a kindergarten teacher at Blaine Elementary School in Chicago, noted that students who have “content skills” learn more quickly. These skills are developed by an individual who either provides instruction in the student’s home language or employs an English-as-a-Second-Language methodology.

Luz Maria Solis, an administrator in the office of Early Childhood Education in the Chicago public schools, spoke on behalf of the Network of Hispanic Administrators. Ms. Solis stressed the importance of providing high-quality early childhood, particularly for bilingual students who do not currently have access to such programming. She noted that learning both English and the home language is “pivotal to a student’s success in reading”. Since the best time to learn and maintain a second language is in preschool, transitional bilingual education in early childhood programs should be supported, Ms. Solis said. While school districts, such as Chicago’s, may initially have difficulty finding qualified personnel, Ms. Solis believes the requirement for bilingual teachers to
hold early childhood certification will have a “positive impact on universities,” which will lead to the creation of programs to train early childhood bilingual instructors.

Juanita Rivera, a community member and parent, remarked that the center in her community that serves bilingual early childhood students enrolls 200 students but has a waiting list of 50. She said bilingual education programs result in parents’ being more involved in their children’s education.

Josie Yanguas, director of the Illinois Resource Center (IRC) and member of the Illinois Advisory Council for Bilingual Education, supported the proposed amendments to Part 228 and 235. She noted that while the deadline of 2014 for all teachers to hold both early childhood certification and bilingual certification or endorsement raises concerns, it also is the “right thing to do” for the state. She said that staff of the IRC who work with bilingual programs find a lack of articulation between preschool services and those at the kindergarten level, since preschool students placed in English settings often are identified as eligible for bilingual services once they enter kindergarten. The proposed changes in the rules, Ms. Yanguas said, represent not only best instructional practices but are supported by current research and policy statements of leading organizations, such as the National Association for the Education of Young Children.

Reyna Hernandez, research and policy associate with the Latino Policy Forum and staff to the Illinois Early Learning Council’s Linguistic and Cultural Diversity Committee, noted that the proposed amendments reflect recommendations made over the years pertaining to bilingual services and preschool education. Ms. Hernandez said that the proposed amendments address “vertical transitioning” that will smooth students’ transition from preschool to elementary and secondary grades that will “bring huge returns for the state” and help to close the achievement gap. Ms. Hernandez also noted that there will be concerns raised about implementation of bilingual services in preschool settings, but providing coordinated programs is the “best thing to do for our kids”.

(Chairman Ruiz interrupted public comment at this point to allow General Counsel Darren Reisberg an opportunity to summarize the proposals before the Board. That summary is provided below under “Rules for Initial Review”.)

Part 25 (Certification). Rebecca Lindsay-Ryan, representing the Big Shoulders Fund, addressed Part 25 and requirements pertaining to alternative certification programs. In particular, Ms. Lindsay-Ryan was concerned that under the proposed amendments, participants in these programs would be unable to complete their teaching requirements in nonpublic schools — many of which serve some of Chicago’s neediest and poorest students and which have traditionally had trouble attracting high-quality teachers. She said that currently nine schools in her program do not meet the proposed requirement to employ a majority of teachers with valid Illinois teaching certificates.

Ms. Lindsay-Ryan said that participating schools use the alternative certification program as a way to recruit teachers. Many of the candidates in these programs choose to stay after receiving their teaching certificates in the schools in which they were placed and in some cases, pursue their master’s degrees while continuing their employment with these schools. In this way, the program is working toward the proposed rule’s goal of increasing the number of certified teachers in nonpublic schools, Ms. Lindsay-Ryan said. Rather than requiring that schools employ a certain percentage of certified teachers, Ms. Lindsay-Ryan suggested that alternative certification programs instead be required to place their candidates under the guidance of a certified teacher.

Claire Hartfield, chief operating officer of the Inner-City Teaching Corps which offers an alternative certification program, stated that strong support is provided for their candidates from Corps coaches and mentors (each of whom is certified). Each mentor checks the progress of the candidate assigned to him or her at least 10 to 12 times each month. Twice during every month,
the organization arranges half-day school visits to conduct observations of candidates, provide feedback, etc.

Bridget Miller, principal of St. Malachy School in Chicago, said that the Inner-City Teaching Corps program helped her school find high-quality teachers who are able to implement standards-based curricula based on the Illinois Learning Standards. Kate Noonan, a teacher at St. Malachy who graduated from the Inner-City Teaching Corps program, reiterated that the support of the program made her an effective teacher. Cynthia Thomas, director of professional development for the Inner-City Teaching Corps, added that coaches are available to participants on weekends and evenings, which she said is a critical component of the program and an approach that is more favorable than requiring that participating schools employ a minimum number of certified teachers.

Chairman Ruiz asked Inner-City Teaching Corps supporters about the average percentage of certified teachers at the nine nonpublic schools that do not yet employ a majority of certified teachers and how long it might take for these schools to reach 50 percent mark. Ms. Lindsay-Ryan responded that overall the schools are at 25 percent and that it could take five years to reach the goal of 50 percent. Mr. Ruiz also inquired about the turnover rate among staff. Ms. Miller said St. Malachy has six graduates of the Corps’ program on staff (out of 11 teachers) and prior to that, she was losing up to three teachers a year.

In response to a question posed by Assistant Superintendent Linda Tomlinson, Ms. Hartfield stated that 90 percent of participants stay in their schools at least two years and 80 percent stay longer, with most staying an average of five years.

