Illinois State Board of Education Meeting  
via video conference  

Tuesday, August 17, 2010  
10:30 a.m.  

Chicago Location:  ISBE Video Conference Room, James R. Thompson Center  
14th Floor, 100 W. Randolph, Chicago, IL  

Springfield Location:  ISBE Video Conference Room, 3rd Floor  
100 N. First Street, Springfield, IL  

This meeting will also be audio cast on the Internet at: www.isbe.net  

AGENDA  

**Times are estimated and are for planning purposes only.**  

I. Roll Call/Pledge of Allegiance
   A. Consideration of and Possible Actions on Any Requests for Participation in Meeting by Other Means

II. Public Participation

**10:30 – 11:00 a.m.**

III. Resolutions & Recognition
   A. Resolution in Remembrance of Robert E. Abbott (pp. 3)

IV. Superintendent’s Report  
   *Consent Agenda*

**11:00 – 11:20 a.m.**  

All action consideration items listed with an asterisk (*) are considered to be routine and will be enacted in one motion and vote. Any board member who wishes separate discussion on any item listed on the consent agenda may remove that item from the consent agenda, in which event, the item will be considered in its normal sequence.

Action Considerations

A. *Approval of Minutes  
   1. Plenary Session, June 2010 (pp. 4-14)  
   2. Ad Hoc Rules Committee of the Whole, June 2010 (pp. 15-18)  
   3. Board Operations Committee of the Whole, June 2010 (pp. 19-20)  
   4. Education Policy Planning Committee of the Whole, June 2010 (pp. 21-22)  
   5. Finance & Audit Committee of the Whole, June 2010 (pp. 23-25)  
   6. Governmental Relations Committee of the Whole, June 2010 (pp. 26-28)  

B. *Rules for Initial Review  
   1. Part 1 (Public Schools Evaluation, Recognition and Supervision) (pp. 29-58)  
   2. Part 365 (Children’s Low-Cost Laptop Program) (pp. 59-69)  

C. *Rules for Adoption  
   1. Part 25 (Certification) (pp. 69-88)  
   2. Part 365 Emergency (Children’s Low-Cost Laptop Program) (Same as pp. 59-69)

D. *Qualified Zone Academy Bond (QZAB) Authorization(s) (pp. 89-94)

E. *Teacher Certification Board Appointments (pp. 95-97)

F. *Acceptance of the A-133 Statewide Single Audit Report (pp. 98-167)

G. *Grant Exceeding $1 Million: Parkland College for the Provision of the Facilitating the Coordination of Agricultural Education (FCAE) Grant (pp. 168-171)

End of Consent Agenda

H. NASBE Election/IL Voting Delegate (pp. 172-187) **11:20 – 11:21 a.m.**

I. Arlington Heights S.D. 25 Request for Waiver of Transitional Bilingual Education Rules (pp. 18-190) **11:21 – 11:25 a.m.**

J. Authorization for Intergovernmental Agreement with Governor’s Office Regarding FY11 Discretionary Dollars (p. 191) **11:25 – 11:27 a.m.**

K. North Chicago S.D. 187 (pp. 192-200) **11:27 – 11:55 a.m.**
V. Announcements and Reports
   **11:55 a.m. – 12:30 p.m.
   A. Superintendent's/Senior Staff Announcements 11:55 a.m. – 12:10 p.m.
      1. FY 2011 Budget Update (pp. 201-207)
   B. Chairman's Report 12:10 – 12:20 p.m.
   C. Member Reports 12:20 – 12:30 p.m.

VI. Adjourn

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Illinois State Board of Education Meeting  
August 17, 2010  
(via video conference)  
100 North First Street  
Springfield, Illinois  
and  
100 North Randolph, Suite 14-300  
Chicago, Illinois

ROLL CALL

Jesse Ruiz, Chairman, called the meeting to order at 10:30 a.m. and asked Ms. Jean Ladage to call the roll. Dr. Chris Koch, State Superintendent of Education, was in attendance in Chicago. A quorum was present.

