AGENDA (timeframes are estimated for planning purposes)

I. Roll Call

II. Board Member Participation by Other Means

III. Public Participation (15 minutes) 8:45 – 9:00 a.m.

IV. Minutes of the May Ad Hoc Rules Committee of the Whole Meeting (pp. 2-5)

V. *Rules for Initial Review (Darren Reisberg, Winnie Tuthill, Shelley Helton) 9:00 – 9:15 a.m.
   A. Part 1 (Public Schools Evaluation, Recognition and Supervision) (pp. 6-9 and 24-53)
   B. Part 22 (new) (Code of Ethics for Illinois Educators) (pp. 54-59)
   C. Part 226 (Special Education) (pp. 60-88)

VI. *Rules for Adoption (Darren Reisberg, Shelley Helton) 9:15 – 9:30 a.m.
   A. Part 1 (Public Schools Evaluation, Recognition and Supervision) (Emergency) (pp. 6-23)
   B. Part 24 (Standards for All Illinois Teachers) (pp. 89-141)
   C. Part 210 (Illinois Hope and Opportunity Pathways through Education Program) (pp. 142-168)
   D. Part 228 (Transitional Bilingual Education) (pp. 169-231)
   E. Part 235 (Early Childhood Education Block Grant) (pp. 169-201; 232-240)

VII. Information Item: Annual Report on the Status of Agency Rulemaking (pp. 241-244)

VIII. Committee Agenda Planning/Additional Items

IX. 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 8:15 a.m. He noted that all Board members were present. There was no need for Board member participation by other means.

1. APPROVAL OF MINUTES
Board Secretary Vinni Hall moved the approval of the minutes of the Committee’s meeting of March 24, 2010, and Board member David Fields seconded the motion. The motion was adopted unanimously, and the minutes were approved as presented.

2. PUBLIC PARTICIPATION
Ten individuals provided comments and their remarks are incorporated below within the descriptions of each rulemaking, as appropriate.

3. RULES FOR INITIAL REVIEW
The Chairman turned the meeting over to General Counsel Darren Reisberg to briefly summarize the proposals that the Board would be considering.

   Part 1 (Public Schools Evaluation, Recognition and Supervision): The changes to Part 1 address several areas, including:

   • **Student Information System**: Implements P.A. 96-107, which requires the State Board to establish a process for recognized nonpublic schools to enter data in the system;

   • **Annual Measurable Achievement Objectives for English language learners**: As per federal monitoring recommendations, incorporates targets for progress of English attainment and proficiency in English that districts are expected to meet each year;

   • **Interim superintendents**: Provides criteria that school districts would use in determining whether superintendents are being employed appropriately and imposes penalties for districts using interim superintendents who do not meet the criteria. (Mr. Reisberg noted that staff worked with the Regional Offices of Education in developing the proposed changes, adding that he anticipates receiving a significant amount of public comment in this regard);

   • **Teacher Evaluations**: Implements changes from P.A. 96-861, which, among others, eliminates the requirement that districts’ evaluation plans be submitted for agency approval. Also prohibits waivers addressing certain aspects of the evaluation process once those provisions take effect; and

   • **Qualifications for Bilingual Educators**: Aligns qualifications articulated in Part 1 with requirements found Part 25 (Certification).
Part 25 (Certification): Mr. Reisberg said that the proposed amendments address certain aspects of the educator testing system, including allowing candidates to bank those portions of the basic skills tests that they passed for future consideration. He reminded the Board that an individual might not take the basic skills test more than five times. The proposed amendments also will allow institutions of higher education to view whether a particular individual has passed or failed any test. Assistant Superintendent Linda Tomlinson added that allowing institutions to view the pass/fail results will enable them to provide better guidance to individuals who may want to reconsider their major as well as to identify those for which remediation would be appropriate. Also, individuals can be told when they are reaching the limit and would be no longer able to retest. When asked, she noted that a passing score on any certification test is valid for 10 years.

Part 226 (Special Education): Bev Johns, chair of the Illinois Special Education Coalition, asked the Board to delay consideration of proposed amendments to Part 226 until staff have an opportunity to discuss the rulemaking with “stakeholders”. Ms. Johns suggested that the proposal was “controversial” in several respects. Mr. Reisberg told Ms. Johns that the proposal had already been delayed until June since the Illinois State Advisory Council on the Education of Children with Disabilities (ISAC) had not yet reviewed the changes. ISAC will consider the proposed amendments at its June 10 meeting, and Mr. Reisberg invited Ms. Johns and other interested parties to attend that meeting to share their concerns.

4. RULES FOR ADOPTION: Mr. Reisberg summarized three sets of amendments for the Board’s adoption.

Part 180 (Temporary Relocation Expenses): These amendments address the use of fire prevention and safety funds for emergency purposes and primarily incorporate changes in the law enacted by P.A. 96-252. Staff received no public comment concerning these changes, and the version presented for the Board’s adoption is identical to the one that it initially considered in January.

Part 228 and 235 (Transitional Bilingual Education and Early Childhood Block Grant): The amendments to these sets of rules incorporate a change in Article 14C of the School Code to require that bilingual education services be provided to students in early childhood programs. The proposed amendments detail the provision of transitional bilingual education programs or transitional programs of instruction for preschool students. Mr. Reisberg indicated that staff took care in drafting the proposed amendments not to impose additional mandates on school districts that were not in the law, as well as to allow for flexibility in how they were interpreted for preschool programs. In drafting the rules, agency staff tried to be as reasonable as possible, he said, while recognizing the importance of ensuring that the law is followed so that transitional bilingual education is integrated into preschool programs across the state.

The testimony specific to Part 228 focused on the screening tool or procedures that school districts would use to determine English language learners’ eligibility for bilingual education services. Judy Yturriago, of the Illinois English Language Learner Assessment Advisory Committee, asked that the Board “mandate” that the Pre-IPT be the only screener that school districts would use (the original proposal mentioned the Pre-IPT as one option for districts to consider). She also asked that the Board establish the minimum score on that assessment at which a child would be determined to be proficient in English.

In response, Chairman Ruiz asked if another process or instrument could be used, one that the agency could “validate” as appropriate for screening language proficiency of preschool children. He said that he believed the recommended change to remove the Pre-IPT as an option and rely only on locally determined screening procedures would be difficult for the agency to enforce and creates a “loophole” that could result in the use of procedures not appropriate for screening students. Yturriago agreed, and said that currently, the Pre-IPT is
the most valid and reliable assessment available, although she acknowledged that viewpoint has been debated by some in the early childhood community.

State Superintendent Chris Koch responded that making a high-stakes decision about a child’s placement based on a single assessment is not best practice for 3- and 4-year-olds. After reviewing the Pre-IPT, he said he questioned whether it would yield enough valid information about the 4-year-old taking the test, noting that data collected in other ways should also inform the results. Chairman Ruiz indicated he also shared the Superintendent’s concerns in this regard but stressed that he wanted the agency to have a role in approving any alternatives proposed.

Dr. Koch also expressed concern that mandating the Pre-IPT appears as though the agency is endorsing a product that was not chosen through a competitive bidding process, which could open the State to certain liabilities. Instead, a more reasonable approach would be to determine the products and procedures districts use and then go through a procurement process that is fair and open to all entities producing screening and assessment tools. He also reminded the audience that no additional State funding would be available to districts for use in purchasing the Pre-IPT.

Josie Yanguas, Illinois Association for Multilingual Multicultural Education, also suggested that the agency provide guidance to districts regarding screening tools and procedures. She indicated that the assessment criteria developed by the National Association for the Education of Young Children (NAEYC) should be considered. In particular, Ms. Yanguas stressed NAEYC’s focus on ensuring that those assessing English language learners have cultural and linguistic competence, knowledge of the children being assessed, and specific assessment-related knowledge; that families be included in the assessment process; and use of certified bilingual, bi-cultural personnel who are proficient in these areas.

Marta Moya-Leary, head teacher at the Belmont Cragin Early Childhood Center in Chicago, said her school pilot-tested the Pre-IPT with 380 preschoolers last year. The assessment took up to 45 minutes to administer per child, depending on his or her English proficiency, and did not allow for participation of families.

Reyna Hernandez, Latino Policy Forum, reiterated the need to consider the NAEYC standards, as well as criteria a district should use to determine English proficiency. In order to provide both accountability and flexibility, she also urged the Board to reconsider the recommendation to remove language from the proposal requiring that applications for bilingual education funding include information relative to proposed screening procedures. Luz Maria Solis, Network of Hispanic Administrators, suggested that a subcommittee of the Early Childhood Council be convened to consider screening criteria, with a focus on ensuring bilingual early childhood staff understand language development in both English and the child’s native language. Carmen Acevedo, assistant superintendent of Plainfield 202 who was representing Illinois Bilingual Advisory Council, said she supported the use of the Pre-IPT but concurred that going forward, a committee should be establish to develop statewide, consistent criteria.

John Moss, an administrator with Glenbard Township High School District 87, expressed his concern that the proposed requirements for bilingual administrative and teaching staff would impose limits on the district’s flexibility in making personnel decisions during the current economic crisis. Peg Agnos, executive director of Legislative Education Network of DuPage County (LEND) and legislative director of the South Cooperative Organization for Public Education (SCOPE), said while she supports the delayed implementation dates for some of the mandates contained in the proposal, she questioned whether enforcing these administrative staff requirements was a sound decision in this point in time. Citing recent waivers for relief from the requirements, Ms. Agnos noted that the districts involved believed...
that too much money was being spent on bilingual program administrators rather than on instructional services for students.

Chairman Ruiz concluded that the Board would defer action on both Parts 228 and 235 to further consider options for screening procedure criteria. He told the audience that the rules would be presented June 24, 2010, for the Board’s adoption.

5. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

Mr. Reisberg indicated that several parts of rules would be brought to the Board for its consideration in June, including emergency and ordinary amendments to Part 1 to incorporate the common core standards. These standards will replace the Illinois Learning Standards for English Language Arts and Mathematics that are in Appendix D. He noted that the emergency amendments will take effect immediately and the ordinary rulemaking will be published in the Illinois Register to allow for public comment. Mr. Reisberg also noted that Dr. Koch has reached out to members and staff of the Joint Committee on Administrative Rules about the need for the emergency since adoption of the standards by August 2, 2010, is required in order to receive the maximum number of points in this area for Illinois’ Race to the Top proposal.

6. ADJOURNMENT

Ms. Hall moved that the meeting be adjourned. Board member Lanita Koster seconded the motion, and the meeting adjourned at 9:25 a.m.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Susie Morrison, Deputy Superintendent and Chief of Staff
      Connie Wise, Assistant Superintendent
      Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Action Items: Rules for Adoption – Emergency Amendments to Part 1
               (Public Schools Evaluation, Recognition and Supervision); Rules for
               Initial Review – Proposed Amendments to Part 1

Materials: Recommended Rules
           Additional Information on Common Core Standards Initiative

Contacts: Susie Morrison

Purpose of Agenda Item
The purposes of this agenda item are to present the emergency amendments to Part 1 for
adoption and to present a concurrent set of ordinary amendments for the Board’s initial review.

Relationship to/Implications for the State Board’s Strategic Plan
The emergency and proposed amendments relate to Goal 1 in that they replace the current
Illinois Learning Standards for English Language Arts and Mathematics with the Common Core
State Standards for English Language Arts and Literacy in History/Social Studies, Science, and
Technical Subjects and Common Core State Standards in Mathematics. These standards are
research- and evidence-based, aligned with college and work expectations, rigorous, and
internationally benchmarked.

Expected Outcome of Agenda Item
The Board will be asked to adopt two motions, one adopting the emergency amendments and
the other authorizing the solicitation of public comment on the proposed amendments.

Background Information
In 1985, the State Board of Education first defined expectations for student learning relative to
the fundamental learning areas, initially as the State Goals for Learning and then expanding on
that work in 1997 in its adoption of the Illinois Learning Standards (ILS). In the last several
years, the agency and others recognized that the ILS no longer adequately addressed the
knowledge and skills that students must have in order to be successful in college and their
careers. In response, the agency in October 2008 formed a partnership with the Illinois Board
Business Roundtable and joined 33 states in the American Diploma Project (ADP). This effort
involved both an external and internal review of the ILS for English Language Arts and
Mathematics. Teams of secondary and postsecondary educators compared the ILS in these
areas to the ADP exemplary standards in order to clarify what it means to best prepare students to succeed in college.

As this work was under way, Illinois joined the Common Core State Standards Initiative, a project led by the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO) in partnership with Achieve, ACT, and the College Board. The initiative’s charge was the development of internationally benchmarked standards in English language arts and mathematics. Illinois’ membership in the Common Core State Standards Initiative built off of the State’s participation in the ADP, which has helped promote support and awareness for the State’s revision of the standards through the common core initiative.

The common core initiative involves 48 states, two territories, and the District of Columbia. Representatives from participating states, a wide range of educators, content experts, researchers, national organizations, and community groups worked with CCSSO and the NGA Center to develop the standards. In Illinois, the core content teams initially formed to examine the ILS worked with representatives of institutions of higher education to review and revise the draft of the common core standards and discuss their relevance to college and career readiness. Through this work, Illinois educators have had the opportunity to offer input into the draft standards and gain a better understanding of the knowledge and skills necessary for students to be “college and career ready”.

With its participation in the Common Core State Standards Initiative, Illinois made a commitment to adopt the common core standards to serve as at least 85 percent of the State’s standards for English language arts and mathematics. To fulfill this commitment, staff propose that the current State goals and standards for these learning areas, as set forth in Appendix D to Part 1, be replaced with the common core standards by incorporating them by reference into the rules.

The proposed amendments are being presented as emergency amendments, since the public interest is best served by Illinois’ securing funding under the federal RTTT competitive grant program. Illinois is requesting $400 million for various school improvement and reform efforts, with a particular emphasis on the State’s lowest performing districts and schools. Under RTTT, states that adopt the common core standards by August 2 will receive additional points in the proposal evaluation process. The ordinary rulemaking process requires a 45-day public comment period, which will prevent that agency from promulgating the standards by the RTTT deadline. Thus, it is critical that this rule be in effect as soon as possible.

A concurrent ordinary rulemaking is needed so that the common core standards will be in place when the 150-day effectiveness of the emergency amendments comes to an end. The ordinary rulemaking, which is identical to the proposed emergency amendments, will be published in the Illinois Register for public comment and once adopted, would replace the emergency amendments.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: Illinois is in midst of a multi-year effort to realign the State educational system around college- and career-readiness. To this end, adoption of the common core will provide standards in kindergarten through grade 12 that are:
- Fewer, clearer and higher, to best drive executive policy and practice;
- Aligned with college and work expectations, so that all students are prepared for success upon graduating from high school;
• Inclusive of rigorous content and application of knowledge through higher-order skills, so that all students are prepared for the 21st century;
• Benchmarked to international standards, so that all students are prepared for succeeding in a global economy and society; and
• Research- and evidenced-based.

The participants in the common core initiative developed the standards using the following criteria:
• Alignment with expectations for college and career success;
• Clear, so that educators and parents know what they need to do to help students learn;
• Consistent across all states, so that students are not taught to a lower standard due to where they live;
• Inclusive of both content and the application of knowledge through higher-order skills;
• Built upon strengths and lessons of current state standards and standards of top-performing nations;
• Realistic, for effective use in the classroom;
• Informed by other top-performing countries, so that all students are prepared to succeed in a global economy and society;
• Evidence- and research–based.

The common core standards for English language arts and math also include information on their application for English language learners and students with disabilities. Additionally, it is anticipated that these standards will provide opportunities for State Board staff to share experiences and best practices within Illinois and across other participating states that can lead to an improved ability for them to best serve these populations of students.

Further information about the Common Core State Standards Initiative follows the text of the emergency amendments.

Budget Implications: The agency will use a portion of the funding from the RTTT grant in the next two years to assist school districts, particularly persistently low-achieving districts, to:
• align curriculum to the Common Core State Standards;
• implement interim and formative assessments that measure student progress against common core expectations; and
• ensure their Response to Intervention (RtI) plans are aligned to the revised learning standards.

Curriculum alignment activities will include the development of learning targets and "pacing" to connect the common core standards to classroom instruction in each grade level; unit planning that aligns instructional plans to learning benchmarks; and the provision of training to teachers so that they can align the revised standards to instruction.

Legislative Action: None needed.

Communication: Please see “Next Steps” below.