General Counsel Reisberg said the Board could discuss extending the requirement so that nonpublic schools have more time to meet the requirement for certified staff. Chairman Ruiz said while he appreciates the agency’s goal of doing what is best for students, he also said he appreciates the struggles these inner-city schools face in attracting high-quality, effective teachers.

**Part 425 (Voluntary Registration and Recognition of Nonpublic Schools).** Zac Wichmann, with the Catholic Conference of Illinois, expressed support for a five-year period for nonpublic schools participating in alternative certification programs to meet certification requirements under Part 25, as addressed by the previous speakers. He also endorsed both the process to develop and propose rules that set forth requirements for the recognition of nonpublic schools (Part 425).

Sheba Seif, board member of the Illinois Coalition of Non-Public Schools, thanked the Board for accepting many of the recommendations submitted during the public comment period but asked that it reconsider the requirement of new teachers holding a bachelor’s degree, beginning in the 2011-12 school year. She said that previous guidelines allowed for teachers not holding bachelor’s degrees to instead participate in professional training and demonstrate proficiency in the instructor’s teaching discipline. While most Coalition members require bachelor’s degrees for teaching staff, nonpublic schools also should be able to allow for professional development for staff employed in specialty areas, such as technology, arts, physical education and home economics. Ms. Seif believes that some schools may opt out of the recognition process, despite the Coalition’s recommendation that schools be state-recognized, if the requirement for teaching staff to hold a bachelor’s degree is too difficult to meet.

### 3. RULES FOR INITIAL REVIEW

General Counsel Reisberg indicated that there were five rulemakings for the Board’s initial review, and that staff were available to answer members’ questions.

- **Part 1 (Public Schools Evaluation, Recognition and Supervision):** This set of rules contains numerous proposed changes addressing assessment, school fee waivers, General State Aid (GSA), and curricular mandates. Board member Andrea Brown asked for
clarification on the process to claim GSA in instances when a school is closed due to a public health emergency in instances where the county where the school is located does not have an official local health department. General Counsel Reisberg said that to the extent that a local health department does not exist, the agency would be flexible. He also noted that some school districts already have used the process for claiming GSA in cases of school closures due to health emergencies.

- **Part 151 (School Construction):** These amendments put in place a process for accessing energy efficiency grants, as well as make other nonsubstantive changes in order to comply with statute or better reflect the programs’ operations. Board member Brown asked about the change concerning Type 40 area vocational centers. Mr. Reisberg responded that the change was being made in response to new legislation enacted because of questions in the past about whether this type of area vocational centers were eligible to apply for school maintenance grants. Type 40 area vocational centers are those that are operated by a cooperative of member school districts rather than being operated by a single school district.

- **Part 228 (Transitional Bilingual Education) and Part 235 (Early Childhood Block Grants):** These proposals include a number of modifications, in particular changes throughout Part 228 that relate to bilingual services and preschool education programs. Corresponding changes have been made in Part 235. These changes were prompted by a change in the law (P.A. 95-793, effective January 1, 2009) that made more explicit the requirement that all students are covered under Article 14C of the School Code (Transitional Bilingual Education). Mr. Reisberg noted that while this requirement was well understood in kindergarten-through-grade-12 settings, requirements pertaining to the provision of bilingual services were not necessarily being applied in prekindergarten settings.

The proposed changes in Part 228 provide detail about how transitional bilingual education must be provided in early childhood settings. Of interest and likely to be the subject of public comment are changes related to personnel and whether there will be an adequate supply of qualified individuals to appropriately staff transitional bilingual education programs or transitional programs of instruction in the prekindergarten setting. The proposed amendments state that preschool teachers must hold an early childhood certificate (which is required by law for state-funded preschool programs) and by July 1, 2014, to also have bilingual approval or endorsement.

Another area of interest likely to be addressed by public comment is the screening tool used to assess English proficiency for those students who have a non-English language background, as indicated by the home language survey. The proposed amendments allow school districts to use either the Pre-IPT or another instrument that meets the criteria as set forth in the rules.

Given that this rulemaking is likely to generate a good bit of discussion, State Superintendent Christopher Koch recommended that the Board allow both Part 228 and Part 235 to be available for public comment for 90 days rather than the 45-day minimum required under the Illinois Administrative Procedure Act.

- **Part 252 (Driver Education):** The rulemaking eliminates references to Section 27-23 of the School Code, which was repealed by P.A. 96-734.

4. **RULES FOR ADOPTION**

Mr. Reisberg summarized the proposed amendments and any recommendations for changes in response to public comment.

- **Part 25 (Certification):** This rulemaking, initially presented in May, received a large number of public comments concerning the requirements for alternative certification programs, in
particular questioning why candidates’ completion of a full year of teaching be done only in a public school. Based on the comments, a change is proposed that the one year of teaching may be completed in public schools and nonpublic schools under certain circumstances (i.e., recognition under Part 425, majority of individuals providing nonreligious instruction holding valid Illinois teaching certificates, individuals serving as principal holding valid Illinois administrative certificates, and as of January 2010, written policy stating all new teachers hired will hold valid teaching certificates).

Dr. Tomlinson emphasized that the initial requirement to limit teaching experience to public schools stemmed from the recognition that candidates in alternative certification programs need to have a strong support network consisting of certified teachers and administrators who understand certification, as well as instructional and curriculum issues facing a preparatory teacher.

Board member Brown then asked about proposed changes in the rules regarding payments and National Board Certification, which General Counsel Reisberg said resulted from previous changes in the statute.