Members Present in Chicago:  
Dr. Christopher Ward, Vice Chairman  
Dr. Vinni Hall, Secretary  
Mr. Steven Gilford  
Ms. Lanita Koster

Members Absent:  
Mr. James Baumann

Members present in Springfield Office:  
Mr. Jesse Ruiz, Chairman  
Dr. Andrea Brown  
Dr. David Fields  
Ms. Melinda LaBarre

PUBLIC PARTICIPATION

Donna Smith, Vice-President of School District U-46 Board of Education, discussed the funding challenge District U-46 faces related to General State Aid. Ms. Smith recalled that in correspondence dated March 25, ISBE staff indicated that a long-term solution to this problem would be in the form of legislation or administrative rules. Governor Quinn recently vetoed SB 2499 which would have fixed U-46’s General State Aid Calculation.

She continued that the lack of a solution cost U-46 students $12.6 million last year, despite the one-year fix by the State Board. For the upcoming school year U-46 General State Aid has dropped from $66 million to $57 million and as a Cook County District the district would have received $67 million. These reductions hit the district during a time local property taxes are flat. While the funding formula is to create equity among districts it is clearly not equitable for U-46’s 41,000 students. Ms. Smith indicated the district will continue to work with Superintendent Koch and members of the General Assembly to get legislation passed which ISBE will consider a long-term solution. However U-46 needs action in short term.

Dr. Koch stated that the Agency’s concern is the equal treatment of districts. There are a number of multi-county districts and it is unfair for a statutory change to benefit one district at the expense of other districts.

Darren Reisberg, ISBE General Counsel, commented that ISBE’s position on this issue has been clear. Even if ISBE was the entity to choose the limiting rate used in the GSA calculation—and it is not, since it receives that information from the Illinois Department of Revenue, ISBE would not switch from using one county’s limiting rate to another’s based on the District moving its Administrative Office.

Mr. Reisberg added that in September ISBE staff and the Board will have a preliminary discussion on legislative proposals to be pursued in 2011, one of which would be a
proposal to remove limiting rates from the GSA calculation of all PTELL districts. If there is support from the General Assembly, we may see a solution that is best for all districts that are subject to PTELL. The Agency will be looking at this based on what is good for the entirety of the state’s districts and understands that District U-46 may separately wish to legislatively pursue what it feels is best for its students.

RESOLUTIONS & RECOGNITION

Dr. Ward moved that the State Board of Education adopt the resolution in remembrance of Robert E. Abbott. Dr. Hall seconded the motion and it passed with a unanimous voice vote.

CONSENT AGENDA

Consent Agenda Motion:

Dr. Hall moved that the State Board of Education hereby approves the consent agenda items, with the exception of agenda item IV.B.1. Part 1 (Public Schools Evaluation, Recognition and Supervision), which will be reviewed and voted on separately in the meeting. Dr. Fields seconded the motion and it passed with a unanimous roll call vote.

The following motions were approved by action taken in the consent agenda motion.

Approval of Minutes

The State Board of Education hereby approves the minutes for the June 24, 2010 Plenary Session, June 2010 meeting of the Ad Hoc Rules Committee of the Whole Meeting, June 2010 meeting of the Board Operations Committee of the Whole, June 2010 meeting of the Education Policy & Planning Committee of the Whole, June 2010 meeting of the Finance and Audit Committee of the Whole and the June 2010 meeting of the Governmental Relations Committee of the Whole.

Rules for Initial Review

Part 365 (Children’s Low-Cost Laptop Program)

The State Board of Education hereby authorizes the solicitation of public comment on the proposed rulemaking for Children’s Low-cost Laptop Program (23 Illinois Administrative Code 365).

Rules for Adoption

Part 25 (Certification)

The State Board of Education hereby adopts the emergency rulemaking for Certification (23 Illinois Administrative Code 1). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Part 365 (Children’s Low-Cost Laptop Program)

The State Board of Education hereby adopts the emergency rulemaking for Children’s Low-cost Laptop Program (23 Illinois Administrative Code 365). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Qualified Zone Academy Bond Authorizations

I move that the Illinois State Board of Education approve the applications submitted by the districts listed below for designation of $3,675,000 in bonds from the calendar year 2009 allocation and $ 8,153,210 in bonds from the calendar year 2010 allocation as Qualified Zone Academy Bonds pursuant to the provisions of Section 1397E of the Internal Revenue Code of 1986, as amended (the Qualified Zone Academy Bond Program.)
The State Board of Education hereby approves the following recommended appointments to the Illinois State Teacher Certification Board:

- Denise Albrecht (Second Term)
- Steve Breese (Second Term)
- Eric Brown (Second Term)
- Chris Roegge (First Term)
- Gloria Walsh (First Term)
- Jennifer Johnson (Finish 2 Year Term)

Acceptance of A-133 Statewide Single Audit Report


Grant Exceeding $1 Million

Parkland College for the Provision of the Facilitating the Coordination of Agricultural Education (FCAE) Grant

The State Board hereby authorizes the State Superintendent to enter into a continuation grant agreement with Parkland College for the provision of the FCAE grant in the amount of $1,611,693 for FY 2011.

END OF THE CONSENT AGENDA

In Dr. Koch’s opening comments on this discussion, he indicated the proposed rules address two assessment issues; 1) the Consumer Education Proficiency Test and 2) consistent treatment of testing 11th graders. A review by the United States Department of Education outlined in the packet materials indicates a compliance concern as approximately 8% of the 11th graders in Illinois are not being tested. Not only does this impact our statewide data, but it is becoming a liability. We need to have an accountability system that meets federal requirements.
The Agency is proposing that the definition for 11th grader become the “third year following the 8th grade”. Dr. Koch believes this will provide consistency for all districts in the state, similar to the graduation definition that has been adopted by the National Governor’s Association, which Illinois will be using in the future.

Public Participation from Chicago Site

Paul Swanstrom, Superintendent from Joliet Township High School, Chair of the High School District Organization and Legislative Chair for the Illinois Association of School Administrators voiced concerns that the IASA Legislative Committee and the High School District Organization have with the proposed rulemaking changes regarding the 11th Grade Testing/Accountability issue introduced in SB 3062. Mr. Swanstrom stated these organizations believe the proposal to test all third-year students is detrimental. It is clearly recognized that there is a disconnect between the 8th grade elementary school standards and high school standards, and yet if all students are tested after three years in high school, there is no opportunity for high schools to accelerate the students’ performance to get them to the point they need to be with regard to standards.

Mr. Swanstrom then noted that Race to the Top raises the bar for sitting principals. He stated that principals in his district are doing a wonderful job; they are motivating their staff and working on a number of initiatives to address the challenges they face in their community. Yet if they are a Tier 1 school and participated in Race to the Top, someone in Washington would pull them out of their position. Testing all third-year students would only exacerbate that situation; it does not give our schools and administration an opportunity to meet the needs of students. We agree that all students should be assessed. We question why the 3rd year of high school is so significant.

Mr. Swanstrom proposed that the rule should require testing of all students when they have taken and passed the required course work to achieve 11th grade status. The district would report all students’ scores as part of the cohort that would have taken the exam that spring. This would provide the necessary time to remediate a student’s academic deficiencies and more accurately reflect the effectiveness of the academic program of the school, rather than the disconnect of standards and achievement between the state’s elementary and secondary programs.

Dr. Koch pointed out that SB 3062 was not one of ISBE’s legislative proposals and was never voted on. The law does require that all students be tested by grade and when there are inconsistencies in the application of the law, it is ISBE’s responsibility to clarify it so there can be consistent treatment of districts throughout the state.

Steven Cordogan, Director of Research & Evaluation at Township High School District #214 also spoke on 11th grade classification in high school. Mr. Cordogan stated that before universal high-stakes testing was implemented in Illinois most suburban high schools used credit hours to define the grade level of its high school students. In a recent survey two-thirds of districts use credit hours to determine status. Schools are held accountable for all of their students. Allowing a school to have an extra year to prepare a small percentage of students, the ones who will not graduate on time, who will be tested a year before they graduate will not give an edge to the school, but it will give students the chance to be prepared for a test. We recognize that accountability needs to be a level playing field, but we do not want to be forced into a social promotion mentality. Mr. Cordogan asked for the opportunity to work with ISBE staff to come up with a solution that takes into consideration both perspectives; dealing with the federal government accountability and what works in the schools.