Pros and Cons of Various Actions
Revising the ILS to include the Common Core State Standards for English language arts and math will help assure that all students in Illinois have access to high-quality, rigorous curriculum designed to prepare them for success in college or the workplace. The Common Core
Standards update the 13-year-old ILS to reflect the knowledge and skills needed to compete globally.

Adopting the proposed amendments as an emergency rulemaking works to strengthen Illinois’ application for funding under the RTTT initiative. The ability of educators and others to shape the final rules is preserved by the ordinary rulemaking process, which includes a 45-day public comment period. Failure to adopt the Common Core State Standards by August 2 has the potential to jeopardize the agency’s chances of receiving federal funds under RTTT.

**Superintendent’s Recommendation**
The Superintendent recommends that the State Board of Education adopt the following two motions:

**Motion #1**

The State Board of Education hereby adopts the emergency rulemaking for:

Public Schools Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1).

**Motion #2**

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

Public Schools Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1).

**Next Steps**

With the Board’s authorization, staff will file the emergency amendments with the Secretary of State so that they will go into effect. At the same time, staff will submit the proposed amendments for publication in the Illinois Register to elicit public comment. Additional means, such as the Superintendent’s message and the agency’s website, will be used to inform interested parties of the opportunity to comment.
SECTION 1.10 Public School Accountability Framework
1.20 Operational Requirements
1.30 State Assessment
1.40 Adequate Yearly Progress
1.50 Calculation of Participation Rate
1.60 Subgroups of Students; Inclusion of Relevant Scores
1.70 Additional Indicators for Adequate Yearly Progress
1.75 Student Information System
1.77 Educator Certification System
1.80 Academic Early Warning and Watch Status
1.85 School and District Improvement Plans; Restructuring Plans
1.88 Additional Accountability Requirements for Districts Serving Students of Limited English Proficiency Under Title III
1.90 System of Rewards and Recognition – The Illinois Honor Roll
1.95 Appeals Procedure
1.100 Waiver and Modification of State Board Rules and School Code Mandates

SUBPART B: SCHOOL GOVERNANCE

Section 1.210 Powers and Duties (Repealed)
1.220 Duties of Superintendent (Repealed)
1.230 Board of Education and the School Code (Repealed)
1.240 Equal Opportunities for all Students
1.242 Temporary Exclusion for Failure to Meet Minimum Academic or Attendance Standards
1.245 Waiver of School Fees
1.250 District to Comply with 23 Ill. Adm. Code 180 (Repealed)
1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)
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1.270 Book and Material Selection (Repealed)
1.280 Discipline
1.285 Requirements for the Use of Isolated Time Out and Physical Restraint
1.290 Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section
1.310 Administrative Qualifications and Responsibilities
1.320 Evaluation of Certified Staff in Contractual Continued Service
1.330 Hazardous Materials Training

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section
1.410 Determination of the Instructional Program
1.420 Basic Standards
1.430 Additional Criteria for Elementary Schools
1.440 Additional Criteria for High Schools
1.445 Required Course Substitute
1.450 Special Programs (Repealed)
1.460 Credit Earned Through Proficiency Examinations
1.462 Uniform Annual Consumer Education Proficiency Test
1.465 Ethnic School Foreign Language Credit and Program Approval
1.470 Adult and Continuing Education
1.480 Correctional Institution Educational Programs

SUBPART E: SUPPORT SERVICES

Section
1.510 Transportation
1.515 Training of School Bus Driver Instructors
1.520 School Food Services (Repealed)
1.530 Health Services
1.540 Pupil Personnel Services (Repealed)

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

Section
1.610 Personnel Required to be Qualified
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SUBPART G: STAFF QUALIFICATIONS

Section
1.705 Requirements for Supervisory and Administrative Staff
1.710 Requirements for Elementary Teachers
1.720 Requirements for Teachers of Middle Grades
1.730 Minimum Requirements for Secondary Teachers and Specified Subject Area Teachers in Grades Six (6) and Above through June 30, 2004
1.735 Requirements to Take Effect from July 1, 1991, through June 30, 2004
1.736 Requirements to Take Effect from July 1, 1994, through June 30, 2004
1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004
1.740 Standards for Reading through June 30, 2004
1.745 Requirements for Reading Teachers and Reading Specialists at all Levels as of July 1, 2004
1.750 Standards for Media Services through June 30, 2004
1.755 Requirements for Library Information Specialists Beginning July 1, 2004
1.760 Standards for Pupil Personnel Services
1.762 Supervision of Speech-Language Pathology Assistants
1.770 Standards for Special Education Personnel
1.780 Standards for Teachers in Bilingual Education Programs
1.781 Requirements for Bilingual Education Teachers in Grades K-12
1.782 Requirements for Teachers of English as a Second Language in Grades K-12
1.790 Substitute Teacher

APPENDIX A Professional Staff Certification
APPENDIX B Certification Quick Reference Chart (Repealed)
APPENDIX C Glossary of Terms (Repealed)
APPENDIX D State Goals for Learning
APPENDIX E Evaluation Criteria - Student Performance and School Improvement Determination (Repealed)
APPENDIX F Criteria for Determination - Student Performance and School Improvement (Repealed)
APPENDIX G Criteria for Determination - State Assessment (Repealed)


Section 1.Appendix D State Goals for Learning
The State Goals for Learning are broad statements of what students should know and be able to do as a result of their public education. The Illinois Learning Standards provide more specific definition of the essential knowledge and skills desired of Illinois students. The state assessment is designed to measure students’ mastery of the Illinois Learning Standards, so that a clear connection will emerge between students’ learning and the goals and standards of the State of Illinois.

ENGLISH LANGUAGE ARTS AND LITERACY IN HISTORY/SOCIAL STUDIES, SCIENCE, AND TECHNICAL SUBJECTS

There are no State Goals for Learning in this area. The applicable standards shall be the “Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects” (2010) published by the Common Core State Standards Initiative and posted at http://www.corestandards.org/the-standards/english-language-arts-standards. No later amendments to or editions of these standards are incorporated by this Section.

State Goal 1: Read with understanding and fluency.

Standards:

Apply word analysis and vocabulary skills to comprehend selections.

Apply reading strategies to improve understanding and fluency.

Comprehend a broad range of reading materials.

State Goal 2: Read and understand literature representative of various societies, eras and ideas.

Standards:

Understand how literary elements and techniques are used to convey meaning.

Read and interpret a variety of literary works.

State Goal 3: Write to communicate for a variety of purposes.

Standards:

Use correct grammar, spelling, punctuation, capitalization and structure.
Compose well-organized and coherent writing for specific purposes and audiences.

Communicate ideas in writing to accomplish a variety of purposes.

State Goal 4: Listen and speak effectively in a variety of situations.

Standards:

Listen effectively in formal and informal situations.

Speak effectively using language appropriate to the situation and audience.

State Goal 5: Use the language arts to acquire, assess and communicate information.

Standards:

Locate, organize, and use information from various sources to answer questions, solve problems and communicate ideas.

Analyze and evaluate information acquired from various sources.

Apply acquired information, concepts and ideas to communicate in a variety of formats.

MATHEMATICS

There are no State Goals for Learning in this area. The applicable standards shall be the “Common Core State Standards for Mathematics” (2010) published by the Common Core State Standards Initiative and posted at http://www.corestandards.org/the-standards/mathematics. No later amendments to or editions of these standards are incorporated by this Section.

State Goal 6: Demonstrate and apply a knowledge and sense of numbers, including numeration and operations (addition, subtraction, multiplication, division), patterns, ratios and proportions.

Standards:

Demonstrate knowledge and use of numbers and their representations in a broad range of theoretical and practical settings.
Investigate, represent and solve problems using number facts, operations (addition, subtraction, multiplication, division) and their properties, algorithms and relationships.

Compute and estimate using mental mathematics, paper-and-pencil methods, calculators and computers.

Solve problems using comparison of quantities, ratios, proportions and percents.

**State Goal 7:** Estimate, make and use measurements of objects, quantities and relationships and determine acceptable levels of accuracy.

**Standards:**

- Measure and compare quantities using appropriate units, instruments and methods.
- Estimate measurements and determine acceptable levels of accuracy.
- Select and use appropriate technology, instruments and formulas to solve problems, interpret results and communicate findings.

**State Goal 8:** Use algebraic and analytical methods to identify and describe patterns and relationships in data, solve problems and predict results.

**Standards:**

- Describe numerical relationships using variables and patterns.
- Interpret and describe numerical relationships using tables, graphs and symbols.
- Solve problems using systems of numbers and their properties.
- Use algebraic concepts and procedures to represent and solve problems.

**State Goal 9:** Use geometric methods to analyze, categorize and draw conclusions about points, lines, planes and space.

**Standards:**
Demonstrate and apply geometric concepts involving points, lines, planes and space.

Identify, describe, classify and compare relationships using points, lines, planes and solids.

Construct convincing arguments and proofs to solve problems.

Use trigonometric ratios and circular functions to solve problems.

State Goal 10: Collect, organize and analyze data using statistical methods; predict results; and interpret uncertainty using concepts of probability.

Standards:

Organize, describe and make predictions from existing data.

Formulate questions, design data collection methods, gather and analyze data and communicate findings.

Determine, describe and apply the probabilities of events.

SCIENCE

State Goal 11: Understand the processes of scientific inquiry and technological design to investigate questions, conduct experiments and solve problems.

Standards:

Know and apply the concepts, principles and processes of scientific inquiry.

Know and apply the concepts, principles and processes of technological design.

State Goal 12: Understand the fundamental concepts, principles and interconnections of the life, physical and earth/space sciences.

Standards:
Know and apply concepts that explain how living things function, adapt and change.

Know and apply concepts that describe how living things interact with each other and with their environment.

Know and apply concepts that describe properties of matter and energy and the interactions between them.

Know and apply concepts that describe force and motion and the principles that explain them.

Know and apply concepts that describe the features and processes of the Earth and its resources.

Know and apply concepts that explain the composition and structure of the universe and Earth’s place in it.

State Goal 13: Understand the relationships among science, technology and society in historical and contemporary contexts.

Standards:

Know and apply the accepted practices of science.

Know and apply concepts that describe the interaction between science, technology and society.

SOCIAL SCIENCE

State Goal 14: Understand political systems, with an emphasis on the United States.

Standards:

Understand and explain basic principles of the United States government.

Understand the structures and functions of the political systems of Illinois, the United States and other nations.

Understand election processes and responsibilities of citizens.
Understand the roles and influences of individuals and interest groups in the political systems of Illinois, the United States and other nations.

Understand United States foreign policy as it relates to other nations and international issues.

Understand the development of United States political ideas and traditions.

State Goal 15: Understand economic systems, with an emphasis on the United States.

Standards:

Understand how different economic systems operate in the exchange, production, distribution and consumption of goods and services.

Understand that scarcity necessitates choices by consumers.

Understand that scarcity necessitates choices by producers.

Understand trade as an exchange of goods or services.

Understand the impact of government policies and decisions on production and consumption in the economy.

State Goal 16: Understand events, trends, individuals and movements shaping the history of Illinois, the United States and other nations.

Standards:

Apply the skills of historical analysis and interpretation.

Understand the development of significant political events.

Understand the development of economic systems.

Understand Illinois, United States and world social history.

Understand Illinois, United States and world environmental history.
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State Goal 17: Understand world geography and the effects of geography on society, with an emphasis on the United States.

Standards:

Locate, describe and explain places, regions and features on the Earth.

Analyze and explain characteristics and interactions of the Earth’s physical systems.

Understand relationships between geographic factors and society.

Understand the historical significance of geography.

State Goal 18: Understand social systems, with an emphasis on the United States.

Standards:

Compare characteristics of culture as reflected in language, literature, the arts, traditions and institutions.

Understand the roles and interactions of individuals and groups in society.

Understand how social systems form and develop over time.

PHYSICAL DEVELOPMENT AND HEALTH

State Goal 19: Acquire movement skills and understand concepts needed to engage in health-enhancing physical activity.

Standards:

Demonstrate physical competency in individual and team sports, creative movement and leisure and work-related activities.

Analyze various movement concepts and applications.

Demonstrate knowledge of rules, safety and strategies during physical activity.
State Goal 20: Achieve and maintain a health-enhancing level of physical fitness based upon continual self-assessment.

Standards:

Know and apply the principles and components of health-related fitness.

Assess individual fitness levels.

Set goals based on fitness data and develop, implement and monitor an individual fitness improvement plan.

State Goal 21: Develop team-building skills by working with others through physical activity.

Standards:

Demonstrate individual responsibility during group physical activities.

Demonstrate cooperative skills during structured group physical activity.


Standards:

Explain the basic principles of health promotion, illness prevention and safety.

Describe and explain the factors that influence health among individuals, groups and communities.

Explain how the environment can affect health.

State Goal 23: Understand human body systems and factors that influence growth and development.

Standards:

Describe and explain the structure and functions of the human body systems and how they interrelate.
Explain the effects of health-related actions on the body systems.

Describe factors that affect growth and development.

State Goal 24: Promote and enhance health and well-being through the use of effective communication and decision-making skills.

Standards:

Demonstrate procedures for communicating in positive ways, resolving differences and preventing conflict.

Apply decision-making skills related to the protection and promotion of individual health.

Demonstrate skills essential to enhancing health and avoiding dangerous situations.

FINE ARTS

State Goal 25: Know the language of the arts.

Standards:

Understand the sensory elements, organizational principles and expressive qualities of the arts.

Understand the similarities, distinctions and connections in and among the arts.

State Goal 26: Through creating and performing, understand how works of art are produced.

Standards:

Understand processes, traditional tools and modern technologies used in the arts.

Apply skills and knowledge necessary to create and perform in one or more of the arts.

State Goal 27: Understand the role of the arts in civilizations, past and present.
Standards:

Analyze how the arts function in history, society and everyday life.

Understand how the arts shape and reflect history, society and everyday life.

(Source: Amended at 34 Ill. Reg. ______, effective _____________)
TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER I: STATE BOARD OF EDUCATION  
SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION  

PART 1  
PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION  

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1.20 Operational Requirements  
1.30 State Assessment  
1.40 Adequate Yearly Progress  
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**STATE BOARD OF EDUCATION**

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- **APPENDIX B**: Certification Quick Reference Chart (Repealed)
- **APPENDIX C**: Glossary of Terms (Repealed)
- **APPENDIX D**: State Goals for Learning
- **APPENDIX E**: Evaluation Criteria - Student Performance and School Improvement Determination (Repealed)
- **APPENDIX F**: Criteria for Determination - Student Performance and School Improvement (Repealed)
- **APPENDIX G**: Criteria for Determination - State Assessment (Repealed)


Section 1. Appendix D  State Goals for Learning
The State Goals for Learning are broad statements of what students should know and be able to do as a result of their public education. The Illinois Learning Standards provide more specific definition of the essential knowledge and skills desired of Illinois students. The state assessment is designed to measure students’ mastery of the Illinois Learning Standards, so that a clear connection will emerge between students’ learning and the goals and standards of the State of Illinois.

ENGLISH LANGUAGE ARTS AND LITERACY IN HISTORY/SOCIAL STUDIES, SCIENCE, AND TECHNICAL SUBJECTS

There are no State Goals for Learning in this area. The applicable standards shall be the “Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects” (2010) published by the Common Core State Standards Initiative and posted at http://www.corestandards.org/the-standards/english-language-arts-standards. No later amendments to or editions of these standards are incorporated by this Section.

State Goal 1: Read with understanding and fluency.

    Standards:

    Apply word analysis and vocabulary skills to comprehend selections.

    Apply reading strategies to improve understanding and fluency.

    Comprehend a broad range of reading materials.

State Goal 2: Read and understand literature representative of various societies, eras and ideas.

    Standards:

    Understand how literary elements and techniques are used to convey meaning.

    Read and interpret a variety of literary works.

State Goal 3: Write to communicate for a variety of purposes.

    Standards:

    Use correct grammar, spelling, punctuation, capitalization and structure.
Compose well-organized and coherent writing for specific purposes and audiences.

Communicate ideas in writing to accomplish a variety of purposes.

State Goal 4: Listen and speak effectively in a variety of situations.

Standards:

Listen effectively in formal and informal situations.

Speak effectively using language appropriate to the situation and audience.

State Goal 5: Use the language arts to acquire, assess and communicate information.

Standards:

Locate, organize, and use information from various sources to answer questions, solve problems and communicate ideas.

Analyze and evaluate information acquired from various sources.

Apply acquired information, concepts and ideas to communicate in a variety of formats.

MATHEMATICS

There are no State Goals for Learning in this area. The applicable standards shall be the “Common Core State Standards for Mathematics” (2010) published by the Common Core State Standards Initiative and posted at http://www.corestandards.org/the-standards/mathematics. No later amendments to or editions of these standards are incorporated by this Section.