Ms. Brown also asked about the provision to limit a candidate’s ability to take the Basic Skills Test to five attempts. Mr. Reisberg noted that a number of public comments requested that no test taken prior to the effective date of the rule count towards the five-try limit. He also clarified that the limit applies to any of the State’s certification tests. Dr. Koch said he would support changing the proposed language so that candidates will not be penalized for their previous attempts on certification tests taken before the rules go into effect. Dr. Tomlinson said the limit helps ensure that the “best and brightest” become teachers.

Mr. Reisberg recapped that two changes to Part 25 will be brought to the Board for its consideration during the Plenary Session:
1. Extending the deadline by which nonpublic schools with alternative certification programs must employ a majority of teachers who hold valid Illinois teaching certificates to five years; and
2. beginning the limit on the number of times a certification test can be taken to the date when the proposed amendment takes effect.

- **Part 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing):** No public comment was received in response to the proposed amendments, so the version presented for the Board’s adoption is identical to that presented for its initial review in August.

- **Part 425 (Voluntary Registration and Recognition for Nonpublic Schools):** Mr. Reisberg noted that these rules set forth the standards for nonpublic schools to seek state registration or recognition. Previously, these processes were set forth in agency guidelines; however, having rules establishes clear targets towards which nonpublic schools seeking recognition should be working.

3. **COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS**

   Mr. Reisberg noted that with fewer board meetings scheduled in the upcoming year, each meeting may address a greater number of rulemaking items. In the next several months, the majority of the rulemakings to be presented to the Board will address new statutory requirements that went into effect during the last legislative session.

4. **ADJOURNMENT**

   Dr. Fields moved that the meeting be adjourned. Board member Koster seconded the motion, and the meeting adjourned at 4:40 p.m.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Assistant Superintendent
Darren Reisberg, General Counsel

(Mentoring Program for New Principals)

Materials: Recommended Amendments

Staff Contact(s): Patrick Murphy

Purpose of Agenda Item
The purpose of the agenda item is to present the proposed amendments for the Board’s initial review.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item relates to Strategic Goals 1 and 2, in that the mentoring program helps ensure that new principals receive the support and guidance they need to become effective school leaders, which is essential to maintaining high-quality learning environments.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendment.

Background Information
Section 2-3.53a of the School Code and Part 35 set forth requirements for the new principal mentoring program. Implementation of the program in any given year is dependent upon an appropriation sufficient to provide services to all first-year principals. The law requires that each principal in his or her first year of employment participate in mentoring activities in years when the program is implemented.

P.A. 96-373, effective August 13, 2009, amended Section 2-3.53a of the School Code to also authorize the provision of mentoring services to principals first hired after July 1, 2008, who are in their second year of employment, provided that there is sufficient funding to conduct the program. Unlike for first-year principals, participation in a second year of mentoring is optional, and as proposed in the rules, will be available to any second-year principal who has completed the principal mentoring program in the previous school year.

The proposed amendments set up a three-step process for State Board staff to determine each year whether mentoring will be offered to first-year principals only, both first- and second-year principals, or second-year principals only. (See Section 35.20.) This determination will be
based on the anticipated number of participants and the total amount of the appropriation. In years in which the appropriation is insufficient to serve all first-year principals, a mentoring program will be established for second-year principals electing to participate. By continuing to at least serve second-year principals, funding can be used to provide mentoring benefits for those who choose to participate and obviate the need to “lapse” money at the end of the fiscal year. If a program is not offered during a principal’s second year, then the principal will no longer be eligible for services after that point in time.

Additional changes in the proposal update various provisions to better reflect and streamline program operations and eliminate unnecessary requirements.

State Board staff worked with the Illinois Principals Association (IPA) in the development of these amendments. IPA also reviewed the final draft proposal before its presentation to the Board for initial review.

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

Policy Implications. See “Background” above.

Budget Implications. See “Background” above.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions
The proposed amendments establish a clear and equitable process for determining when mentoring can be offered to principals who are in their second year of employment. The proposed process continues to direct resources to those with the greatest needs (i.e., first-year principals), yet enables the agency to provide services in years when funding falls short.

Failure to promulgate these changes will mean that the process for serving second-year principals might be subject to change each year, and leave the agency open to criticism that it had not properly communicated its policy via rules, as is required under the Illinois Administrative Procedure Act.

Superintendent’s Recommendation
The State Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for:

Mentoring Program for New Principals (23 Illinois Administrative Code 35),

including publication of the proposed amendments in the Illinois Register.
**Next Steps**
With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the *Illinois Register* to elicit public comment. Additional means, such as the *Superintendent’s Weekly Message* and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.
# Mentoring Program for New Principals

**Section 35.10  Purpose and Applicability**

This Part establishes requirements for the selection and training of experienced principals to serve as mentors for new principals and for new principals’ participation in the mentoring program designed for them, as required by Section 2-3.53a of the School Code [105 ILCS 5/2-3.53a]. The provisions of this Part shall apply to each Illinois school district, other than a school district organized under Article 34 of the School Code [105 ILCS 5/Art. 34], and to each first-year principal in an affected school district, except as otherwise provided by Section 2-3.53a(f) of the School Code. For purposes of this Part, a “first-year principal” is an individual who either:

1(a) is in his or her first school year of employment as a principal in Illinois, if the employment began prior to January 1 of that school year; or
2)\(b)\) is in his or her second school year of employment as a principal in Illinois, if the employment began on or after January 1 of a prior school year.

\(b)\) Any individual who is first hired on or after July 1, 2008 may participate in a second year of mentoring if it is determined by the State Superintendent of Education as set forth in Section 35.20 of this Part that sufficient funding exists for such participation. [105 ILCS 5/2-3.53(a)] For the purposes of this Part, “second-year principal” is an individual who has completed in the previous school year the first year of mentoring in a program approved under this Part. Participation of a second-year principal in a mentoring program is discretionary and subject to the approval of the principal’s employing school district.