Dr. Koch asked Mr. Cordogan if he felt that these arguments would be the same for a unit
district. Should the state should treat a unit district the same as a high school district where the high school and elementary schools are separated; where accountability for those same students would come through the same system. Mr. Cordogan responded that he did not feel it would be necessary. Often the unit district would have more opportunity, but the mobility levels (especially in the more at-risk schools) are so high that indeed there are a multitude of students who come into high school reading at a grade school level in their native language. The schools need to know that those students will take five years to get to graduation, and a rare few may make take six years. In trying to balance accountability with good educational practice, we would like to test students a year before they graduate.

Dr. Koch asked Mr. Cordogan if his school assesses students who have been given more time and, if so, does he allow them to participate in school functions that require they be 11th and 12th graders. Mr. Cordogan responded they have always used credit hours to determine class status.

Superintendent Koch reminded everyone that Board action today is to consider the rules for initial review, which opens a public comment period regarding the proposal and seeks public input regarding alternative proposals.

Kathy Robbins, Superintendent of Leyden High School District 212, commented that 25% of her incoming freshmen have an average of 4th grade math skills. Some of the students entering as freshmen this year are doing grade 1, 2 and 3 math; 55% of the students are coming in with reading and math skills at least two years behind; and 25% are as much as 5-6-7 years behind where they should be. In addition, the district has at least 35-45 different languages spoken in the district; 75% of the students come from homes where English is not the first language spoken at home. It is very frustrating to say that we need to treat all students the same when they are not all coming in the same. The district has a huge proportion of students who are not ready for high school. They come into the schools with different levels of academic preparation and an enormous amount of time and monetary resources are spent trying to get those students to the point where they can be ready for high school work.

Superintendent Robbins indicated the part of the legislation and rulemaking that was most disturbing to her was the piece that addressed testing students their third year after they have successfully completed 8th grade. She suggested that “successfully completing 8th grade” does not necessarily mean that a student is ready for 9th grade. She stated she is in favor of accountability and feels she should be held accountable if she cannot get her children where they need to be. However, she needs time to get them there due to the level at which they arrive at her school.

Dr. Koch commented that he, too, hears from elementary school administrators that students are not ready. There is a major problem of getting students ready for school and the catch up process does not work well. We need to jointly pursue the growth model and ensure the authorization adequately addresses this issue.

Public Participation from Springfield Site

Wendy Davis, Superintendent of Nashville High School and Member of the High School District Organization, voiced concerns that districts around the state have concerning 11th grade testing and accountability. Superintendent Davis stated that her main concern is that the rule change will have the most negative impact on high school students themselves. Superintendent Davis stated that we tell the students that we hold high standards for them and we expect them to perform at a certain level in order to be promoted to the next grade. If this proposed rule comes into effect, we will actually be
sending the message that no matter what a student has done in school or how well they have performed, we are going to just automatically send them to the next grade and call them something different than what they earned. Superintendent Davis cautioned that this action would be taking a step backward in education and we would be doing so due to federal monies that would be coming to the state, rather than looking at what is actually best for educating our students at the high school level.

Her district has worked hard to put things into place to have high expectations for student performance and if a student is not passing or meeting the criteria for a grade level, the student is kept in that grade level until the criteria are met. Ms. Davis noted that there are certain privileges that go with being an upper classman that lowerclassmen don’t have. Those privileges are withheld in her district until the proper credits are attained. Superintendent Davis believes there is a viable solution to the problem and if we work together and do not rush the process, we can find the best solution.

Chairman Ruiz commented that the Board looks forward to the public comments on this rulemaking.

Mr. Swanstrom wanted to make sure that his comments were not misconstrued to be critical of the elementary districts. He stated that his concerns are with the continuity of the standards for K-12 and with the disconnect of the standards and assessment in 8th and 9th grades. Mr. Swanstrom noted that his district has established an organization called LEAP- Leaders for Education Alignment & Planning. The elementary and high school districts work closely together to ensure students are prepared. Mr. Swanstrom added that an assessment at the 11th grade in high school cannot be compared as progress from the ISAT assessment because they are different assessments. Part of the concern is having continuity of the assessment system so benchmarks are relative to a rational continuum of expectations in standards from K-12.

**Motion**

Dr. Fields moved that the State Board of Education hereby authorizes solicitation of public comment of the proposed rulemaking: Public Schools Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1), including publication of the proposed amendments in the Illinois Register. Ms. LaBarre seconded the motion and it passed with a unanimous voice vote.