State Goal 6: Demonstrate and apply a knowledge and sense of numbers, including numeration and operations (addition, subtraction, multiplication, division), patterns, ratios and proportions.

Standards:

Demonstrate knowledge and use of numbers and their representations in a broad range of theoretical and practical settings.
Investigate, represent and solve problems using number facts, operations (addition, subtraction, multiplication, division) and their properties, algorithms and relationships.

Compute and estimate using mental mathematics, paper-and-pencil methods, calculators and computers.

Solve problems using comparison of quantities, ratios, proportions and percents.

**State Goal 7:** Estimate, make and use measurements of objects, quantities and relationships and determine acceptable levels of accuracy.

**Standards:**

Measure and compare quantities using appropriate units, instruments and methods.

Estimate measurements and determine acceptable levels of accuracy.

Select and use appropriate technology, instruments and formulas to solve problems, interpret results and communicate findings.

**State Goal 8:** Use algebraic and analytical methods to identify and describe patterns and relationships in data, solve problems and predict results.

**Standards:**

Describe numerical relationships using variables and patterns.

Interpret and describe numerical relationships using tables, graphs and symbols.

Solve problems using systems of numbers and their properties.

Use algebraic concepts and procedures to represent and solve problems.

**State Goal 9:** Use geometric methods to analyze, categorize and draw conclusions about points, lines, planes and space.

**Standards:**
Demonstrate and apply geometric concepts involving points, lines, planes and space.

Identify, describe, classify and compare relationships using points, lines, planes and solids.

Construct convincing arguments and proofs to solve problems.

Use trigonometric ratios and circular functions to solve problems.

State Goal 10: Collect, organize and analyze data using statistical methods; predict results; and interpret uncertainty using concepts of probability.

Standards:

Organize, describe and make predictions from existing data.

Formulate questions, design data collection methods, gather and analyze data and communicate findings.

Determine, describe and apply the probabilities of events.

SCIENCE

State Goal 11: Understand the processes of scientific inquiry and technological design to investigate questions, conduct experiments and solve problems.

Standards:

Know and apply the concepts, principles and processes of scientific inquiry.

Know and apply the concepts, principles and processes of technological design.

State Goal 12: Understand the fundamental concepts, principles and interconnections of the life, physical and earth/space sciences.

Standards:
Know and apply concepts that explain how living things function, adapt and change.

Know and apply concepts that describe how living things interact with each other and with their environment.

Know and apply concepts that describe properties of matter and energy and the interactions between them.

Know and apply concepts that describe force and motion and the principles that explain them.

Know and apply concepts that describe the features and processes of the Earth and its resources.

Know and apply concepts that explain the composition and structure of the universe and Earth’s place in it.

State Goal 13: Understand the relationships among science, technology and society in historical and contemporary contexts.

Standards:

Know and apply the accepted practices of science.

Know and apply concepts that describe the interaction between science, technology and society.

SOCIAL SCIENCE

State Goal 14: Understand political systems, with an emphasis on the United States.

Standards:

Understand and explain basic principles of the United States government.

Understand the structures and functions of the political systems of Illinois, the United States and other nations.

Understand election processes and responsibilities of citizens.
Understand the roles and influences of individuals and interest groups in the political systems of Illinois, the United States and other nations.

Understand United States foreign policy as it relates to other nations and international issues.

Understand the development of United States political ideas and traditions.

State Goal 15: Understand economic systems, with an emphasis on the United States.

Standards:

Understand how different economic systems operate in the exchange, production, distribution and consumption of goods and services.

Understand that scarcity necessitates choices by consumers.

Understand that scarcity necessitates choices by producers.

Understand trade as an exchange of goods or services.

Understand the impact of government policies and decisions on production and consumption in the economy.

State Goal 16: Understand events, trends, individuals and movements shaping the history of Illinois, the United States and other nations.

Standards:

Apply the skills of historical analysis and interpretation.

Understand the development of significant political events.

Understand the development of economic systems.

Understand Illinois, United States and world social history.

Understand Illinois, United States and world environmental history.
State Goal 17: Understand world geography and the effects of geography on society, with an emphasis on the United States.

Standards:

Locate, describe and explain places, regions and features on the Earth.

Analyze and explain characteristics and interactions of the Earth’s physical systems.

Understand relationships between geographic factors and society.

Understand the historical significance of geography.

State Goal 18: Understand social systems, with an emphasis on the United States.

Standards:

Compare characteristics of culture as reflected in language, literature, the arts, traditions and institutions.

Understand the roles and interactions of individuals and groups in society.

Understand how social systems form and develop over time.

PHYSICAL DEVELOPMENT AND HEALTH

State Goal 19: Acquire movement skills and understand concepts needed to engage in health-enhancing physical activity.

Standards:

Demonstrate physical competency in individual and team sports, creative movement and leisure and work-related activities.

Analyze various movement concepts and applications.

Demonstrate knowledge of rules, safety and strategies during physical activity.
State Goal 20: Achieve and maintain a health-enhancing level of physical fitness based upon continual self-assessment.

Standards:

Know and apply the principles and components of health-related fitness.

Assess individual fitness levels.

Set goals based on fitness data and develop, implement and monitor an individual fitness improvement plan.

State Goal 21: Develop team-building skills by working with others through physical activity.

Standards:

Demonstrate individual responsibility during group physical activities.

Demonstrate cooperative skills during structured group physical activity.


Standards:

Explain the basic principles of health promotion, illness prevention and safety.

Describe and explain the factors that influence health among individuals, groups and communities.

Explain how the environment can affect health.

State Goal 23: Understand human body systems and factors that influence growth and development.

Standards:

Describe and explain the structure and functions of the human body systems and how they interrelate.
State Goal 24: Promote and enhance health and well-being through the use of effective communication and decision-making skills.

Standards:

Demonstrate procedures for communicating in positive ways, resolving differences and preventing conflict.

Apply decision-making skills related to the protection and promotion of individual health.

Demonstrate skills essential to enhancing health and avoiding dangerous situations.

FINE ARTS

State Goal 25: Know the language of the arts.

Standards:

Understand the sensory elements, organizational principles and expressive qualities of the arts.

Understand the similarities, distinctions and connections in and among the arts.

State Goal 26: Through creating and performing, understand how works of art are produced.

Standards:

Understand processes, traditional tools and modern technologies used in the arts.

Apply skills and knowledge necessary to create and perform in one or more of the arts.

State Goal 27: Understand the role of the arts in civilizations, past and present.
Standards:

Analyze how the arts function in history, society and everyday life.

Understand how the arts shape and reflect history, society and everyday life.

(Source: Amended at 34 Ill. Reg. _____, effective _______________)
COMMON CORE STATE STANDARDS

Background
Parents, teachers, school administrators and experts from across the country together with state leaders, through their membership in the Council of Chief State School Officers (CCSSO) and the National Governors Association Center (NGA Center), have led the effort to develop a common core of state standards. The standards were written by content experts, teachers, researchers and others. CCSSO and the NGA Center provided public comment periods for all stakeholders to submit feedback on the draft standards documents. Those comments were incorporated into the final standards.

The Common Core State Standards include Math and English Language Arts. These were the first subjects chosen because they teach skills upon which students build skill sets in other subject areas. Both content and skills have been incorporated. One of the criteria on which the standards have been evaluated is whether or not they include rigorous content and application of knowledge through high-order thinking skills. Science will be the next subject to be developed.

The standards have been divided into two categories:

1. college and career ready graduation standards, which address what students are expected to learn when they have graduated from high school; and
2. K-12 standards which address expectations for elementary through high school.

Teachers have been a critical voice in the development of the standards. The National Education Association (NEA), American Federation of Teachers (AFT), National Council of Teachers of Mathematics (NCTM), and National Council of Teachers of English (NCTE), among other organizations have been instrumental in bringing together teachers to provide specific, constructive feedback on the standards.

ILLINOIS’ ROLE IN COMMON CORE
For the past few years, many groups had raised the issue of revising the current Illinois Learning Standards. The expectations we have for what students must know and be able to demonstrate were different in 1997 when the standards were adopted. Illinois had started the revision process by convening an ELA and Math team of teachers in January 2009. Within a few months of beginning this work, the Common Core State Standards Initiative was introduced nationwide. The dedicated members of the core content teams continued to work with postsecondary partners on draft revisions and further expand the discussion of college and career readiness. Their work resulted in thoughtful feedback on the common core draft documents and the opportunity for educators statewide a chance to offer input into the drafts and gain a better understanding of what it means to be college and career ready.

HOW WILL THE STANDARDS IMPACT TEACHERS?
The standards will help teachers develop and implement appropriate and effective instructional strategies for their students by providing benchmarks for skills and knowledge that their students should have by the end of the each year.
The standards will improve teacher education programs by giving clear expectations of what students are expected to know and be able to do at each grade level; provide the opportunity for teachers to be involved in the development of assessments linked to these internationally benchmarked standards; allow states to develop and provide better assessments that more accurately measure whether or not students have learned what was taught; and guide educators toward curricula and teaching strategies that will give students a deep understanding of the subject and the skills they need to apply their knowledge.

**WILL THE COMMON CORE STATE STANDARDS KEEP LOCAL TEACHERS FROM DECIDING WHAT OR HOW TO TEACH?**

No. Common core standards are a clear set of shared goals and expectations for what knowledge and skills will help our students succeed in postsecondary education job training programs and careers. Local teachers, principals, superintendents and others will decide how to best meet these standards. Teachers will continue to create lesson plans and tailor instruction to the individual needs of the students in their classrooms. Local teachers, principals, superintendents, and school boards will continue to make decisions about curriculum and how their school systems are operated.

**Key Design Features of the Common Core**

**ELA:** The College and Career Readiness standards anchor the document by defining general, cross-disciplinary literacy expectations. There are grade level standards for K-8. Grade bands for 9-10 and 11-12 are used to allow flexibility in high school course design. Expectations for research and media skills are embedded throughout the Standards rather than a separate section. The K-5 standards include expectations for reading, writing, speaking, listening and language applicable to a range of subjects. The standards for grades 6-12 are divided into two sections:

1. An ELA section; and
2. A section for history/social studies, science and technical subject matter.

The division reflects the need for developing literacy skills across disciplines and is in response to research establishing the need to be proficient in reading informational text in a variety of content areas.

**Math:** The math standards are formed around eight Mathematical Practices that educators at all levels should seek to develop in their students. The purpose of the eight practices is to guide the mathematical maturity and expertise with the subject as students progress through the elementary, middle and high school years.

The Standards for Mathematical Content are a combination of procedure and understanding. The math standards are structured differently than the ELA standards in that the content standards which set an expectation of understanding are considered points of intersection between the content and practice.

**Grades K-5** standards identify specific skills and knowledge for counting and cardinality, operations, algebraic thinking, number and operations in base ten, measurement and data, and geometry.

**Grades 6-7** standards identify specific skills and knowledge for ratios and proportional relationships, the number system, expressions and equations, geometry, and statistics and probability.

**Grade 8** standards identify specific skills and knowledge for the number system, expressions and equations, functions, geometry, statistics and probability.
The high school standards are listed in six conceptual categories including number and quantity, algebra, functions, modeling, geometry, statistics and probability.

NEXT STEPS

The Process
The common core state standards initiative is a state-led effort to establish consistent and clear standards that prepare all students for success. ISBE has taken action in a number of ways outlined below. The process to fully implement new standards touches numerous systems including assessment, curriculum, professional development, teaching standards and various support components such as RTI. As the details for implementation are determined, the many reform efforts and initiatives underway will be considered to ensure the work is aligned and coordinated. It is anticipated the development and implementation will span over the next eighteen-twenty four months with varying phases of work:

PHASE I: Adoption, Communication and Coordination

PHASE II: Communication, Resource design, and Design of Implementation System

PHASE III: Transition, Implementation, and Technical Assistance

Regional Meetings
ISBE will host, in conjunction with ICCB and IBHE, a series of six regional informational meetings to officially launch the Common Core Standards. The ICCB and IBHE will address what the common core means from their perspective and the impact the standards will have on their work. Each meeting will be planned in coordination with the Regional Offices to introduce the standards, discuss the various elements that will be impacted during the process, provide details regarding the roll out and implementation and allow for Q&A. All stakeholders will be invited to the six public meetings.

Communications Plan
ISBE is working with Frontline Public Strategies to implement a strategic communications proposal. Immediate plans include:

- Public announcement of the Board’s adoption of the common core, background
- Development of materials and talking points/toolkits for placement on the website and distribution to stakeholders and the public discussing the benefits of the common core for students, parents teachers and administrators
- Direct communications to legislators in a series of pieces discussing what the adoption means for Illinois in terms of competing in Race to the Top and the benefits to students and the economy.

Materials are currently in development and messages to stakeholders are being drafted and reviewed for widespread dissemination. Communication will be ongoing with all partners and stakeholders. Outreach to various stakeholders is underway to identify needs and determine ways in which to collaborate as long term planning takes place.
**Gap analysis**
A small team of teachers will be assembled to conduct a gap analysis of the current standards and the common core utilizing an online tool provided to all states by Achieve, Inc. A report will be generated to identify any unmatched current standards to the common core. The analysis will inform state and local efforts in areas such as curriculum mapping, formative assessments, and benchmarking.

**Professional Development**
The ROEs/ISCs have been engaged to develop and deliver common core information to schools and districts. The IARSS professional development committee has developed an action plan for a comprehensive, statewide approach to deliver the training to teachers statewide.

**Assessment**
The current assessment system will undergo significant adaptations that are in the very early stages of design and development. The nation's governors and chief state school officers believe these new standards offer an unprecedented opportunity for states to work together to dramatically improve the quality, cost-effectiveness, and comparability of state assessments. Illinois has signed on to be a Governing Board state for the PARCC consortium. The consortia on assessment is focused on developing richer, more authentic evaluations of student learning.
OVERVIEW OF COMMON CORE STATE STANDARDS

College and Career Readiness

The descriptions that follow are not standards themselves but instead offer a portrait of students who meet the standards set out in the common core. As students advance through the grades and master the standards in reading, writing, speaking, listening, and language, they are able to exhibit with increasing fullness and regularity these capacities of the literate individual.

They demonstrate independence.
Students can, without significant scaffolding, comprehend and evaluate complex texts across a range of types and disciplines, and they can construct effective arguments and convey intricate or multifaceted information. Likewise, students are able independently to discern a speaker’s key points, request clarification, and ask relevant questions. They build on others’ ideas, articulate their own ideas, and confirm they have been understood. Without prompting, they demonstrate command of standard English and acquire and use a wide-ranging vocabulary. More broadly, they become self-directed learners, effectively seeking out and using resources to assist them, including teachers, peers, and print and digital reference materials.

They build strong content knowledge.
Students establish a base of knowledge across a wide range of subject matter by engaging with works of quality and substance. They become proficient in new areas through research and study. They read purposefully and listen attentively to gain both general knowledge and discipline-specific expertise. They refine and share their knowledge through writing and speaking.

They respond to the varying demands of audience, task, purpose, and discipline.
Students adapt their communication in relation to audience, task, purpose, and discipline. They set and adjust purpose for reading, writing, speaking, listening, and language use as warranted by the task. They appreciate nuances, such as how the composition of an audience should affect tone when speaking and how the connotations of words affect meaning. They also know that different disciplines call for different types of evidence (e.g., documentary evidence in history, experimental evidence in science).

They comprehend as well as critique.
Students are engaged and open-minded—but discerning—readers and listeners. They work diligently to understand precisely what an author or speaker is saying, but they also question an author’s or speaker’s assumptions and premises and assess the veracity of claims and the soundness of reasoning.

They value evidence.
Students cite specific evidence when offering an oral or written interpretation of a text. They use relevant evidence when supporting their own points in writing and speaking, making their reasoning clear to the reader or listener, and they constructively evaluate others’ use of evidence.
They use technology and digital media strategically and capably.
Students employ technology thoughtfully to enhance their reading, writing, speaking, listening, and language use. They tailor their searches online to acquire useful information efficiently, and they integrate what they learn using technology with what they learn offline. They are familiar with the strengths and limitations of various technological tools and mediums and can select and use those best suited to their communication goals.

They come to understand other perspectives and cultures.
Students appreciate that the twenty-first-century classroom and workplace are settings in which people from often widely divergent cultures and who represent diverse experiences and perspectives must learn and work together. Students actively seek to understand other perspectives and cultures through reading and listening, and they are able to communicate effectively with people of varied backgrounds. They evaluate other points of view critically and constructively. Through reading great classic and contemporary works of literature representative of a variety of periods, cultures, and worldviews, students can vicariously inhabit worlds and have experiences much different than their own.