(Source: Amended at 34 Ill. Reg. _______, effective _____________)

Section 35.20 Annual Program Planning; Fiscal Provisions

\(a)\) No later than June 1 June 1 of each year, each district superintendent shall report to the State Superintendent of Education, or to the State Superintendent’s designee, the following information:

1) the number of first-year principals who are expected to be working in the district in the coming school year and required to participate in the mentoring program, and-

2) the number of second-year principals for whom a second year of mentoring is being requested.

\(b)\) No later than June 1 June 30, each district superintendent shall provide to the State Superintendent or designee update this information with the names, administrative certificate numbers, and assigned schools of first-year principals, as defined in Section 35.10(a) of this Part, who are employed or under contract with the district and eligible for the mentoring program. Each superintendent shall continue to submit this information in a timely way for any first-year principal whose information was not included on the initial submission. Submissions after June 1 shall occur either immediately after the individual’s employment begins or a contract is signed, but no later than December 30 the individuals chosen.

\(c)\(b)\) Based on the number of first-year principals expected statewide and the level of available funding foreseen, the State Superintendent shall determine whether the appropriation is likely to be sufficient to require operation of the mentoring
program in the coming year for all first-year principals. This calculation shall be based on a cost figure of $2,000 for each first-year principal in the program plus the cost of delivering the required training, coordinating the mentors’ assignments, and providing the other necessary structure and support for the program. The program for first-year principals shall be implemented in a given year only if sufficient funds are available based on these cost factors.

d) If the State Superintendent determines under subsection (c) of this Section that the appropriation is sufficient to serve all first-year principals, then the State Superintendent shall determine if sufficient funding exists to support the operation of the mentoring program for second-year principals who request mentoring services.

1) The initial calculation shall be based on a cost figure of $1,000 for each second-year principal requesting participation in the program plus the cost of delivering the required training, coordinating the mentors’ assignments, and providing the other necessary structure and support for the program.

2) In years in which the number of second-year principals who request mentoring services exceeds the number who can be accommodated with available funding based on the cost figure outlined in subsection (d)(1) of this Section, then the cost figure used will be between $1,000 and no less than $500 for each second-year principal requesting participation plus the cost of delivering the required training, coordinating the mentors’ assignments, and providing the other necessary structure and support for the program.

3) In any year in which the appropriation is insufficient based on the cost figures set in subsection (d)(1) or (d)(2) of this Section, the State Superintendent or designee shall inform districts that a program for second-year principals will not be held.

4) Second-year principals not able to participate in a second year of mentoring in the year immediately following their first year of mentoring shall be ineligible for further participation in the mentoring program.

e) If funding is insufficient to serve all first-year principals based on the cost figure outlined in subsection (c) of this Section, but sufficient funds exist to serve all second-year principals, as determined in subsection (d)(1) or (d)(2) of this Section, then a program for second-year principals only shall be established. No
mentoring program shall be implemented in years in which funding is inadequate to serve either all first-year principals or all second-year principals.

f) As soon as possible after the level of the appropriation for a given year has been established, the State Superintendent shall notify all the affected districts and the providers approved under Section 35.60 of this Part regarding whether the program will operate in the coming year and whether mentoring will be provided for first-year principals only, both first-year and second-year principals, or second-year principals only.

g) No later than May 30 prior to a school year during which the program will be in operation, each experienced principal who desires to serve as a mentor shall submit an application to a provider approved under Section 35.60 of this Part notifying the State Superintendent or designee of his or her availability, supply the required documentation of eligibility (see Section 35.40 of this Part), and, if employed in a school or in a regional office of education, provide verification in a format specified by the State Superintendent of supervisory approval for his or her participation. The State Superintendent or designee shall:

1) publicize the list of approved providers so that experienced principals can make application to the provider and individuals who need to complete the required training can do so and be included in the pool of available mentors; and

2) make the list of those who have expressed intent available to the approved providers so that these individuals can be given priority in admission to the required training over others who may wish to complete the training simply for its value as professional development.

h) When verification is received in accordance with the requirements of Section 35.30(f) of this Part that a mentor has provided the service required under this Part, the State Superintendent of Education or designee shall make a payment in the amount of $2,000 for each first-year principal served or $1,000 for each second-year principal served, subject to limitations set forth in subsection (d)(2) of this Section. Payment shall be made, either to the approved provider that facilitated the mentoring relationship for disbursement to the mentor or directly to the mentor if requested by the provider.

(Source: Amended at 34 Ill. Reg. ______, effective _____________)
Section 35.30 Requirements of the Program

Each first-year new principal shall complete a mentoring program that complies with the requirements of this Section, provided that there is a sufficient appropriation for the program applicable to the fiscal year that includes the individual’s first school year of service as a principal (see Section 2-3.53a of the School Code and Section 35.20 of this Part). If sufficient funding exists to allow for participation of second-year principals in a mentoring program, then those programs also shall comply with the requirements of this Section.

a) Mentors who meet the requirements of this Part shall be paired with participating new principals by providers approved under Section 35.60 of this Part, on the basis of the factors identified in Section 2-3.53a(d) of the School Code [105 ILCS 5/2-3.53a(d)]. Each approved provider shall notify the affected district superintendents of the assignments made, and each affected superintendent shall acknowledge each first-year principal’s obligation and, as applicable, second-year principal’s election to participate in the program.

b) The role of each mentor shall include:

1) forming a supportive professional relationship with the participating new principal;

2) assisting the participating new principal in adjusting to his or her new role and in developing skill as an instructional leader;

3) coaching, observing, and providing feedback to the participating new principal on aspects of organizational management;

4) helping the participating new principal identify significant problems and issues that act as barriers to school improvement, as well as meaningful solutions to these; and

5) providing guidance to the participating principal in the development of his or her professional growth, structured opportunities for the new principal’s reflection on his or her educational practice.

c) The mentor and first-year recipient principal shall spend no fewer than 50 contact hours in activities demonstrably involved in the mentoring process, as delineated in subsection (b) of this Section. The mentor and second-year principal shall spend no fewer than 25 contact hours in these activities, except that the number of
contact hours required for second-year principal mentoring shall be prorated in direct proportion to the reduction in the payment the mentor receives pursuant to Section 35.20(e) of this Part. The mentor and participating principal recipient may conduct some or most of their contact using means of telecommunication but shall meet in person at least:

1) near the beginning of the school year, in order to initiate the mentoring relationship; and

2) near the middle of the school year, in order to complete the survey of progress required by Section 2.3.53a(e) of the School Code [105 ILCS 5/2.3.53a(e)]; and

3) at the conclusion of the school year, in order to complete the verification form and certify completion of the program as required by subsection (f) of this Section.

d) Each mentor and his or her employer, if any, shall be responsible for reaching a mutually agreeable arrangement regarding the mentor’s availability for activities that necessarily occur during paid time, such as observing the first-year principal.

e) Time spent traveling by the mentor or recipient to meet with the other party shall not be counted as part of the required contact hours. The mentor shall bear the cost of any travel unless otherwise agreed to by the provider or by with the mentor’s employer.

e) Each recipient of mentoring under this Part shall maintain a log of his or her work with the assigned mentor that includes at least the date of each contact, the purpose, and the amount of time spent.

f) At the conclusion of the school year, the recipient shall prepare a summary of the mentoring experience, indicating how selected aspects of his or her practice have been affected by the interaction with the assigned mentor.

f) At the end of the program year or no later than June 30. The year-end summary shall be included in the verification of program completion to be signed by both individuals to signify completion of the program. This document shall be prepared in a format specified by the State Superintendent of Education and shall also be signed by the participating principal and mentor recipient principal’s supervisor and by the mentor’s supervisor, if any, to signify completion of the
work outlined in the log required under subsection (e) of this Section and the summary. Each mentor shall submit the verification to the provider with which he or she is enrolled, and the provider shall compile for the State Superintendent a list of the mentors who have provided the required services under the program and for whom payment is due.

\[ \text{g) Each provider shall review the accuracy of the verification forms and shall submit a summary of the information presented in a format specified by the State Superintendent or designee by June 30 of each year.} \]

(Source: Amended at 34 Ill. Reg. ______, effective _____________)

**Section 35.40 Eligibility of Mentors**

Pursuant to Section 2-3.53a of the School Code, eligibility for service as mentors under this Part shall be limited to individuals who have served as principals in Illinois for at least three years, who have demonstrated success as instructional leaders, and who have completed the training required pursuant to Section 35.50 of this Part.

\[ \text{a) For purposes of this Part, “at least three years” means no fewer than three full school years, provided that a principal need not have accrued all three years’ service in the same school or district.} \]

\[ \text{b) Each provider shall establish a process for identifying and selecting mentors. As part of this process, each mentor applicant shall submit at least two professional references that address: For purposes of this Part, an experienced principal shall be considered to have demonstrated success as an instructional leader if he or she holds an Illinois administrative certificate and submits to the State Superintendent of Education or designee at least two letters of professional reference in accordance with this subsection (b).} \]

1) the nature of the working relationship between the letter-writer and the principal in question. Each principal shall submit at least one letter from a certified staff member who is not an administrator and has served for at least one full school year under the principal’s supervision.

2) the letter-writer’s reasons for believing that the principal in question is of ethical character and possesses strong interpersonal skills, and each principal shall submit at least one letter from a district superintendent or assistant superintendent under whose supervision the principal has served.
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NOTICE OF PROPOSED AMENDMENTS

for at least one full school year, or from a regional superintendent who has knowledge of the principal’s work.

3) Each required letter of reference shall include:

   A) the nature of the working relationship between the letter-writer and the principal in question;

   B) the letter-writer’s reasons for believing that the principal in question is of ethical character and possesses strong interpersonal skills; and

   C) one or more specific examples of the principal’s accomplishments related to particular aspects of the Illinois Professional School Leader Standards set forth at 23 Ill. Adm. Code 29.100.

c) No individual shall serve as a mentor if more than five years have elapsed since his or her last date of service as a principal in an Illinois school or service in some other educational capacity that routinely requires interaction with principals and familiarity with the issues and challenges they face. Evidence of the latter type of service shall be a contract, job description, or other document generated by the employing entity.

(Source: Amended at 34 Ill. Reg. ______, effective ______________)

Section 35.50 Training for Mentors

a) Prior to beginning his or her first assignment as a mentor under this Part, each experienced principal shall be required to complete a standardized training program prescribed by the State Superintendent of Education. This training program shall be made available at no cost to the participating mentors and shall focus on equipping the participants to perform the functions outlined in Section 35.30 of this Part. The training program shall address areas of expertise including, but not limited to:

1) the Illinois Professional School Leader Standards (see 23 Ill. Adm. Code 29.100);

2) ethics;
3) principles of adult learning;
4) establishing a mentoring relationship; and
5) mentoring skills and techniques.

b) In admitting individuals to the required training, providers shall give first priority to those who intend to be included in the pool of available mentors for the program as described in Section 35.20(d) of this Part. Other individuals may be accommodated if space permits.

c) Each provider approved under Section 35.60 of this Part shall provide to the State Superintendent or designee a list identifying the individuals who have completed the required training sequence.

d) Each provider shall be responsible for providing continuation training to its mentors, including notifying them during this training of any changes in the requirements for the mentoring program. Each mentor who intends to continue providing service under this Part for the following year shall complete the continuation training participate in annual “refresher” training.