Dr. Fields moved that the State Board of Education hereby designates Dr. Vinni Hall as the voting delegate at the NASBE Central Area meeting on October 14 and the Annual Business meeting on October 15, 2010. Chairman Ruiz seconded the motion and it passed with a unanimous voice vote.

Dr. Koch stated that several districts have previously made a request for this waiver (program director requirements) of State Board rules and they were denied by the Board. At least one district had appealed the denial to the General Assembly and the waiver was granted. Superintendent Koch stated that these requirements are in place at this time and the requirements should be implemented. Therefore, he recommended that the waiver be denied.

Dr. Hall moved that the State Board of Education hereby denies the request submitted by Arlington Heights School District 25 to waive the TBE/TP1 program director requirements including 228.35 (d) (1) and (2). Chairman Ruiz seconded the motion and it passed with a unanimous voice vote.
Darren Reisberg stated that ISBE is being proactive in asking for the Board’s authorization for this approval in order to expedite funds distribution to districts if and when it is transferred from the Governor’s Office. He added that issues are still being worked out for the Job Funds money and staff are making sure the application is properly filed with the U.S. Department of Education (ED) as quickly as possible. ED has pledged a turnaround of approximately two weeks at which point they would presumably approve the application and get the money to the states. Mr. Reisberg said the agency is still working on how the dollars will be disbursed to the LEAs.

Linda Mitchell indicated that the Comptroller’s Office is making significant progress with the backlog of payments with respect to ISBE. The backlog has declined due to the state issuance of bonds on July 13, 2010. The ISBE portion of the backlog is now down to $742 million. The plan is to have the backlog for the preceding year paid by the end of the 201 calendar year. Governor Quinn’s Office is very focused on getting the backlog down and has been having frequent meetings with the Comptroller’s Office to address the backlog.

Ms. Mitchell also stated that she has not had any communication from the Comptroller’s Office on plans for the first and second quarter mandated categorical payments; however she indicated it is likely that payments will continue to be delayed for FY11.

Authorization For Intergovernmental Agreement With Governor’s Office Regarding FY11 Discretionary Dollars

Dr. Hall moved that the State Board hereby authorizes the State Superintendent to execute an interagency agreement with the Governor’s Office or Governor’s Office of Management and Budget with regard to any funds allocated by the Governor to ISBE pursuant to his powers under the Emergency Budget Act as well as any funds related to the Federal Jobs Bill, and further authorizes the State Superintendent, the Chief Financial Officer, and the Division Administrators for the Budget Division, Funding & Disbursement Division and Fiscal Division to have signature authority for the disbursement of monies by the Illinois Office of the Comptroller and the responsibility for the preparation of all documents required by the Comptroller for the disbursement of monies from the relevant appropriations. Ms. Koster seconded the motion and it passed with a unanimous roll call vote.

North Chicago School District #187

Dr. Ben Martindale from North Chicago School District #187 described some of the challenges the district is facing. Dr. Martindale stated that the district has a nonexistent form of board government; poor leadership/an absence of leadership, as well as an absence of help in many critical areas of district operation. High school student performance is one of the five worst in the State of Illinois. District staff are operating on their own, doing what they please. It is unlike anything he has ever encountered in his 41 years of education. Dr. Martindale stated that anything the Board can do to provide assistance to this school district will be appreciated.

Dr. Ward moved that the State Board of Education hereby authorizes the State Superintendent to pursue a intergovernmental agreement with North Chicago Community Unit District #187, with conditions, and, should the District refuse to enter into such an agreement, further authorizes the State Superintendent to pursue those actions available pursuant to Section 2-3.25f of the School Code and any other applicable laws. Dr. Fields seconded the motion and it passed with a unanimous roll call vote.

Superintendent Koch spoke about the Race to the Top (RTTT) process. During the week of August 9th he and his 4-member team traveled to Washington for an interview with the U.S. Department of Education. The team was told that Illinois was one of the finalists with a strong application. They also asked why we did not have more district union sign-on and we explained that given more time, our numbers would have increased. The Illinois RTTT
ANNOUNCEMENTS

The team included Miguel del Valle (Representative of the Governor’s P-20 Council), Audrey Soglin (Executive Director of the Illinois Education Association), Superintendent Koch, Susie Morrison and Darren Reisberg. Dr. Koch stated that winners will be notified the first week of September.