Math

- The standards stress not only procedural skills but also conceptual understanding, to make sure students are learning and absorbing the critical information they need to succeed at higher levels - rather than the current practices by which many students learn enough to get by on the next test, but forget it shortly thereafter, only to review again the following year.

- The K-5 standards provide students with a solid foundation in whole numbers, addition, subtraction, multiplication, division, fractions and decimals--which help young students build the foundation to successfully apply more demanding math concepts and procedures, and move into applications.

- In kindergarten, the standards follow successful international models and recommendations from the National Research Council’s Early Math Panel report, by focusing kindergarten work on the number core: learning how numbers correspond to quantities, and learning how to put numbers together and take them apart (the beginnings of addition and subtraction).

- The K-5 standards build on the best state standards to provide detailed guidance to teachers on how to navigate their way through knotty topics such as fractions, negative numbers, and geometry, and do so by maintaining a continuous progression from grade to grade.

- Having built a strong foundation K-5, students can do hands on learning in geometry, algebra and probability and statistics. Students who have completed 7th grade and mastered the content and skills through the 7th grade will be well- prepared for algebra in grade 8.

- The middle school standards are robust and provide a coherent and rich preparation for high school mathematics.
• The high school standards call on students to practice applying mathematical ways of thinking to real world issues and challenges; they prepare students to think and reason mathematically.

• The high school standards set a rigorous definition of college and career readiness, by helping students develop a depth of understanding and ability to apply mathematics to novel situations, as college students and employees regularly do.

• The high school standards emphasize mathematical modeling, the use of mathematics and statistics to analyze empirical situations, understand them better, and improve decisions.

**English Language Arts**

**Reading**

• The standards establish a “staircase” of increasing complexity in what students must be able to read so that all students are ready for the demands of college-and career-level reading no later than the end of high school. The standards also require the progressive development of reading comprehension so that students advancing through the grades are able to gain more from whatever they read.

• Through reading a diverse array of classic and contemporary literature as well as challenging informational texts in a range of subjects, students are expected to build knowledge, gain insights, explore possibilities, and broaden their perspective. Because the standards are building blocks for successful classrooms, but recognize that teachers, school districts and states need to decide on appropriate curriculum, they intentionally do not offer a required reading list. Instead, they offer numerous sample texts to help teachers prepare for the school year and allow parents and students to know what to expect at the beginning of the year.

• The standards mandate certain critical types of content for all students, including classic myths and stories from around the world, foundational U.S. documents, and seminal works of literature. The standards appropriately defer the many remaining decisions about what and how to teach to states, districts, and schools.

**Writing**

• The ability to write logical arguments based on substantive claims, sound reasoning, and relevant evidence is a cornerstone of the writing standards, with opinion writing—a basic form of argument—extending down into the earliest grades.

• Student research—both short, focused projects (such as those commonly required in the workplace) and longer term in depth research —is emphasized throughout the standards but most prominently in the writing strand since a written analysis and presentation of findings is so often critical.

• Annotated samples of student writing accompany the standards and help establish adequate performance levels in writing arguments, informational/explanatory texts, and narratives in the various grades.
Speaking and Listening

- The standards require that students gain, evaluate, and present increasingly complex information, ideas, and evidence through listening and speaking as well as through media.

- An important focus of the speaking and listening standards is academic discussion in one-on-one, small-group, and whole-class settings. Formal presentations are one important way such talk occurs, but so is the more informal discussion that takes place as students collaborate to answer questions, build understanding, and solve problems.

Language

- The standards expect that students will grow their vocabularies through a mix of conversations, direct instruction, and reading. The standards will help students determine word meanings, appreciate the nuances of words, and steadily expand their repertoire of words and phrases.

- The standards help prepare students for real life experience at college and in 21st century careers. The standards recognize that students must be able to use formal English in their writing and speaking but that they must also be able to make informed, skillful choices among the many ways to express themselves through language.

- Vocabulary and conventions are treated in their own strand not because skills in these areas should be handled in isolation, but because their use extends across reading, writing, speaking, and listening.

Media and technology

- Just as media and technology are integrated in school and life in the 21st century, skills related to media use (both critical analysis and production of media) are integrated throughout the standards.
General Information on Common Core

What are the Common Core Standards?

The Common Core State Standards Initiative (CCSSI) is coordinated by the National Governors Association Center for Best Practices (NGA Center) and the Council of Chief State School Officers (CCSSO). This has been a state-led and driven initiative from the beginning. States will voluntarily adopt the standards based on the timelines and context in their state. The standards, developed in collaboration with teachers, school administrators, and education experts, establish clear and consistent goals for learning that will prepare our children for college and the workforce. These standards define the knowledge and skills students should have within their K-12 education careers so that they will graduate from high school able to succeed in entry-level, credit-bearing academic college courses and in workforce training programs. The Standards are (1) research and evidence based, (2) aligned with college and work expectations, (3) rigorous, and (4) internationally benchmarked.

- The Common Core State Standards will provide a consistent, clear understanding of what students are expected to learn, so that teachers and parents know what they need to do to help them.

- With students, parents, and teachers all on the same page and working together for shared goals, we can ensure that students make progress each year and graduate from school prepared to succeed and build a strong future for themselves and the country.

- The Common Core State Standards are designed to be relevant to the real world, reflecting the knowledge and skills that our young people need for success in both college and work.

- The best understanding of what works in education comes from practice and experience. That’s why the standards are being developed by the states – not the federal government – and they incorporate the best and highest of the current state standards.

- And the best understanding of what works in the classroom comes from the teachers who are in them. That’s why these standards will establish what students need to learn, but they will not dictate how teachers should teach. Instead, schools and teachers will decide how best to help students reach the standards.
How will the standards impact teachers?

The standards will provide important goals for teachers to ensure they are preparing students for success in college and the workforce. They will help teachers develop and implement effective strategies for their students by providing benchmarks for skills and knowledge that their students should have by the end of the year.

The standards will help colleges and professional development programs better prepare teachers; provide the opportunity for teachers to be involved in the development of assessments linked to these top quality standards; allow states to develop and provide better assessments that more accurately measure whether or not students have learned what was taught; and guide educators toward curricula and teaching strategies that will give students a deep understanding of the subject and the skills they need to apply their knowledge.

The Standards set grade-specific standards but do not define the intervention methods or materials necessary to support students who are well below or well above grade-level expectations. It is also beyond the scope of the Standards to define the full range of supports appropriate for English language learners and for students with special needs. At the same time, all students must have the opportunity to learn and meet the same high standards if they are to access the knowledge and skills necessary in their post-school lives. The Standards should be read as allowing for the widest possible range of students to participate fully from the outset, along with appropriate accommodations to ensure maximum participation of students with special education needs. For example, for students with disabilities reading should allow for use of Braille, screen reader technology, or other assistive devices, while writing should include the use of a scribe, computer, or speech-to-text technology. In a similar vein, speaking and listening should be interpreted broadly to include sign language. No set of grade-specific standards can fully reflect the great variety in abilities, needs, learning rates, and achievement levels of students in any given classroom. However, the Standards do provide clear signposts along the way to the goal of college and career readiness for all students.

These Standards do not dictate curriculum or teaching methods. For example, just because topic A appears before topic B in the standards for a given grade, it does not necessarily mean that topic A must be taught before topic B. A teacher might prefer to teach topic B before topic A, or might choose to highlight connections by teaching topic A and topic B at the same time. Or, a teacher might prefer to teach a topic of his or her own choosing that leads, as a byproduct, to students reaching the standards for topics A and B.

What students can learn at any particular grade level depends upon what they have learned before. Ideally then, each standard in this document might have been phrased in the form, “Students who already know ... should next come to learn ....” But at present this approach is unrealistic—not least because existing education research cannot specify all such learning pathways. Of necessity therefore, grade placements for specific topics have been made on the basis of state and international comparisons and the collective experience and collective professional judgment of educators, researchers and mathematicians.

One promise of common state standards is that over time they will allow research on learning progressions to inform and improve the design of standards to a much greater extent than is possible today. Learning opportunities will continue to vary across schools and school systems, and educators should make every effort to meet the needs of individual students based on their current understanding.
What is Not Covered by the Standards?

1. The Standards define what all students are expected to know and be able to do, not how teachers should teach.

2. While the Standards focus on what is most essential, they do not describe all that can or should be taught. A great deal is left to the discretion of teachers and curriculum developers. The aim of the Standards is to articulate the fundamentals, not to set out an exhaustive list or a set of restrictions that limits what can be taught beyond what is specified herein.

3. The Standards do not define the nature of advanced work for students who meet the Standards prior to the end of high school. For those students, advanced work in such areas as literature, composition, language, and journalism should be available.

4. The Standards set grade-specific standards but do not define the intervention methods or materials necessary to support students who are well below or well above grade-level expectations. No set of grade-specific standards can fully reflect the great variety in abilities, needs, learning rates, and achievement levels of students in any given classroom. However, the Standards do provide clear signposts along the way to the goal of college and career readiness for all students.

5. It is also beyond the scope of the Standards to define the full range of supports appropriate for English language learners and for students with special needs. At the same time, all students must have the opportunity to learn and meet the same high standards if they are to access the knowledge and skills necessary in their post–high school lives.

6. While the ELA and content area literacy components described herein are critical to college and career readiness, they do not define the whole of such readiness. Students require a wide ranging, rigorous academic preparation and, particularly in the early grades, attention to such matters as social, emotional, and physical development and approaches to learning. Similarly, the Standards define literacy expectations in history/social studies, science, and technical subjects, but literacy standards in other areas, such as mathematics and health education.

Will more standards mean more tests?

No. Having one set of standards will make it easier for states to pool information and resources to develop a shared set of high quality tests to better evaluate student progress. The goal is not to have more tests, but to have better tests that help students, parents, and teachers.

Assessment

- Like adoption of standards, the development of common assessments will be up to the states.

- Some states plan to come together voluntarily to develop a common assessment system, based on the Common Core State Standards.

- State-led consortia on assessment would be grounded in the following principles: allow for comparison across students, schools, districts, states and nations; create economies of scale; provide information and support more effective teaching and learning; and prepare students for college and careers.
• The consortia on assessment are focused on developing richer, more authentic evaluations of student learning, not more assessments.

• The nation’s governors and chief state school officers believe these new standards offer an unprecedented opportunity for states to work together to dramatically improve the quality, cost-effectiveness, and comparability of state assessments.

• CCSSO and the NGA Center are playing a key role in facilitating a series of conversations with leaders of the state consortia that already had formed to seek Race to the Top funds. We anticipate these discussions will continue on how best to come to an agreement on common action on this important issue.

Background Information for Math

Standards for Mathematical Practice

The Standards for Mathematical Practice describe varieties of expertise that mathematics educators at all levels should seek to develop in their students. These practices rest on important “processes and proficiencies” with longstanding importance in mathematics education. The first of these are the NCTM process standards of problem solving, reasoning and proof, communication, representation, and connections. The second are the strands of mathematical proficiency specified in the National Research Council’s report Adding It Up: adaptive reasoning, strategic competence, conceptual understanding (comprehension of mathematical concepts, operations and relations), procedural fluency (skill in carrying out procedures flexibly, accurately, efficiently and appropriately), and productive disposition (habitual inclination to see mathematics as sensible, useful, and worthwhile, coupled with a belief in diligence and one’s own efficacy).

Standards for Mathematical Practice

1. Make sense of problems and persevere in solving them.
2. Reason abstractly and quantitatively.
3. Construct viable arguments and critique the reasoning of others.
4. Model with mathematics.
5. Use appropriate tools strategically.
6. Attend to precision.
7. Look for and make use of structure.
8. Look for and express regularity in repeated reasoning.

Understanding Mathematics

These Standards define what students should understand and be able to do in their study of mathematics. Asking a student to understand something means asking a teacher to assess whether the student has understood it. But what does mathematical understanding look like? One hallmark of mathematical understanding is the ability to justify, in a way appropriate to the student’s mathematical maturity, why a particular mathematical statement is true or where a mathematical rule comes from. There is a world of difference between a student who can summon a mnemonic device to expand a product such as \( (a + b) (x + y) \) and a student who can explain where the mnemonic comes from. The student who can explain the rule understands the mathematics, and may have a better chance to succeed at a less familiar task such as
expanding \((a + b + c)(x + y)\). Mathematical understanding and procedural skill are equally important, and both are assessable using mathematical tasks of sufficient richness.

**Grade Level Overview for Math**

The standards themselves do not dictate curriculum, pedagogy, or delivery of content. In particular, states may handle the transition to high school in different ways. For example, many students in the U.S. today take Algebra I in the 8th grade, and in some states this is a requirement. The K-7 standards contain the prerequisites to prepare students for Algebra I by 8th grade, and the standards are designed to permit states to continue existing policies concerning Algebra I in 8th grade.

**Kindergarten**

In Kindergarten, instructional time should focus on two critical areas: (1) representing and comparing whole numbers, initially with sets of objects; (2) describing shapes and space. More learning time in Kindergarten should be devoted to number than to other topics.

**Grade 1**

In Grade 1, instructional time should focus on four critical areas: (1) developing understanding of addition, subtraction, and strategies for addition and subtraction within 20; (2) developing understanding of whole number relationships and place value, including grouping in tens and ones; (3) developing understanding of linear measurement and measuring lengths as iterating length units; and (4) reasoning about attributes of, and composing and decomposing geometric shapes.

**Grade 2**

In Grade 2, instructional time should focus on four critical areas: (1) extending understanding of base-ten notation; (2) building fluency with addition and subtraction; (3) using standard units of measure; and (4) describing and analyzing shapes.

**Grade 3**

In Grade 3, instructional time should focus on four critical areas: (1) developing understanding of multiplication and division and strategies for multiplication and division within 100; (2) developing understanding of fractions, especially unit fractions (fractions with numerator 1); (3) developing understanding of the structure of rectangular arrays and of area; and (4) describing and analyzing two-dimensional shapes.

**Grade 4**

In Grade 4, instructional time should focus on three critical areas: (1) developing understanding and fluency with multi-digit multiplication, and developing understanding of dividing to find quotients involving multi-digit dividends; (2) developing an understanding of fraction equivalence, addition and subtraction of fractions with like denominators, and multiplication of fractions by whole numbers; (3) understanding that geometric figures can be analyzed and classified based on their properties, such as having parallel sides, perpendicular sides, particular angle measures, and symmetry.

**Grade 5**

In Grade 5, instructional time should focus on three critical areas: (1) developing fluency with addition and subtraction of fractions, and developing understanding of the multiplication of fractions and of division of fractions in limited cases (unit fractions divided by whole numbers and whole numbers divided by unit fractions); (2) extending division to 2-digit divisors, integrating decimal fractions into the place value system and
developing understanding of operations with decimals to hundredths, and developing fluency with whole number and decimal operations; and (3) developing understanding of volume.

**Grade 6**

In Grade 6, instructional time should focus on four critical areas: (1) connecting ratio and rate to whole number multiplication and division and using concepts of ratio and rate to solve problems; (2) completing understanding of division of fractions and extending the notion of number to the system of rational numbers, which includes negative numbers; (3) writing, interpreting, and using expressions and equations; and (4) developing understanding of statistical thinking.

**Grade 7**

In Grade 7, instructional time should focus on four critical areas: (1) developing understanding of and applying proportional relationships; (2) developing understanding of operations with rational numbers and working with expressions and linear equations; (3) solving problems involving scale drawings and informal geometric constructions, and working with two- and three-dimensional shapes to solve problems involving area, surface area, and volume; and (4) drawing inferences about populations based on samples.

**Grade 8**

In Grade 8, instructional time should focus on three critical areas: (1) formulating and reasoning about expressions and equations, including modeling an association in bivariate data with a linear equation, and solving linear equations and systems of linear equations; (2) grasping the concept of a function and using functions to describe quantitative relationships; (3) analyzing two- and three-dimensional space and figures using distance, angle, similarity, and congruence, and understanding and applying the Pythagorean Theorem.