(Source: Amended at 34 Ill. Reg. ______, effective _____________)

Section 35.60 Approval and Role of Providers

The State Superintendent of Education shall approve one or more organizations representing Illinois principals, institutions of higher education, community colleges, regional offices of education, school districts, or other educational entities to administer and implement the new principal mentoring program according to the requirements stated in Section 35.30 of this Part, including delivering the training program for mentors that is required under Section 35.50 of this Part.

a) Any entity seeking approval under this Section shall submit to the State Superintendent an application, in a format prescribed by the State Superintendent, outlining the organization’s qualifications for providing professional development to educators, including information specific to the organization’s experience with serving potential mentors and recipients of mentoring. Applications shall be submitted to the State Superintendent or designee by March 1 of the year in which a provider wishes participate in the mentoring program for the following school year.
b) The State Superintendent shall approve as providers one or more entities whose applications:

1) provide evidence of an overall commitment to professionalizing education and school improvement efforts;

2) demonstrate capacity to meet the needs of an identified geographic area or set of districts; and

3) indicate that the applicants have staff or access to other presenters who:
   A) have been employed in roles requiring mastery of the Illinois Professional School Leader Standards; and
   B) have experience in providing professional development to educators.

c) Each approved provider shall, with respect to each mentor who enrolls with that provider:

1) provide or arrange for another provider approved under this Section to provide the initial training required under Section 35.50 of this Part if the individual has not already completed it;

2) to the extent necessitated by the level of demand, facilitate the individual’s assignment to one or more new principals based on the factors set forth in Section 2-3.53a of the School Code;

3) provide support and professional resources to the mentor in the course of his or her mentoring relationships;

4) provide at least annually quarterly networking sessions to enhance the mentor’s skills and provide structured opportunities for problem-solving;

5) guide the mentor in the compilation of information that will contribute to the evaluation of individual mentoring relationships and of the mentoring program as a whole;
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NOTICE OF PROPOSED AMENDMENTS

6) receive and distribute payments to mentors as delineated in Section 35.20(e) of this Part; and

7) provide annual continuation “refresher” training.

d) Approval of providers shall be valid for three years. To request renewal, a provider shall, no later than March 1 of the year of expiration, submit an application in a format specified by the State Superintendent of Education, containing:

1) a description of any significant changes in the material submitted as part of its approved application; or

2) a statement that no significant changes have occurred.

e) A provider’s approval shall be renewed if the application conforms to the requirements of subsection (d) of this Section, provided that the State Superintendent has received no evidence of the provider’s failure to provide the required services under the program.

f) The State Superintendent of Education may evaluate any approved provider at any time to ensure the consistent quality of the mentoring program. Upon request by the State Superintendent, a provider shall supply information regarding its activities in conjunction with the mentoring program, which the State Superintendent may monitor at any time. In the event an evaluation indicates that a provider is not furnishing services in keeping with subsection (c) of this Section, the State Superintendent may withdraw approval of the provider.

(Source: Amended at 34 Ill. Reg. _______, effective _____________)
TO:    Illinois State Board of Education
FROM:  Christopher A. Koch, Ed.D., State Superintendent of Education
        Linda Riley Mitchell, Chief Financial Officer
        Darren Reisberg, General Counsel

Agenda Topic:  Action Item: Proposed Amendment for Initial Review: Part 145
               (Temporary Relocation Expenses)

Materials:  Recommended Amendments

Staff Contact(s):  Debbie Vespa

Purpose of Agenda Item
The purpose of the agenda item is to present the proposed amendments for the Board’s initial
review.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item does not link directly to Strategic Plan, although the changes being proposed
help to ensure that students are in a healthy and safe learning environment.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt a motion authorizing solicitation of public comment on the
proposed amendments.

Background Information
These proposed amendments make numerous changes to the way in which the Temporary
Relocation Program operates that respond to various circumstances that school districts have
encountered over the last several years. Under this program, a school district may receive a
loan to assist with both the direct and indirect costs of moving students to a temporary location
due to natural or man-made disasters that destroy or make a school building uninhabitable. As
a condition of receiving the loan, a district must levy a tax for this purpose and pledge the
proceeds from that levy, as well as from any insurance proceeds received, to repay the loan.
The amount of the loan that a district receives is based on the anticipated taxes and insurance
proceeds. A grant is then issued to cover the cost of any expenses incurred that exceed the
allowable loan amount.

The proposed amendments would require that the district consider other revenue or in-kind
contributions when calculating its ability to repay a loan (which will affect the final loan amount)
or when determining the expenditures that it will incur (which will affect the amount of the grant
to which an entity is entitled). In the former situation, the district may receive a grant or other
financial assistance to defray costs associated with the temporary relocation. The amount of
these financial resources is to be added to the amount of the proceeds from the tax and
insurance to determine the total loan amount to which the district is entitled, since the district
eventually will be able to use these proceeds to repay the loan. (See Section 145.20(c).)
For in-kind resources or for grants whose uses are restricted, a district would need to eliminate from consideration as allowable expenditures the cost of any items covered by the in-kind resources or restricted grants. If these expenditures were to be considered, then the actual costs incurred by the district would be artificially raised, thus increasing the potential grant that the district might receive and does not need to repay. (See Section 145.30(b).)