Superintendent Koch noted that Gene Wilhoit will be attending the retreat and assisting the Board with their self evaluation process.

Although school consolidation is controversial, Dr. Koch feels that topic is worth further discussion due to the circumstances in which many districts find themselves. He, along with Susie Morrison and Deb Vespa met with Senator Chris Lauzen to discuss the language the senator introduced last year.

Dr. Koch commented that ACT will soon be releasing a report and he will be going over some of that data with the Board at the September Strategic Planning Session.

The Superintendent stated that Ohio has adopted a new funding model which has been designed to follow the student through school. He will be suggested a joint meeting with the Education Funding Advisory Board (EFAB) in October to discuss what can be learned from Ohio’s efforts.

SENIOR STAFF ANNOUNCEMENTS

Linda Mitchell stated that page 201 in the plenary packet is a memo describing the status of the budget as of a week ago. After the June board meeting Governor Quinn added additional funds from his discretionary amounts to further support ISBE’s programs. The Board had eight programs in which they would have liked to have had additional funding (See page 9 of the plenary packet). Governor Quinn supported seven of those eight programs and added $90 million to the budget that the Board approved on June 23, 2010. The Governor also reserved $66 million, primarily from regular transportation, which is one of the mandated categorical items. There was a $65 million reduction in transportation, $800,000 in ROE salaries and a $500,000 reserve in ROE services.

As everyone is aware, the federal government has developed a program referred to as Ed Jobs and this program will bring another $415 million to ISBE’s budget. We are working with the Governor’s Office of Management & Budget to determine how those funds will be expedited. The Ed Job funds will be allocated based on General State Aid and we will continue to communicate further developments as they arise. The budget is now up to $284 million of discretionary funding from the Governor. Early Childhood is now flat to last year; having seen an increase of $34.8 million from the Governor. The Textbook Loan Program was not increased.

Superintendent Koch commented that the reduction for transportation came at a difficult time for school districts because they are starting the school year having to come up with a great deal of funds. The Ed Jobs federal bill will bring in additional money for personnel so we are getting a lot of question as to what is allowable and what is not. We will work with stakeholders to ensure proper communication is shared. An increase in jobs will need to be reported, but since the dollars have come in after the start of the school year, it will be difficult for districts to respond. Dr. Koch closed by indicating he would have liked to have seen less of a reduction in transportation.

CHAIRMAN’S REPORT

Chairman Ruiz announced that Lisa LaBonte, Chief Internal Auditor will be leaving the agency for a position as Chief Internal Auditor at the Department of Natural Resources. Chairman Ruiz acknowledged and thanked Ms. LaBonte for her services to the State Board of Education.
MEMBER REPORTS  
Ms. Koster reported that she attended the Illinois Board of Higher Education meeting in Dr. Vinni Hall’s absence on August 10, 2010 at Northeastern Illinois University in Chicago. Highlights of the IBHE meeting included a presentation by Dr. Davis Jenkins, Senior Researcher, Community College Research Center at Teachers College, Columbia University. Dr. Jenkins’ shared a PowerPoint entitled “Strategies to Increase College and Career Success for Community College Students” which Ms. Koster shared with the Board. Ms. Koster added that IBHE Executive Director Judy Erwin will be retiring and Dr. Donald Sevener will be filling in as Interim Executive Director. Business action was taken on the Grow Your Own Teacher Education Initiative FY2011 allocations.

Dr. Brown said that she will be sharing with the Board a report from the Community Colleges that relates to the high schools.

Chairman Ruiz thanked our Race To The Top Team for their hard work in representing us well in Washington. He is optimistic about our chances and wishes them good luck.

MOTION FOR ADJOURNMENT  
Dr. Fields moved that the meeting be adjourned. Dr. Ward seconded the motion and it passed with a unanimous voice vote. The meeting adjourned a 12:18 p.m.

Respectfully Submitted,

Dr. Vinni Hall  
Board Secretary

Mr. Jesse Ruiz  
Chairman