**Mathematics Standards for High School**

The high school standards specify the mathematics that all students should study in order to be college and career ready. Additional mathematics that students should learn in order to take advanced courses such as calculus, advanced statistics, or discrete mathematics is indicated by (+), as in this example: (+) Represent complex numbers on the complex plane in rectangular and polar form (including real and imaginary numbers). All standards without a (+) symbol should be in the common mathematics curriculum for all college and career ready students. Standards without a (+) symbol may also appear in courses intended for all students. The high school standards are listed in conceptual categories:

- Number and Quantity
- Algebra
- Functions
- Modeling
- Geometry
Background Information for ELA & Literacy

Standards for ELA & Literacy

The Standards comprise three main sections: a comprehensive K-5 section and two area-specific sections for grades 6-12, one for ELA and one for history/social studies, science, and technical subjects. Three appendices accompany the main document. The first one contains supplementary material on reading, writing, speaking and listening, and language as well as a glossary of key terms. The second one consists of text exemplars illustrating the complexity, quality, and range of reading appropriate for various grade levels with accompanying sample performance tasks. The third one includes annotated samples demonstrating at least adequate performance in student writing at various grade levels.

Each section of the standards is divided into strands: K-5 and 6-12 ELA have Reading, Writing, Speaking and Listening, and Language strands; the 6-12 history/social studies, science, and technical subjects section focuses on Reading and Writing. Each strand is headed by a strand-specific set of College and Career Readiness (CCR) Anchor Standards that is identical across all grades and content areas.

Standards for each grade within K-8 and for grades 9-10 and 11-12 follow the CCR anchor standards in each strand. Each grade-specific standard corresponds to the same-numbered CCR anchor standard. Each CCR anchor standard has an accompanying grade-specific standard translating the broader CCR statement into grade-appropriate end-of-year expectations.

Additional detail regarding each section is provided below:

**Reading**

The standards mandate certain critical types of content for all students, including classic myths and stories from around the world, foundational U.S. documents, and seminal works of literature. The standards appropriately defer the many remaining decisions about what and how to teach to states, districts, and schools.

**Writing**

The Standards acknowledge the fact that whereas some writing skills, such as the ability to plan, revise, edit, and publish, are applicable to many types of writing, other skills are more properly defined in terms of specific writing types: arguments, informative/explanatory texts, and narratives.

**Speaking and Listening**

Flexible communication and collaboration including but not limited to skills necessary for formal presentations, the Speaking and Listening standards require students to develop a range of broadly useful oral communication and interpersonal skills. Students must learn to work together, express and listen carefully to ideas, integrate information from oral, visual, quantitative, and media sources, evaluate what they hear, use media and visual displays strategically to help achieve communicative purposes, and adapt speech to context and task.
Language

The vocabulary standards focus on understanding words and phrases, their relationships, and their nuances and on acquiring new vocabulary, particularly general academic and domain-specific words and phrases. The Language standards include the essential “rules” of standard written and spoken English, but they also approach language as a matter of craft and informed choice among alternatives.

Media and technology

Just as media and technology are integrated in school and life in the 21st century, skills related to media use (both critical analysis and production of media) are integrated throughout the standards.

For the entire common cores standards document visit www.corestandards.org
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Assistant Superintendent
Darren Reisberg, Deputy Superintendent and General Counsel


Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

Purpose of Agenda Item
The purpose of this agenda item is to present the proposed rules for initial review.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item links to Strategic Goal 2, as it establishes a framework and descriptions for professional behavior and the promotion of high standards of practice among Illinois educators. The framework is aligned to the Illinois Professional Teaching Standards and is meant to serve as a vital tool in the preparation of highly qualified and effective teachers and will be equally applicable to administrators, school service personnel, other academic support personnel, and candidates in educator preparation programs.

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

Background Information
Part 22, Code of Ethics for Illinois Educators, was written in response to a need identified in the process of developing the Illinois Professional Teaching Standards, which are contained in Part 24 of agency rules. After researching and evaluating the content, format, and frameworks from codes of ethics for educators in numerous states, education agencies, and associations, the Illinois Educator Code of Ethics Advisory Group chose the Rhode Island Educator Code of Professional Responsibility as a model for developing the Code of Ethics for Illinois Educators. This code, which is founded on the premise that Illinois educators must meet the educational needs of each student, defines five core principles:

- Responsibility to students;
- Responsibility to self;
- Responsibility to colleagues and the profession;
- Responsibility to parents, families, and communities; and
• Responsibility to the Illinois State Board of Education.

The principles set expectations for guiding practice and inspiring professional excellence in relation to federal, state and local policies and rules, and in establishing and implementing locally established collective bargaining agreements.

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

**Policy Implications.** See “Background” above.

**Budget Implications.** None.

**Legislative Action.** None.

**Communication.** See “Next Steps” below.

**Pros and Cons of Various Actions**

The proposed rules provide a foundation for the core responsibilities and commitments of Illinois educators. Promulgating this code of ethics into rules of the State Board will support the mission of the State Board of Education, support preparation programs in their work with candidate dispositions, and set expectations for educators working in Illinois.

**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:

Code of Ethics for Illinois Educators (23 Illinois Administrative Code 22),

including publication of the proposed rules in the Illinois Register.

**Next Steps**

With the Board’s authorization, staff will submit the proposed rules 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.
PART 22
CODE OF ETHICS FOR ILLINOIS EDUCATORS

Section 22.10  Purpose and Applicability

This Part establishes core principles, values and responsibilities that shall apply to all Illinois educators.

a) The purpose of this Part is to set expectations for educators; guide educational practice; and inspire professional excellence in relation to federal, State, and local policies and rules, and locally established collective bargaining agreements.

b) For the purpose of this Part, “educator” refers to individuals who:

1) hold or are applying for a valid Illinois teaching or administrative certificate issued pursuant to Article 21 [105 ILCS 5/Art. 21];

2) are not required to hold a certificate but who hold or are applying for approval (e.g., paraprofessionals, teacher aides, educational interpreters) for their positions issued pursuant to requirements set forth in 23 Ill. Adm. Code 25; and

3) are enrolled in an Illinois preservice education preparation program.
c) Neither this Part nor any provisions within this Part shall be construed to in any way affect the State Superintendent of Education’s authority to initiate an action under Article 21 of the School Code to suspend or revoke an educator’s certificate.

Section 22.20 Code of Ethics

a) Responsibility to Students

The Illinois educator is committed to creating, promoting, and implementing a learning environment that is accessible to each student, enables students to achieve the highest academic potential, and maximizes their ability to succeed in academic and employment settings as a responsible member of society. Illinois educators:

1) Embody the Standards for the School Service Personnel Certificate (23 Ill. Adm. Code 23), the Illinois Professional Teaching Standards (23 Ill. Adm. Code 24), and Standards for Administrative Certification (23 Ill. Adm. Code 29), as applicable to the educator, in the learning environment;

2) Respect the inherent dignity and worth of each student by assuring that the learning environment is characterized by respect and equal opportunity for each student, regardless of race, color, national origin, sex, sexual orientation, disability, religion, language or socio-economic status;

3) Maintain a professional relationship with students at all times;

4) Provide a curriculum based on high expectations for each student that addresses individual differences through the design, implementation, and adaptation of effective instruction; and

5) Foster in each student the development of attributes that will enhance skills and knowledge necessary to be a contributing member of society.

b) Responsibility to Self

Illinois educators are committed to establishing high professional standards for their practice and striving to meet these standards through their performance. Illinois educators:
1) Assume responsibility and accountability for their performance and continually strive to demonstrate proficiency and understanding of current trends in both content knowledge and professional practice;

2) Develop and implement personal and professional goals with attention to professional standards through a process of self-assessment and professional development;

3) Represent their professional credentials and qualifications accurately; and

4) Demonstrate a high level of professional judgment.

c) Responsibility to Colleagues and the Profession

The Illinois educator is committed to collaborating with school and district colleagues and other professionals in the interest of student learning. Illinois educators:

1) Collaborate with colleagues in their respective schools and districts to meet local and State educational standards;

2) Work together to create a respectful, professional, and supportive school climate that allows all educators to maintain their individual professional integrity;

3) Seek out and engage in activities that contribute to the ongoing development of the profession;

4) Promote participation in educational decision-making processes;

5) Encourage promising candidates to enter the education profession; and

6) Support the preparation, induction, mentoring, and professional development of educators.

d) Responsibility to Parents, Families and Communities
The Illinois educator will collaborate, build trust, and respect confidentiality with parents, families, and communities to create effective instruction and learning environments for each student. Illinois educators:

1) Aspire to understand and respect the values and traditions of the diversity represented in the community and in their learning environments;

2) Encourage and advocate for fair and equal educational opportunities for each student;

3) Develop and maintain professional relationships with parents, families, and communities;

4) Promote collaboration and support student learning through regular and meaningful communication with parents, families, and communities; and

5) Cooperate with community agencies that provide resources and services to enhance the learning environment.

e) Responsibility to the Illinois State Board of Education

Illinois educators are committed to compliance with the School Code and its implementing regulations, and to State and federal laws and regulations relevant to their profession. Illinois educators:

1) Provide accurate communication to the Illinois State Board of Education concerning all certification matters;

2) Maintain appropriate certification for employment; and

3) Comply with State and federal laws and regulations.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Beth Hanselman, Assistant Superintendent
Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Action Item: Proposed Amendments for Initial Review: Part 226 (Special Education)

Materials: Recommended Amendments

Staff Contact(s): David Andel, Division Administrator

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 to a specific Strategic Goal as the changes are technical in nature to conform the rules to federal requirements, recently enacted state laws or agency procedures.

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
The proposed amendments to Part 226 address several different subject areas, each of which is discussed under “Policy Implications” below. Additionally, nonsubstantive technical changes are proposed throughout the sections being amended.

The proposed amendments have been shared with the Illinois State Advisory Council (ISAC) on the Education of Children with Disabilities, as required under the law. These meetings are open to the public, but after listening to general concerns expressed by one individual at the May Board meeting, staff extended a specific invitation to that speaker and others to discuss the rulemaking with ISAC members and agency staff. Only one person attended the ISAC meeting (although not the individual who expressed concerns at the May Board meeting) and that person did not provide any written or oral comment.

Further, because the individual who spoke at the May Board meeting did not consider the opportunity to attend the ISAC meeting a sufficient opportunity to fully voice concerns, ISBE staff provided a second opportunity for input on June 16, 2010, in person and with a
teleconference option, at its Springfield and Chicago offices. In attendance were representatives of several special education constituencies that included the Illinois Association of Private Special Education Centers, MENTA Group, Illinois Special Education Coalition, the Learning Disabilities Association of Illinois, Hinshaw and Culbertson law firm, and the Illinois Alliance of Administrators of Special Education. A summary of the discussion specific to changes being requested in the proposed amendments is provided by subject area under “Policy Implications” below.

Separately, staff contacted the Illinois Association of Regional Superintendents of Schools, which reviewed and provided comment about new Section 226.780. This section sets forth the hearing procedures that regional boards of school trustees would employ should one or more school districts under their governance wish to withdraw from a special education cooperative. Changes made in response to suggestions of the association include:

- a clarification that the hearing procedures do not apply if a withdrawal is agreed upon by all remaining member districts;
- further specificity regarding the regional superintendent of schools coordinating pre-hearing procedures in his or her role as ex officio secretary of the regional board of school trustees; and
- a modification with regards to what entity would hear a petition for withdrawal in the event that a competent regional board of school trustees is abolished. This last provision would currently be applicable only in regards to school districts in an education services region of more than 2,000,000 inhabitants, where the regional board of school trustees has been abolished by statute [105 ILCS 5/6-2].

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

Policy Implications

Home/Hospital Instruction. P.A. 96-257, effective August 11, 2009, sets forth the criteria for a student’s receipt of instruction either at home or in the hospital and requires that the agency establish by rule the qualifications of staff providing this instruction. Current rules at Section 226.300 mirror the criteria in the law for the provision of home or hospital instruction, but do not address the qualifications of staff that will provide the instruction. New subsection (h) will be added to address staff qualifications by cross-referencing the rules where general requirements for qualification can be found (Section 1.610 of rules governing Public Schools Evaluation, Recognition and Supervision).

A member of the discussion group asked that Section 226.300 be further modified to require that the linguistic needs of the child be considered when determining the instructional or related service time provided in a home or hospital program. The rules at Section 226.140 currently require that the child’s language use pattern, proficiency in English, mode of communication, and general cultural identification be used in the development and implementation of the Individualized Education Program (IEP). Therefore, these factors should be considered at the time the IEP is developed or revised relative to the student's participation in a home or hospital program.

Remote Educational Programs. P.A. 96-684, effective August 25, 2009, authorizes school districts to establish remote educational programs (i.e., instruction delivered to students at home or a location other than the school building). New Section 226.360 is being proposed to remind school districts that place students with disabilities into these programs of their obligations
relative to the provision of programming and related services as specified in the child’s IEP. The considerations for school districts’ placement of students with disabilities into these programs (e.g., the process for approving placement, involvement of the IEP team, provision of services identified in the IEP) are set forth in Section 10-29 of the School Code, so they need not be repeated in Part 226.

Consent. Section 226.540 sets forth the conditions under which a parent may revoke consent for any action by the district or cooperative entity serving his or her child. The changes being proposed are to ensure that the agency’s rules align with changes that were made to federal regulations in December 2008. The new federal regulations modified the requirements of 34 CFR 300.9 and 300.300, making it explicit that if a parent opts to revoke consent for an existing special education placement, the school district must honor the revocation and may not challenge it through due process.

Special Education Cooperatives. P.A. 96-769, effective August 28, 2009, directs the agency to establish procedures for regional boards of school trustees’ consideration of petitions for the withdrawal of one or more school districts from a special education joint agreement. New Section 226.780 addresses three scenarios under which these petitions are considered:

- Only one regional board of school trustees has oversight or governance over the districts subject to the joint agreement; or
- One or more regional boards of school trustees have oversight or governance over the districts subject to the joint agreement; or
- One or more regional boards of school trustees with oversight or governance over the districts subject to the joint agreement have been abolished.

The proposed rules set forth notice requirements and the factors (i.e., special education needs and conditions of the petitioning district) that boards must consider in determining whether to grant the petition for withdrawal.

A member of the discussion group asked that staff further define the criteria that a regional board of school trustees would use in determining whether a withdrawal petition is in the “best interest of students with disabilities”, ascertaining that the rules should set forth “the guidance” that the boards should use in making these decisions. Although specificity in this regard seems reasonable, the authority granted to the agency in P.A. 96-769 pertains to the process for hearing withdrawal petitions rather than setting standards upon which such petitions be granted or denied. Determining whether a withdrawal is in the “best interest” of the affected students should be based on the local “special education needs and conditions” of both the petitioning school district and the cooperative. As such, any additional factors put forth in rules could only serve as general parameters – for instance, transportation concerns and financial impact – that would not contribute substantially to the rules’ implementation by those being regulated.

Miscellaneous. Other changes being proposed include:

- specifying that notices regarding IEPs be provided in writing, as well as those for parental participation in other meetings with the school district;
- requiring that interpreters provided for parents who are deaf or hard of hearing be individuals licensed under the Interpreter for the Deaf Licensure Act of 2007 (staff were asked to also require the use of “licensed or certified interpreters” for non-English speakers; however, staff are unaware of the existence of a credentialing process for interpreters in Illinois);
- clarifying that requirements for facilities pertain only to facilities of school districts, cooperatives and joint agreements rather than to facilities of organizations that provide
special education and/or residential services to students with disabilities under contract to one or more Illinois school districts pursuant to Section 14-7.02 of the School Code since requirements for those facilities are found in Part 401 of the agency’s rules; and
• removing several references to various sections of rules governing Certification (Part 25) due to those sections being repealed.

Finally, the version of the rulemaking being presented to the Board for its consideration differs from the proposal contained in the May Board packet in that Appendix A, which addressed “qualified workers”, has been removed (re: P.A. 96-257). (Consideration of the rulemaking in May was postponed due to need for ISAC to review the proposal.) Discussion with stakeholders resulted in staff’s decision to further explore the categories of personnel eligible for reimbursement under the law. A second rulemaking, addressing “qualified workers”, is anticipated for fall presentation to the Board.

Budget Implications. None.

Legislative Action. None.

Communication. See “Next Steps” below.

Pros and Cons of Various Actions
The proposed clarifications and updates are necessary to conform the rules to current procedures, as well as requirements set forth in recently enacted legislation. Not proceeding with the changes will result in Part 226 not being up to date, which has the potential to cause confusion among those being regulated by its requirements.

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:

Special Education (23 Illinois Administrative Code 226),

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.
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226.800 Personnel Required to be Qualified
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226.840 Qualifications of Evaluators

AUTHORITY: Implementing Article 14 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art.14 and 2-3.6].