The proposed amendments also include provisions to help staff estimate the amount of funding needed to cover temporary relocation requests in the future (Sections 145.20(e) and (f)). In recent years, the agency has been unable to provide in a single fiscal year the full loan or grant requested by qualifying school districts due to the size of the appropriation. Requiring renewal applications in these instances, and updated information from applicants receiving approval in the year following their initial submissions, will work toward remedying this situation.

Finally, the proposal addresses two public acts. The first, P.A. 96-102, adds mine subsidence to the list of circumstances for which a school district could request a loan or grant for temporary relocation expenses. Section 145.10 has been amended to cross-reference the law rather than to list each individual circumstance in the rules.

In addition, a reference is being made to a tax levied under Section 17-2.2d of the School Code. Added to the School Code in 2004 by P.A. 93-690, Section 17-2.2d enables school districts that are located in counties subject to the Property Tax Extension Law that experience a condemnation of a building within 10 years of the building’s initial occupancy to levy a tax without benefit of referenda. This legislation initially pertained to only one of the state’s school districts; however, since its enactment, other school districts have met the criteria for this levy, so for the sake of completeness, Section 17-2.2d should be referenced in the rules.

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

Policy Implications. See “Background” above.

Budget Implications. See “Background” above.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions
Promulgation of these proposed amendments both conform the rules to state law and enable the agency to better manage the Temporary Relocation Program. Not going forward with the proposal could hinder the agency’s ability to accurately predict the amount of funding needed by eligible school districts and prevent staff from fully assessing the impact of other resources available for relocation expenses before approving a school district’s final loan or grant amount.

Superintendent’s Recommendation
The State Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for:

Temporary Relocation Expenses (23 Illinois Administrative Code 145),
including publication of the proposed amendments in the Illinois Register.

Next Steps
With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the Superintendent’s Weekly Message and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.
Section 145.10  Definitions

“Expenses” means the costs incurred by the board of education directly responsible for implementing the temporary relocation. Expenses shall be paid on a reimbursable basis subject to audit by the State Board of Education in accordance with Section 2-3.32 of the School Code [105 ILCS 5/2-3.32] and this Part.

“Qualifying event” means those situations enumerated in Section 2-3.77 of the School Code [105 ILCS 5/2-3.77] the destruction of a building as a result of fire, earthquake, tornado, other natural or man-made disaster, or condemnation pursuant to Section 3-14.22 of the School Code.
“Relocation” means the movement of students, equipment necessary for temporary relocation purposes, personnel, and records to a facility other than that to which they were previously assigned, as a result of a fire, earthquake, tornado, other natural or man-made disaster, or condemnation pursuant to Section 3-14.22 of the School Code [105 ILCS 5/3-14.22].

“Temporary” means persisting only from the date of the qualifying event until permanent facilities are available for those students who have been displaced, as determined by the regional superintendent of schools responsible for the affected school district.

(Source: Amended at 34 Ill. Reg. ______, effective ____________)

Section 145.20 General Requirements

a) The school board of a district making initial application for a temporary relocation expense loan or grant shall adopt and submit to the State Board of Education along with its application:

1) a resolution levying the tax provided for by Section 17-2.2c or 17-2.2d of the School Code [105 ILCS 5/17-2.2c and 17-2.2d] at the maximum rate permitted thereunder, in order to repay the State of Illinois for funds received pursuant to this Part; and

2) a resolution encumbering all insurance proceeds and other resources (e.g., State, federal, local or private funding) payable to or received by the district for relocation expenses for the affected facility and providing that these proceeds shall be paid to the State Board of Education within 30 thirty days after their receipt by the district.

b) Each district shall remit to the State Board of Education all proceeds received by the district from the tax levied under Section 17-2.2c or 17-2.2d of the School Code no later than January 31 of the year following the calendar year to which the proceeds are attributable. Proceeds received by the district after that date may, at the district’s discretion, be remitted at any time prior to the next January 31 deadline or may be held by the district and included with that payment. (That is, only one payment per year shall be required, but a district may make additional payments at its option.)
c) Each application shall indicate:

1) whether the application is for a loan, a grant, or both;

2) the date and nature of the qualifying event leading to the application;

3) that the school board has adopted a plan to house the displaced students permanently;

4) the time required to effect the permanent solution described in the plan;

5) an estimate of the necessary temporary relocation expenses to be incurred that have been determined to be allowable under Section 145.30(a) of this Part and a description of the necessity for them;

6) an estimate of the amount of insurance proceeds to be received;

7) an estimate of the amount of funds that can be raised through the levy of the tax called for in Section 17-2.2c or 17-2.2d of the School Code;

8) an estimate of other anticipated revenue as described in subsection (a)(2) of this Section the amount which the district does not expect to be able to repay to the State Board of Education from funds realized under subsections (b)(6) and (7) and for which an outright grant is requested, if any; and

9) an agreement to comply with Section 2-3.77 of the School Code and this Part and to authorize the State Superintendent Board of Education to deduct from the district’s general State aid any amount owed to the State Board under this Part which is in default.

d) Initial applications shall be considered on a first come, first served basis based on the order of the date in which each is received as long as funds remain available.

e) Districts otherwise eligible but not receiving funding due to insufficiency of the appropriation shall receive first consideration in the subsequent fiscal year in accordance with subsection (d) of this Section, provided
that funding is available. Expenditures incurred in a previous fiscal year that were not reimbursed in that year are not allowable in subsequent fiscal years.