SUBPART A: GENERAL

Section 226.50 Requirements for a Free Appropriate Public Education (FAPE)
A “free appropriate public education (“FAPE”)” as defined at 34 CFR 300.17, must be made available by school districts to children with disabilities in accordance with 34 CFR 300.101 through 300.103, unless otherwise specified in this Section.

a) Transfer Students

Provision of FAPE to students who transfer into a local school district shall be made in accordance with the requirements of 20 USC 1414(d)(2)(C). The additional requirements of this subsection (a) shall also apply.

1) In the case of an eligible student transferring into a district from another district within Illinois, when the new district obtains a copy of the student’s IEP before or at the time the child is presented for enrollment:

   A) The district may adopt the IEP of the former local school district without an IEP meeting if:

      i) the parents indicate, either orally or in writing, satisfaction with the current IEP; and

      ii) the new district determines that the current IEP is appropriate and can be implemented as written.

   B) If the district does not adopt the former IEP and seeks to develop a new IEP for the child, within ten days after the date of the child’s enrollment the district must provide written notice to the parent, including the proposed date of the IEP meeting, in conformance with Section 226.530 of this Part. While the new IEP is under development, the district shall implement services comparable to those described in the IEP from the former district.

2) If the new school district does not receive a copy of the child’s current IEP or a verbal or written confirmation of the requirements of that IEP from the previous school district when the child is presented for enrollment, the child shall be enrolled and served in the setting that the receiving district believes will meet the child’s needs until a copy of the current IEP is obtained or a new IEP is developed by the school district.
A) In no case shall a child be allowed to remain without services during this interim.

B) The new district shall request the student’s records from the sending district or school by the end of the next business day after the date of enrollment.

C) No later than ten days after expiration of the time allotted under Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a] for the sending district or school to forward the child’s records, the new district shall provide written notice to the parent of an IEP meeting initiate an IEP meeting for the purpose of developing a new IEP, unless the sending district’s or school’s IEP arrives before this time elapses, the student has transferred from a district within Illinois, and the new district adopts the previously held IEP.

b) Jurisdictional Disputes

Each school district is responsible for ensuring that no eligible child for whom services are sought is denied FAPE due to jurisdictional disputes among Illinois agencies. Provision of FAPE to such a student shall not preclude a district from seeking repayment for costs incurred from any other school district or entity that is determined responsible for such costs.

c) Eligibility; Graduation or Completion of Program

1) An eligible student who requires continued public school educational experience to facilitate his or her integration into society shall be eligible for such services through age 21, inclusive (i.e., through the day before the student’s 22nd birthday) (see 34 CFR 300.101(a)).

2) The provision of FAPE is not required with respect to a student with a disability who has graduated with a regular high school diploma.

3) A student with a disability who has fulfilled the minimum State graduation requirements set forth in Section 27-22 of the School Code [105 ILCS 5/27-22] shall be eligible for a regular high school diploma.
A) If the student’s individualized education program prescribes special education, transition planning, transition services, or related services beyond that point, issuance of that diploma shall be deferred so that the student will continue to be eligible for those services.

B) If the student is to receive a regular high school diploma, at least one year prior to the anticipated date of its issuance, both the parent and the student shall receive written notification in conformance with the requirements of 34 CFR 300.503 that eligibility for public school special education services ends following the granting of a diploma and that the parent (or the student, if Section 226.690 of this Part applies) may request an IEP meeting to review the recommendation that the student receive a regular diploma.

4) Students who have participated in a graduation ceremony but have not been awarded regular high school diplomas continue to be eligible to receive FAPE through age 21, inclusive.

d) Exception for Certain Students Incarcerated as Adults

Pursuant to 34 CFR 300.102(a)(2), the right to receive FAPE does not extend to students from 18 through 21 years of age who are incarcerated and who were not identified as eligible and did not have IEPs in their educational placements immediately prior to incarceration.

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

SUBPART B: IDENTIFICATION OF ELIGIBLE CHILDREN

Section 226.180 Independent Educational Evaluation

Parents have the right to obtain an independent educational evaluation of their child at public expense in accordance with 34 CFR 300.502 and Section 14-8.02(b) of the School Code. The following rights and requirements shall also apply.

a) If the parents disagree with the district’s evaluation and wish to obtain an independent educational evaluation at public expense, their request to that effect shall be submitted in writing to the local school district superintendent.
b) When an independent evaluation is obtained at public expense, the party chosen to perform the evaluation shall be either:

1) an individual whose name is included on the list of independent educational evaluators developed by the State Board of Education pursuant to Section 226.830 of this Part with regard to the relevant types of evaluation; or

2) another individual possessing the credentials required by Section 226.840 of this Part.

c) If the parent wishes an evaluator to have specific credentials in addition to those required by Section 226.840 of this Part, the parent and the school district shall agree on the qualifications of the examiner and the specific evaluations to be completed prior to the initiation of an independent educational evaluation at public expense. If agreement cannot be reached, the school district shall initiate a due process hearing subject to the time constraints set forth in this Section, as applicable.

d) The district shall provide written notice convening the IEP Team’s meeting within ten days after receiving the report of an evaluation conducted at public expense. In the case of an evaluation conducted at private expense, the district shall send the notice within ten days after the parent requests a meeting to consider the results.

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

SUBPART C: THE INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Section 226.220 Development, Review, and Revision of the IEP

The development, review, and revision of each child’s IEP shall conform to the requirements of 34 CFR 300.324 and 300.328. The additional requirements of this Section shall also apply.

a) When an IEP has been developed or revised, the district shall provide a notice in accordance with 34 CFR 300.503(b) and (c) shall be provided immediately to the parents, and implementation of the IEP shall occur no later than ten days after the provision of this notice.
b) Either a child’s educational provider or a child’s parent may request an IEP meeting at any time. Within ten days after receipt of such a request, the district shall either agree and notify the parent in accordance with 34 CFR 300.503 or notify the parents in writing of its refusal, including an explanation of the reason no meeting is necessary to ensure the provision of FAPE for the child.

c) The development of an IEP for a child who has a disability on the autism spectrum shall include consideration of the factors specified in Section 14-8.02(b) (1) through (7) of the School Code.

(Source: Amended at 34 Ill. Reg. _____, effective ___________

SUBPART D: PLACEMENT

Section 226.300 Continuum of Placement Options

Each local school district shall, in conformance with the requirements of 34 CFR 300.39 and 300.115, ensure that a continuum of placements is available to meet the needs of children with disabilities for special education and related services. With respect to the home instruction and instruction in hospitals and institutions referenced in 34 CFR 300.39 and 300.115:

a) The child receives services at home or in a hospital or other setting because he or she is unable to attend school elsewhere due to a medical condition.

b) When an eligible student has a medical condition that will cause an absence for two or more consecutive weeks of school or ongoing intermittent absences, the IEP Team for that child shall consider the need for home or hospital services. Such consideration shall be based upon a written statement from a physician licensed to practice medicine in all its branches which specifies:

1) the child’s [medical] condition;

2) the impact on the child’s ability to participate in education (the child’s physical and mental level of tolerance for receiving educational services); and

3) the anticipated duration or nature of the child’s absence from school.
c) If an IEP Team determines that home or hospital services are medically necessary, the team shall develop or revise the child’s IEP accordingly.

d) The amount of instructional or related service time provided through the home or hospital program shall be determined in relation to the child's educational needs and physical and mental health needs. The amount of instructional time shall not be less than five hours per week unless the physician has certified in writing that the child should not receive as many as five hours of instruction in a school week.

e) A child whose home or hospital instruction is being provided via telephone or other technological device shall receive not less than two hours per week of direct instructional services.

f) Instructional time shall be scheduled only on days when school is regularly in session, unless otherwise agreed to by all parties.

g) Home or hospital instructors shall meet the requirements of 23 Ill. Adm. Code 1.610 (Public Schools Evaluation, Recognition and Supervision).

h) Services required by the IEP shall be implemented as soon as possible after the district receives the physician’s statement.

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

Section 226.360 Placement by School Districts in Remote Educational Programs

A school district that places a student into a remote educational program authorized under Section 10-29 of the School Code [105 ILCS 5/10-29] shall ensure that the educational programming and related services as specified in the child’s IEP are provided to the student. The placement of the student in a remote educational program does not relieve the school district of the responsibility for ensuring that the student will receive all programming and related services required by the IEP, whether from one source or from multiple sources. Each local school district shall be responsible for monitoring the performance of the remote educational program to ensure that the implementation of each IEP conforms to the applicable requirements of this Part.

(Source: Added at 34 Ill. Reg. _____, effective ____________)

SUBPART F: PROCEDURAL SAFEGUARDS
Section 226.530 Parents’ Participation

With respect to parents’ participation in meetings, school districts shall conform to the requirements of 34 CFR 300.322 and 300.501. For purposes of 34 CFR 300.322(a)(1), “notifying parents of the meeting early enough to ensure that they will have an opportunity to attend” means the district shall provide written notification no later than ten days prior to the proposed date of the meeting. In addition, the district shall take whatever action is necessary to facilitate the parent’s understanding of and participation in the proceedings at a meeting, including arranging for and covering the expense of an interpreter for parents who are or whose native language is other than English or for an interpreter licensed pursuant to the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443] for parents who are deaf.

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

Section 226.540 Consent

Consent, as defined in 34 CFR 300.9, shall be obtained and may be revoked in accordance with the requirements of 34 CFR 300.154(e), 300.300, 300.323, and 300.622. In addition, the following requirements shall apply:

a) A parent may revoke consent for any action by the district or cooperative entity serving his or her child that requires parental consent. If a parent desires to revoke consent, he or she may do so either in writing or orally. If the revocation of consent is communicated orally, the district or cooperative entity shall commit the parent’s request to writing and provide a copy of this written summary to the parent within five days.

b) Any revocation of consent is effective immediately, subject to the provisions of subsection (c) of this Section, but is not retroactive, i.e., it does not negate an action that occurred after the consent was given and before it was revoked. For purposes of this subsection (b), a district shall be considered to have given immediate effect to a parent’s revocation of consent when it either discontinues the action that is the subject of the revocation prior to its next scheduled occurrence or provides to the parent a written explanation of the timeline for the district’s action and the reasons for that timeline. The district or cooperative entity shall ensure that each staff member whose activities are affected by the revocation of consent is promptly informed of the revocation.
e) If a district disagrees with a parent’s revocation of consent, the district may request a due process hearing pursuant to Subpart G of this Part.

1) If the parent’s revocation of consent pertains to an evaluation or re-evaluation of the student, the district shall not proceed with the evaluation or re-evaluation during the pendency of due process.

2) If the parent’s revocation of consent pertains to a special education placement for the student that is already in effect, the district’s request for a due process hearing shall have the effect of staying that placement, provided that the district submits the request in writing to the State Board of Education in keeping with the provisions of Section 226.615 of this Part and within five business days after the parent’s revocation occurred.

(Source: Amended at 34 Ill. Reg. _____, effective __________)

SUBPART H: ADMINISTRATIVE REQUIREMENTS

Section 226.720 Facilities and Classes

a) Facilities of school districts, special education cooperatives, or joint agreements used for special education services shall be appropriate to, and adequate for, the specific programs or services for which they are used and, pursuant to Section 14-8.01 of the School Code, shall be subject to the applicable provisions of 23 Ill. Adm. Code 180 (Health/Life Safety Code for Public Schools). The facilities shall be comparable to those provided to the students in the general education environment. The facilities of special education providers under Section 14-7.02 of the School Code [105 ILCS 5/14-7.02] are governed by 23 Ill. Adm. Code 401.

b) The age range of students within a special education grouping shall not exceed four years at the elementary level and six years at the secondary level. Early childhood classes and services shall serve only children from three through five years of age, except that a district shall not be prohibited from permitting a child who reaches his or her sixth birthday during a year to complete that year.

c) Special education classes and services shall be delivered in age-appropriate settings.

(Source: Amended at 34 Ill. Reg. _____, effective __________)
Section 226.780 Procedures for Withdrawal Hearings before the Regional Board of School Trustees

This Section sets forth the procedures for a hearing by one or more regional boards of school trustees to consider a school district’s petition to withdraw from a special education joint agreement pursuant to Section 10-22.31 of the School Code [105 ILCS 5/10-22.31]. The procedures set forth in this Section shall not apply to school district withdrawals from a special education joint agreement agreed upon by all remaining member districts.

a) Upon receipt of the petition for withdrawal, a regional board of school trustees that exercises oversight or governance over all member school districts of the joint agreement shall conduct the hearing.

1) The Regional Superintendent of Schools, acting in her or his role as ex officio secretary of the regional board of school trustees, shall cause a copy of the petition to be delivered to the board of each member district and shall cause notice of the petition to be published once in a newspaper having general circulation in the educational service region. The notice shall include the following:

A) The date the petition was filed;

B) The name of each school district that is a member of the joint agreement;

C) The effective date on which the petitioning district would be withdrawn from the joint agreement if the petition is granted; and

D) The return date on which the hearing upon the petition will be held, which shall be no less than 10 and no more than 15 days after the publication of the notice.

2) Prior to the hearing on the petition for withdrawal, the ex officio secretary of the regional board of school trustees shall submit to the regional board of school trustees a written report of the educational and administrative conditions of the districts involved relative to the provision of special education services.
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3) The regional board of school trustees shall hear evidence as to the special education needs and conditions of the petitioning school district and of the special education cooperative from which it wishes to withdraw and shall determine whether it is in the best interest of the students with disabilities in the petitioning district that the petition for withdrawal from the joint agreement be granted.

4) The regional board of school trustees shall enter an order granting or denying the petition within 30 days of the hearing. Approval of the petition shall be by a two-thirds majority of the school trustees (see Section 10-22.31 of the School Code). A certified copy of such an order shall be sent to the petitioning district, the special education cooperative, the regional superintendent of education in whose region the cooperative is located, and the State Board of Education’s Division of Special Education Services at 100 North First Street, Springfield, Illinois 62777.

b) Upon receipt of the petition for withdrawal from a special education joint agreement in which more than one regional board of school trustees exercises oversight or governance over any of the school districts participating in the agreement, a joint hearing will be held on the petition.

1) The petition for withdrawal shall be filed concurrently with each regional board of school trustees exercising oversight or governance over any of the member districts.

2) The regional board of school trustees for the region where the administrative office of the special education cooperative is located shall be responsible for the coordination of all activities related to the joint hearing.

A) The coordinating regional board of school trustees shall comply with all provisions of subsection (a) of this Section, and shall provide copies of all notices and reports required under subsection (a) of this Section to the ex officio secretaries of each of the regional boards of school trustees whose school districts are parties to the special education joint agreement.

B) The joint hearing shall be held in the region of the coordinating regional board of school trustees.
3)  Approval of the petition shall be by a two-thirds majority of all those school trustees present and voting at the joint hearing (see Section 10-22.31 of the School Code).

c) In instances where one or more of the competent regional boards of school trustees have been abolished, petitions for withdrawal shall be made to any existing competent regional board of school trustees as well as to the successors to the abolished regional board of school trustees as determined under Section 6-2 of the School Code [105 ILCS 5/6-2]. In such instances, the procedures established in subsection (b) of this Section shall apply to the regional boards of school trustees and successors to the any regional boards of school trustees that have been abolished.

(Source: Added at 34 Ill. Reg. _____, effective ____________)

SUBPART I: PERSONNEL

Section 226.800  Personnel Required to be Qualified

a) General

1) Each school district, or the cooperative entity of which it is a member, shall employ sufficient professional and noncertified personnel to deliver and supervise the full continuum of special education and related services needed by the eligible students who reside in the district. The number and types of personnel employed shall be based on students’ need rather than administrative convenience.

2) Each district or cooperative entity shall periodically submit to the State Board of Education, on forms supplied by the State Board, the roster of the individuals who will be or are providing special education or related services. The State Board may request any additional documentation needed in order to verify that each individual holds the qualifications that are required for his or her assignments.
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3) Reimbursement for personnel expenditures shall be made by the State Board only with respect to individuals who are qualified pursuant to this Section or pursuant to Section 226.810 or 226.820 of this Part.

4) Each district or cooperative entity shall develop and implement a comprehensive personnel development program for all personnel involved with the education of children with disabilities.

b) Professional Instructional Personnel

Each individual employed in a professional instructional capacity shall hold either:

1) a valid special certificate and the qualifications required for the teaching area pursuant to 23 Ill. Adm. Code 25.40 and 25.43; or

2) another valid teaching certificate and approval issued by the State Board of Education specific to the area of responsibility (see Section 226.810 of this Part).

c) An individual assigned as a vocational coordinator shall be required to hold approval for this position, which shall be granted provided that the individual submits an application demonstrating that he or she:

1) has two years’ teaching experience;

2) holds either a special preschool-age 21 certificate or a high school certificate; and

3) has completed at least 16 semester hours of college coursework, which shall at least include each of the areas identified in subsections (c)(3)(A) through (D) and may include one or more of the areas identified in subsections (c)(3)(E) through (I) of this Section:

A) Survey of the exceptional child;

B) Characteristics of the mentally retarded student;
C) Characteristics of the socially and/or emotionally maladjusted student;

D) Vocational programming for students with disabilities;

E) Characteristics of other exceptionalities;

F) Methods course in special education;

G) Guidance and counseling;

H) Educational and psychological diagnosis;

I) Vocational and technical education.

d) An individual assigned as a teacher coordinator shall be required to hold approval for this position, which shall be granted provided that the individual submits an application demonstrating that he or she:

1) holds either a special preschool – age 21 certificate endorsed for the disability area of assignment or a high school certificate with special education approval in the applicable disability area issued pursuant to Section 226.810 of this Part;

2) has completed a course in vocational programming for students with disabilities; and

3) has at least one year’s work experience outside the field of education or has completed at least one course in either guidance and counseling or vocational and technical education.

e) An individual assigned as a business manager’s assistant shall hold an administrative certificate endorsed for chief school business official pursuant to 23 Ill. Adm. Code 25.345 25.344.

f) Qualified Bilingual Specialists
Professional staff otherwise qualified pursuant to this Section shall be considered “qualified bilingual specialists” if they meet the applicable requirements set forth in this subsection (f).

1) A holder of a special certificate endorsed in the area of responsibility pursuant to 23 Ill. Adm. Code 25.40 or 25.43 shall successfully complete a language examination in the non-English language of instruction and shall have completed coursework covering:

   A) Psychological/educational assessment of students with disabilities who have limited English proficiency;
   
   B) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition; and
   
   C) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English proficiency.

2) A holder of an early childhood, elementary, or high school, or special certificate who also holds special education approval in the area of responsibility (see Section 226.810 of this Part) shall successfully complete a language examination in the non-English language of instruction and shall have completed the coursework listed in subsections (f)(1)(A), (B), and (C) of this Section.

3) A holder of an early childhood, elementary, or high school, or special certificate who also holds approval to teach bilingual education or English as a second language shall have completed coursework covering:

   A) Methods for teaching in the special education area of assignment;
   
   B) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and
C) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

4) A holder of a transitional bilingual certificate issued pursuant to 23 Ill. Adm. Code 25.90 and endorsed for the language of assignment shall have completed two years of successful teaching experience and have completed coursework covering:

A) Survey of children with all types of disabilities;

B) Assessment of the bilingual student, or psychological/educational assessment of the student with disabilities who has limited English proficiency;

C) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition;

D) Methods for teaching in the special education area of assignment; and

E) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

5) A holder of a school service personnel certificate endorsed for guidance, school social work, or school psychology shall successfully complete an examination in the non-English language and shall have completed coursework in assessment of the bilingual student or psychological/educational assessment of the student with disabilities who has limited English proficiency.

g) Directors and Assistant Directors of Special Education

Each school district, or the cooperative entity of which it is a member, shall employ a full-time director of special education, who shall be the chief administrative officer of the special education programs and services of the district or cooperative entity. The provisions of subsections (g)(1) and (2) of this
Section shall apply through June 30, 2005. Beginning July 1, 2005, directors and assistant directors of special education shall be subject to the requirements of 23 Ill. Adm. Code 29.140 and 29.150.

1) Each director or assistant director of special education shall hold a valid administrative certificate issued pursuant to 23 Ill. Adm. Code 25.365 and 25.315 and a master's degree, including 30 semester hours of coursework distributed among all the following areas:

   A) Survey of exceptional children;
   
   B) Special methods courses (3 areas of exceptionality);
   
   C) Educational and psychological diagnosis and remedial techniques;
   
   D) Guidance and counseling; and
   
   E) Supervision of programs for exceptional children.

2) Each individual who will function as a director or assistant director of special education shall submit an application for special education administrative approval on a form supplied by the State Board of Education.

3) Each school district, or the cooperative entity of which it is a member, shall submit to the State Board of Education a letter identifying the individual employed as the director of special education. If the individual is qualified as required, the State Board shall confirm that the individual is the State-approved director of special education for the district or cooperative entity.

h) Supervisors

1) Each district or cooperative entity shall employ sufficient supervisory personnel to provide consultation to and coordination of special education services.
2) Each individual performing a supervisory function shall hold a master’s degree, including at least 15 semester hours of coursework distributed among all the following areas:

A) Survey of exceptional children;
B) Characteristics courses in the areas to be supervised;
C) Methods courses in the areas to be supervised;
D) Educational and psychological diagnosis and remedial techniques; and
E) Supervision of programs for exceptional children.

3) Each individual performing a supervisory function shall also hold either:

A) a valid special certificate in the area to be supervised, endorsed for supervision pursuant to 23 Ill. Adm. Code 25.497 25.322, with two years’ teaching experience in that area; or
B) a valid school service personnel certificate endorsed for supervision and two years’ experience in the area to be supervised; or
C) a valid administrative certificate and either a valid special certificate endorsed for the area to be supervised or special education approval in that area.

i) Chief Administrator of Special School

The chief administrator of a special school shall hold an administrative certificate with a general administrative endorsement issued pursuant to 23 Ill. Adm. Code 25.335 or 25.365 25.344 and either:

1) the qualifications required under 23 Ill. Adm. Code 25.43 in at least one disability area served by the school; or
2) approval issued by the State Board of Education pursuant to Section 226.810 of this Part for at least one disability area served by the school.

j) Other Professional Personnel

Each individual employed in a professional capacity not specified in subsections (a) through (i) of this Section shall, as appropriate to his or her assignment, hold:

1) the school service personnel certificate endorsed as appropriate to the area of responsibility (see 23 Ill. Adm. Code 25, Subpart D); or

2) a valid license or permission to practice, if the individual’s profession is governed by such a requirement and either no educational credential in the same or a related field is issued by the State Board of Education (e.g., for a physical therapist) or the School Code permits the individual to perform the functions assigned; or

3) a credential, regardless of title, issued by a professional association or organization in the relevant field, when no educational credential in the same or a related field is issued by the State Board of Education and no license or permission to practice is required by the State (e.g., for a music therapist or a daily living skills specialist).

k) Noncertified Personnel

1) Each noncertified professional individual employed in a special education class, program, or service, and each individual providing assistance at a work site, shall function under the general direction of a professional staff member.

2) Each program assistant/aide, as well as each nonemployee providing any service in the context of special education, shall function under the direct supervision of a professional staff member.

3) Each district shall provide training experiences appropriate to the nature of their responsibilities to the individuals discussed in subsections (k)(1) and (2) of this Section. Training shall be in lieu of the requirements for noncertified personnel set forth in 23 Ill. Adm. Code 1, Subpart G.
Section 226.840 Qualifications of Evaluators

The following list identifies the credentials required to administer certain types of evaluations. Where no requirements are established, an evaluation may be performed by an individual who is qualified to administer it according to the technical specifications of the publisher.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Performance</td>
<td>Teaching certificate/approval appropriate for the age or disability of the child, or School Service Personnel Certificate endorsed for school psychology or guidance. (See Article 21 of the School Code [105 ILCS 5/Art.21] and the State Board’s rules at 23 Ill. Adm. Code 1 and 23 Ill. Adm. Code 25.)</td>
</tr>
<tr>
<td>Adapted Physical Education</td>
<td>Special Certificate endorsed for physical education with approval in adapted physical education (23 Ill. Adm. Code 25.40 and 25.43).</td>
</tr>
<tr>
<td>Assistive Technology</td>
<td>To the extent that a test is used in performing this assessment, qualification for administering the test according to the instructions provided by the test’s publisher.</td>
</tr>
<tr>
<td>Audiological</td>
<td>License to practice as an Audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110].</td>
</tr>
<tr>
<td>Clinical Psychological</td>
<td>License issued pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15].</td>
</tr>
<tr>
<td>Cultural Background Assessment</td>
<td>School Service Personnel Certificate endorsed for school psychology, school social work, or school counseling.</td>
</tr>
<tr>
<td>Professional Area</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hearing Screening</td>
<td>License to practice as an Audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110], Special Certificate endorsed for speech and language impairment (23 Ill. Adm. Code 25.45), or certificate of training issued by the Department of Public Health (77 Ill. Adm. Code 675).</td>
</tr>
<tr>
<td>Medical Review</td>
<td>School Service Personnel Certificate endorsed for school nursing (23 Ill. Adm. Code 25.245 25.240), or registration with the Illinois Department of Financial and Professional Regulation license to practice medicine in all of its branches.</td>
</tr>
<tr>
<td>Neurological Evaluation</td>
<td>Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987 [225 ILCS 60].</td>
</tr>
<tr>
<td>Occupational Therapy Evaluation</td>
<td>Certificate/Registration issued by the Department of Financial and Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].</td>
</tr>
<tr>
<td>Orientation/Mobility</td>
<td>Certification for orientation/mobility instruction and evaluation (Certification for Orientation and Mobility, Orientation and Mobility Division, Association for Education and Rehabilitation of the Blind and Visually Impaired, 4600 Duke Street, #430, P.O. Box 22397, Alexandria, Virginia 22304; 1984; no later amendments or editions are included).</td>
</tr>
<tr>
<td>Physical Therapy</td>
<td>Certificate/registration issued by the</td>
</tr>
</tbody>
</table>
STATE BOARD OF EDUCATION
NOTICE OF PROPOSED AMENDMENTS

Evaluation Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].

Psychiatric Evaluation Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987.


Study (Adaptive Behavior, Cultural Background, Family History) (Source: Amended at 34 Ill. Reg. _____, effective _____________)

Speech and Language Special Certificate Assessment endorsed for speech and language impairment (23 Ill. Adm. Code 25.45).

TO:             Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Linda Tomlinson, Assistant Superintendent
       Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Amendments for Adoption: Part 24 (Standards for All Illinois Teachers)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

Purpose of Agenda Item
The purpose of this agenda item is to present the proposed amendments for adoption.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item links to Strategic Goal 2, as it establishes the Illinois Professional Teaching Standards that guide programs that prepare highly qualified and effective teachers.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 24.

Background Information
Part 24, Standards for All Illinois Teachers, is one of five sets of the agency’s administrative rules that establish the framework for the following:

- improvement of teaching and learning;
- foundation for the design of educator preparation programs at colleges and universities;
- criteria for the approval of preparation programs at colleges and universities;
- basis for state certification tests;
- guidelines for the induction of novice teachers; and
- foundation for ongoing professional development.

Further, the rules define the overall knowledge and skills that teachers must have in their professional roles to ensure that Illinois students meet or exceed the expectations defined by the Illinois Learning Standards.

Part 24 was first promulgated in 2002 and is now outdated in several respects. In particular, the proposed amendments better address the specific needs of individualized instruction (special education, English language learners, and gifted) and reflect current research and best
practices. Another purpose of the revisions was to make the standards more relevant to practicing teachers as well as to students currently enrolled in teacher preparation programs.

The proposed amendments further incorporate literacy and technology standards for prekindergarten through grade 12 into the Illinois Professional Teaching Standards by placing the salient standards and indicators of each into one set of standards. Currently, Sections 24.110 and 24.120 address those areas, and both sections can be repealed once the new standards take effect on July 1, 2013. The following examples demonstrate the new standards' incorporation of relevant literacy and technology standards.

- Indicators relating to technology standards can be found in all of the proposed Illinois Professional Teaching Standards, with the exception of “Collaborative Relationships” (Section 24.130(h)). In addition, standards relative to the use of assistive technology are found in all but “Collaborative Relationships” and “Professionalism, Leadership, and Advocacy” (Section 24.130(i)).

- Indicators related to literacy and language arts academic standards have been placed in “Teaching Diverse Learners” (Section 24.130(a)), “Content Area and Pedagogical Knowledge” (Section 24.130(b)), and “Reading, Writing, and Oral Communication” (Section 24.130(f)).

- Indicators related to children with special needs (e.g., special education, bilingual education) are stressed in all standards and are addressed more specifically in “Teaching Diverse Learners”, “Planning for Differentiated Instruction” (Section 24.130(c)), and “Instructional Delivery” (Section 24.130(e)).

The proposed amendments were published April 9, 2010, in the Illinois Register to elicit public comment. The agency received seven letters of public comment. A summary and analysis of that public comment, along with recommendations for any changes in proposed amendments as a result, is attached.

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

**Policy Implications.** See “Background” above.

**Budget Implications.** None.

**Legislative Action.** None.

**Communication.** See below.

**Pros and Cons of Various Actions**
The proposed amendments provide necessary updating and align the standards to what is current in the field. Promulgating these new standards allow teacher preparation programs to design coursework and instruction that will assist teachers to better meet the needs of Illinois' diverse student population.
**Superintendent’s Recommendation**

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

The State Board of Education hereby adopts the proposed rulemaking for:

Standards for All Illinois Teachers (23 Illinois Administrative Code 24),

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.

**Next Steps**

Notice of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the amendments will be filed with the Secretary of State and disseminated as appropriate.
Summary and Analysis of Public Comment
23 Ill. Adm. Code 24 (Standards for All Illinois Teachers)

Comment

Several commenters questioned whether an implementation date of July 1, 2012, for preparation programs to align instruction to the new standards allowed sufficient time for compliance. To bolster the point, one program director suggested that revisions would take up to a school year to complete, allowing for collaboration with faculty, the professional community and partners regarding the new requirements.

Another commenter noted that in practice, if the revised standards were implemented by July 1, 2012, they would affect students entering teacher preparation programs in the fall, although specific reasons for this belief were not provided. (The commenter’s assumption may be based on the alignment of the Assessment of Professional Teaching (APT) to the standards, beginning with test administrations on or after September 1, 2012, since passage of the APT is required for certification.) This individual further stated that four-year universities would be required to change their programs in mid-stream for students who begin teacher preparation coursework as juniors in the 2011-12 school year. A delayed effective date of 2013 or 2015 (to be applicable to students entering college in fall 2011 or after) were the recommended alternatives.

Analysis

The amount of work required to align existing programs to the new standards will vary by institution and program. Those programs that are based on the existing standards should have relatively minor adjustments to make. On the other hand, older programs that institutions did not overhaul when the standards were first promulgated four years ago may have substantial work to do in order to assure alignment with the revised standards. Those institutions that lack a common core among their various programs also may be affected to a greater degree, as they would be required to submit an application for approval of each individual program.

Educator candidates who complete programs structured around the old standards will be allowed to take the existing APT, as both the existing assessment and revised assessment will be administered for at least a year after the new standards are implemented. Students beginning their junior year in school year 2010-11 will participate in the existing assessment, as will those beginning their junior year in school year 2011-12.

Given the concerns expressed in the comments and the fact that amended standards would not be in effect until later in the summer, staff recommends that the implementation of the revised standards be delayed a year.

Recommendation

It is recommended that implementation date in the introductions to Sections 24.100, 24.110, and 24.120 be changed from July 1, 2012, to July 1, 2013, and the effective date in the titles of each of those Sections be changed from June 30, 2012, to June 30, 2013. The Table of Contents also will reflect these changes.

It is also recommended that Section 24.130 be changed as follows:
Section 24.130  The Illinois Professional Teaching Standards Beginning July 1, 2013

No later than July 1, 2013, all approved teacher preparation programs or programs seeking approval shall submit the course of study for that program with evidence that the program’s or course’s content is congruent with the standards identified in this Section. No later than September 1, 2013, the assessment of professional teaching (APT) required for the issuance of an initial teaching certificate under 23 Ill. Adm. Code 25.720 (Certification) shall be based on the standards set forth in this Section.

Comment

Another commenter asked that the proposed amendments more clearly state the criteria to be used by agency staff to evaluate requests for approval of new teacher preparation programs received between now and the effective date of the new standards.

Analysis

Agency staff agree that it makes little sense to approve new teacher preparation programs based on existing standards when these programs will need to conform to the revised standards in three years. It would be more time-efficient both for State Board staff and institutions of higher education if any new, proposed programs made modifications necessary for alignment to the new standards before submitting their applications for approval. Applications that have been submitted already and are being reviewed at either the State Board or State Teacher Certification Board level would have the option to proceed with the approval process or withdraw their applications and resubmit them at a later date.