f) No later than December 1 of each fiscal year, a renewal application shall be submitted with updated information about the expenditures estimated to be incurred in the subsequent year, as well as updated information about the anticipated funding to be received by the district in that year (see subsection (c) of this Section).

g) If the district later receives other funding to cover the expenses it had included in its initial or any renewal applications submitted for a loan or grant, then the district shall return to the State Superintendent of Education an amount equal to those covered expenses no later than 30 days after receipt of the funding.

h) Any amount that the district does not receive as previously expected from funds initially designated under subsection (c)(6) and subsection (c)(8) of this Section and for which funding is requested, if any, shall be documented in subsequent renewal applications.

i) If the district’s equalized assessed valuation increases during the loan repayment period, then the district shall levy the tax provided for by Section 17-2.2c or 17-2.2d of the School Code at the maximum rate permitted and the excess generated shall be remitted to the State Board of Education for deposit into the state’s Temporary Relocation Fund.

(Source: Amended at 34 Ill. Reg. _______, effective _____________)

Section 145.30 Allowable and Nonallowable Expenses

a) Allowable temporary relocation expenses are the costs incurred by the board of education directly responsible for implementing the temporary relocation and may include, but are not limited to, the following:

1) Lease: Leases include contracts for the purpose of providing attendance centers for displaced students; for securing any necessary equipment for operating such attendance centers; and for providing pupil transportation services to such attendance centers.
2)b) Rental: Rental may include the items in subsection (a)(1) of this Section when a rental agreement may be more advantageous to the school district than entering into a lease contract. For example, this may occur where the rental agreement covers a period of time that will be less than that obtainable through a lease contract.

3)e) Renovation of leased or rental educational facilities: Renovation expenses shall be allowed only to the extent necessary to bring a leased or rented facility into compliance with the applicable requirements of the Health/Life Safety Code for Public Schools (23 Ill. Adm. Code 180).

4)d) Transportation: Transportation expenses shall be allowed only to the extent that they exceed the normal transportation expenses incurred by the district in the year immediately preceding the qualifying event.

5)e) Salaries: Salaries shall be allowed only to the extent that they exceed normal operating salaries of the school district in the year prior to the qualifying event and shall be documented as necessary for relocation.

6)f) Architect fees: Architect fees shall be allowed only to the extent that they are documented as necessary for relocation. Such fees shall not be allowable for planning, design, or construction for any replacement facility, nor for alteration of a damaged facility.

7)g) Attorney fees: Attorney fees shall be allowed only to the extent that they are documented as necessary for relocation, including for filing the levy authorized by Section 17-2.2c or 17-2.2d of the School Code and filing any insurance claim arising out of a qualifying event.

8)h) Utilities: Utility expenses will be allowed only to the extent that they exceed the normal utility expenses of the school district in the year prior to the qualifying event.

9)ii) Interest: Interest expense is allowable if incurred due to borrowing in anticipation of the receipt of funds pursuant to this Part.

10)j) Other expenses: A school district may apply for other expenses (e.g., insurance, equipment maintenance, sanitary services, property services, or supplies) only to the extent that they exceed the normal expenses of the
school district in the year immediately preceding the qualifying event and are documented as being directly necessitated by the cause for relocation.

b) A school district shall not include in its application submitted pursuant to Section 145.20(c) any otherwise allowable expense under the following circumstances:

1) payment for the expense will be made by another entity;

2) the district has received or anticipates receiving revenue whose use is restricted to payment of the expense incurred (i.e., cannot be used to pay back the temporary relocation loan); and

3) in-kind contributions are received by the district for services or materials to offset the cost of expenses that otherwise would have been allowable under subsection (a) of this Section (e.g., the use of a facility rent-free, provision of free legal or architectural services).

(Source: Amended at 34 Ill. Reg. _______, effective _____________)

Section 145.50 Accounting and Reporting Requirements

a) When money appropriated for temporary relocation expenses or other funding as provided in Section 145.20(a)(2) is received by a school district, the money shall be deposited in a Capital Projects Fund, established pursuant to 23 Ill. Adm. Code 100.50 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing), the funds from which those expenses were or will be paid and shall be accounted for in accordance with the applicable provisions of 23 Ill. Adm. Code 100.

b) Proceeds from the tax levied under Sections 17-2.2c or 17-2.2d of the School Code and the subsequent loan repayments made to the State Board of Education shall be recorded in a Debt Service Fund, established pursuant to 23 Ill. Adm. Code 100.50 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing), and shall be accounted for in accordance with the applicable provisions of 23 Ill. Adm. Code 100.

c) Expenses shall be subject to audit by the State Board of Education in accordance with Section 2-3.32 of the School [105 ILCS 5/2-3.32] and this Part.
d) Each recipient of a temporary relocation loan or grant shall submit to the State Superintendent or designee no later than July 30 a final expenditure report for the fiscal year just concluded.

(Source: Amended at 34 Ill. Reg. _______, effective _____________)

Section 145.60 Determination of Loan and Grant Amounts

a) The amount of each loan provided pursuant to this Part shall be based on allowable expenses identified in the district’s application, the estimated insurance proceeds and other funds to be realized, and the yield from the tax levied as provided in this Part.

b) The amount of each grant provided pursuant to this Part shall be based on the amount by which allowable expenses identified in the application exceed the total of the estimated insurance proceeds, the estimated other funds received, and the estimated yield of the tax over a seven-year period.

(Source: Amended at 34 Ill. Reg. _______, effective _____________)