Recommendation

It is recommended that the introductions to Sections 24.100, 24.110, and 24.120 be changed as follows:

Beginning July 1, 2013, the provisions of this Section are replaced by Section 24.130 of this Part as the minimum requirements both for the approval of any teacher preparation program or course of study in any teaching field pursuant to the State Board’s rules for Certification (23 Ill. Adm. Code 25.Subpart C) and the basis of the examinations required for issuance of an initial teaching certificate. Further limitations on institutions submitting applications for approval of new teacher preparation programs or courses of study are described in Section 24.130 of this Part.

It is recommended that Section 24.130 be changed as follows:

Section 24.130  No later than July 1, 2013, all approved teacher preparation programs or programs seeking approval shall submit the course of study for that program with evidence that the program’s or course’s content is congruent with the standards identified in this Section. An application for approval of a new preparation program or course of study submitted on or after November 1, 2010, shall provide evidence of congruence with the standards identified in this Section. No later than September 1, 2013, the assessment of professional teaching (APT) required for the issuance of an initial teaching
Certificate under 23 Ill. Adm. Code 25.720 (Certification) shall be based on the standards set forth in this Section.

Comment

A commenter asked that the revised APT test not be used for at least a year after the standards are implemented to allow “schools and students time to prepare”.

Analysis

As indicated in the analysis immediately above, students who have already begun preparation programs aligned to the existing standards will be provided an opportunity to take the existing APT. The existing version of the APT will be available through August 30, 2014.

Recommendation

No change is recommended in response to this comment.

Comment

Two individuals asked that staff modify several performance and knowledge indicators to clarify the intent of the standards, reduce redundancy among the indicators, or to emphasize areas of competencies that are not explicitly stated. One person, however, used an earlier draft of the standards and so her comments addressed many portions of the standards that had been altered in the version presented for public comment.

Another individual complimented the standards for embedding “across all standard areas the knowledge and skills indicators related to educating students with disabilities”.

Analysis

A group broadly representative of the higher education, elementary and secondary education, and students with special needs (e.g., special education, gifted, bilingual) communities spent numerous hours revising the standards. For this reason, it is important to agency staff that their work be respected by promulgating rules that incorporate their revised standards as presented. Suggested revisions that clarify and simplify the standards without making substantive changes, however, should be accepted.

Recommendation

The following changes in Section 24.130 are recommended in response to the comments.

Subsections (a)(2)(E) and (F)

(E) uses information about students’ individual experiences, families, cultures, and communities to create meaningful learning opportunities and enrich instruction for all students;

(F) enriches instruction by drawing on student background and individual experiences.
Subsection (d)(2)(E) organizes, allocates, and manages time, materials, technology, and physical space to provide active and equitable engagement of students in productive learning activities.

Subsection (d)(2)(F) engages students in and monitors individual and group-learning activities that help them develop the motivation to learn.

Subsection (e)(1)(C) knows how to implement effective differentiated instruction; enhance and differentiate learning through the use of a wide variety of materials, technologies, and as well as human and technological resources.

Subsection (e)(1)(D) understands the disciplinary and interdisciplinary instructional approaches to learning and how they relate to life and career experiences.

Subsection (e)(2)(H) uses student data to adapt the general curriculum and implement instructional strategies and materials according to the characteristics of each student.

Subsection (h)(1)(C) collaborates with others in the use of data to design and implement effective school-wide interventions that benefit all students.

Subsection (h)(1)(H) understands concerns of parents or guardians and families of students with disabilities and knows appropriate strategies to collaborate with students, parents or guardians and their families in addressing these concerns; and

Subsections (h)(2)(A) and (F)

A) works with all school personnel (e.g., support staff, teachers, paraprofessionals) to develop learning climates for the school that encourage unity, support a sense of shared purpose, show trust in one another, and value individuals;

F) collaborates with school personnel (e.g., support staff, teachers, paraprofessionals) in the implementation of appropriate assessment and instruction for designated students;

Subsection (h)(2)(G) develops professional relationships with parents and guardians that result in fair and equitable treatment of each student; all students to support growth and learning;

Subsections (i)(1)(F), (G) and (H)

F) understands practices that result in students being well served or ill-served by the school and ascertains the need, method, and urgency for advocacy.
G) understands the roles of an advocate, and the process of advocacy, and its place in combating or promoting certain school district practices affecting students; and

G)H) understands local and global societal issues and responsibilities in an evolving digital culture; and:

H) understands the importance of modeling appropriate dispositions in the classroom.

Subsection (i)(2)(A) models professional behavior that reflects honesty, integrity, personal responsibility, and confidentiality, altruism, and respect;
ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER b: PERSONNEL

PART 24
STANDARDS FOR ALL ILLINOIS TEACHERS

Section 24.10  Purpose and Effective Dates

This Part establishes certain standards that shall apply to the issuance of all Illinois initial teaching certificates beginning July 1, 2003. The standards set forth in this Part shall apply both to candidates for certification and to the programs that prepare them. That is:

a) beginning July 1, 2003, approval of any preparation program or course of study in any teaching field pursuant to the State Board’s rules for Certification (23 Ill. Adm. Code 25, Subpart C) shall be based on the congruence of that program’s or course’s content with the applicable standards identified in this Part; and

b) beginning on October 1, 2003, the examinations examination(s) required for issuance of an initial teaching certificate shall be based on the applicable standards set forth in this Part.

(Source: Amended at 34 Ill. Reg. _____, effective __________)

Section 24.100  The Illinois Professional Teaching Standards Through June 30, 2013

AUTHORITY: Implementing Article 21 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21 and 2-3.6].

SOURCE: Adopted at 26 Ill. Reg. 11847, effective July 18, 2002; amended at 34 Ill. Reg. _____, effective __________.
Beginning July 1, 2013, the provisions of this Section are replaced by Section 24.130 of this Part as the minimum requirements both for the approval of any teacher preparation program or course of study in any teaching field pursuant to the State Board’s rules for Certification (23 Ill. Adm. Code 25.Subpart C) and the basis of the examinations required for issuance of an initial teaching certificate. Further limitations on institutions submitting applications for approval of new teacher preparation programs or courses of study are described in Section 24.130 of this Part.

a) Content Knowledge - The competent teacher understands the central concepts, methods of inquiry, and structures of disciplines and creates learning experiences that make the content meaningful to all students.

1) Knowledge Indicators – The competent teacher:

   A) Understands major concepts, assumptions, debates, principles, and theories that are central to the disciplines in which certification is sought.

   B) Understands the processes of inquiry central to the discipline.

   C) Understands how students’ conceptual frameworks and their misconceptions for an area of knowledge can influence their learning.

   D) Understands the relationship of knowledge within the discipline to other content areas and to life and career applications.

   E) Understands how a student’s disability affects processes of inquiry and influences patterns of learning.

2) Performance Indicators – The competent teacher:

   A) Evaluates teaching resources and curriculum materials for their comprehensiveness, accuracy, and usefulness for representing particular ideas and concepts.

   B) Uses differing viewpoints, theories, “ways of knowing” and methods of inquiry in teaching subject matter concepts.
C) Engages students in generating and testing knowledge according to the process of inquiry and standards of evidence of the discipline.

D) Designs learning experiences to promote student skills in the use of technologies appropriate to the discipline.

E) Anticipates and adjusts for common misunderstandings of the discipline(s) that impede learning.

F) Uses a variety of explanations and multiple representations of concepts that capture key ideas to help students develop conceptual understanding.

G) Facilitates learning experiences that make connections to other content areas and to life and career experiences.

H) Designs learning experiences and utilizes adaptive devices/technology to provide access to general curricular content to individuals with disabilities.

b) Human Development and Learning – The competent teacher understands how individuals grow, develop, and learn and provides learning opportunities that support the intellectual, social, and personal development of all students.

1) Knowledge Indicators – The competent teacher:

A) Understands how students construct knowledge, acquire skills, and develop habits of mind.

B) Understands that students’ physical, social, emotional, ethical, and cognitive development influences learning.

C) Understands human development, learning theory, neural science, and the ranges of individual variation within each domain.

D) Understands that differences in approaches to learning and performance interact with development.

E) Understands how to include student development factors when making instructional decisions.
F) Knows the impact of cognitive, emotional, physical, and sensory disabilities on learning and communication processes.

2) Performance Indicators – The competent teacher:

A) Analyzes individual and group performance in order to design instruction that meets learners’ current needs in the cognitive, social, emotional, ethical, and physical domains at the appropriate level of development.

B) Stimulates student reflection on prior knowledge and links new ideas to already familiar ideas and experiences.

C) Introduces concepts and principles at different levels of complexity so that they are meaningful to students at varying levels of development and to students with diverse learning needs.

c) Diversity – The competent teacher understands how students differ in their approaches to learning and creates instructional opportunities that are adapted to diverse learners.

1) Knowledge Indicators – The competent teacher:

A) Understands the areas of exceptionality in learning as defined in the Individuals with Disabilities Education Act (IDEA) and the State Board’s rules for Special Education (23 Ill. Adm. Code 226).

B) Understands the process of second language acquisition and strategies to support the learning of students whose first language is not English.

C) Understands how students’ learning is influenced by individual experiences, talents, and prior learning, as well as language, culture, family, and community values.

D) Understands and identifies differences in approaches to learning and performance, including different learning styles, multiple intelligences, and performance modes.
E) Understands cultural and community diversity through a well-grounded framework and understands how to learn about and incorporate students’ experiences, cultures, and community resources into instruction.

F) Understands personal cultural perspectives and biases and their effects on one’s teaching.

2) Performance Indicators – The competent teacher:

A) Facilitates a learning community in which individual differences are respected.

B) Makes appropriate provisions (in terms of time and circumstances for work, tasks assigned, communication, and response modes) for individual students who have particular learning differences or needs.

C) Uses information about students’ families, cultures, and communities as a basis for connecting instruction to students’ experiences.

D) Uses cultural diversity and individual student experiences to enrich instruction.

E) Uses a wide range of instructional strategies and technologies to meet and enhance diverse student needs.

F) Identifies and designs instruction appropriate to students’ stages of development, learning styles, strengths and needs.

G) Identifies when and how to develop and implement strategies and interventions within the classroom and how to access appropriate services or resources to assist students with exceptional learning needs.

H) Demonstrates positive regard for individual students and their families regardless of culture, religion, gender, sexual orientation, and varying abilities.
Planning for Instruction – The competent teacher understands instructional planning and designs instruction based upon knowledge of the discipline, students, the community, and curriculum goals.

1) Knowledge Indicators – The competent teacher:

   A) Understands the Illinois Learning Standards, curriculum development, content, learning theory, and student development and knows how to incorporate this knowledge in planning instruction.

   B) Understands how to develop short- and long-range plans consistent with curriculum goals, learner diversity, and learning theory.

   C) Understands how to take the contextual considerations of instructional materials, individual students’ interests, and career needs into account in planning instruction that creates an effective bridge between students’ experiences and career and educational goals.

   D) Understands when and how to adjust plans based on students’ responses and other contingencies.

   E) Understands how to integrate technology into classroom instruction.

   F) Understands how to review and evaluate educational technologies to determine instructional value.

   G) Understands how to use various technological tools to access and manage information.

   H) Understands the uses of technology to address students’ needs.

2) Performance Indicators – The competent teacher:

   A) Establishes expectations for students’ learning.

   B) Applies principles of scope and sequence when planning curriculum and instruction.
C) Creates short-range and long-term plans to achieve the expectations for students’ learning.

D) Creates and selects learning materials and learning experiences appropriate for the discipline and curriculum goals, relevant to the students, and based on students’ prior knowledge and principles of effective instruction.

E) Creates multiple learning activities that allow for variation in students’ learning styles and performance modes.

F) Incorporates experiences into instructional practices that relate to the students’ current life experiences and to future career and work experiences.

G) Creates approaches to learning that are interdisciplinary and that integrate multiple content areas.

H) Develops plans based on students’ responses and provides for different pathways based on students’ needs.

I) Uses teaching resources and materials which have been evaluated for accuracy and usefulness.

J) Accesses and uses a wide range of information and instructional technologies to enhance students’ learning.

K) Uses individualized education program (IEP) goals and objectives to plan instruction for students with disabilities.

e) Learning Environment – The competent teacher uses an understanding of individual and group motivation and behavior to create a learning environment that encourages positive social interaction, active engagement in learning, and self-motivation.

1) Knowledge Indicators – The competent teacher:

A) Understands principles of and strategies for effective classroom management.
B) Understands how individuals influence groups and how groups function in society.

C) Understands how to help students work cooperatively and productively in groups.

D) Understands factors that influence motivation and engagement and how to help students become self-motivated.

E) Knows procedures for inventorying the instructional environment to determine when and how best to meet a student’s individual needs.

F) Knows applicable statutes, rules and regulations, procedural safeguards, and ethical considerations regarding planning and implementing behavioral change programs for individuals with disabilities.

G) Knows strategies for intervening in situations to prevent crises from developing or escalating.

H) Knows environmental arrangements that promote positive behavior and learning for students with diverse learning characteristics.

2) Performance Indicators – The competent teacher:

A) Maintains proper classroom decorum.

B) Maximizes the amount of class time spent in learning by creating expectations and processes for communication and behavior along with a physical setting conducive to achieving classroom goals.

C) Uses strategies to create a smoothly functioning learning community in which students assume responsibility for themselves and one another, participate in decision-making, work collaboratively and independently, use appropriate technology, and engage in purposeful learning activities.
D) Analyzes the classroom environment and makes decisions to enhance social relationships, students’ motivation and engagement in productive work through mutual respect, cooperation, and support for one another.

E) Organizes, allocates, and manages time, materials, and physical space to provide active and equitable engagement of students in productive tasks.

F) Engages students in and monitors individual and group learning activities that help them develop the motivation to achieve.

G) Demonstrates a variety of effective behavior management techniques appropriate to the needs of all students, including those with disabilities (including implementing the least intrusive intervention consistent with the needs of these students).

H) Modifies the learning environment (including the schedule and physical arrangement) to facilitate appropriate behaviors and learning for students with diverse learning characteristics.

I) Uses a variety of approaches to promote social interaction between students with disabilities and students without disabilities.

J) Uses effective methods for teaching social skill development in all students.

f) Instructional Delivery – The competent teacher understands and uses a variety of instructional strategies to encourage students’ development of critical thinking, problem-solving, and performance skills.

1) Knowledge Indicators – The competent teacher:

A) Understands the cognitive processes associated with various kinds of learning and how these processes can be stimulated.

B) Understands principles and techniques, along with advantages and limitations, associated with various instructional strategies.
C) Knows how to enhance learning through the use of a wide variety of materials as well as human and technological resources.

D) Understands the disciplinary and interdisciplinary approaches to learning and how they relate to life and career experiences.

E) Knows techniques for modifying instructional methods, materials, and the environment to facilitate learning for students with disabilities and/or diverse learning characteristics.

2) Performance Indicators – The competent teacher:

A) Evaluates how to achieve learning goals, choosing alternative teaching strategies and materials to achieve different instructional purposes and to meet students’ needs.

B) Uses multiple teaching and learning strategies to engage students in active learning opportunities that promote the development of critical thinking, problem-solving, and performance capabilities and that help students assume responsibility for identifying and using learning resources.

C) Monitors and adjusts strategies in response to learners’ feedback.

D) Varies his or her role in the instructional process as instructor, facilitator, coach, or audience in relation to the content and purposes of instruction and the needs of students.

E) Develops a variety of clear, accurate presentations and representations of concepts, using alternative explanations to assist students’ understanding and presenting diverse perspectives to encourage critical thinking.

F) Uses a wide range of instructional technologies to enhance students’ learning.

G) Develops curriculum that demonstrates an interconnection between subject areas that will reflect life and career experiences.
H) Uses strategies and techniques for facilitating meaningful inclusion of individuals with disabilities.

I) Uses technology appropriately to accomplish instructional objectives.

J) Adapts the general curriculum and uses instructional strategies and materials according to characteristics of the learner.

K) Implements and evaluates individual learning objectives.

g) Communication – The competent teacher uses knowledge of effective written, verbal, non-verbal, and visual communication techniques to foster active inquiry, collaboration, and supportive interaction in the classroom.

1) Knowledge Indicators – The competent teacher:

A) Understands communication theory, language development, and the role of language in learning.

B) Understands how cultural and gender differences can affect communication in the classroom.

C) Understands the social, intellectual, and political implications of language use and how they influence meaning.

D) Understands the importance of audience and purpose when selecting ways to communicate ideas.

2) Performance Indicators – The competent teacher:

A) Models accurate, effective communication when conveying ideas and information and when asking questions and responding to students.

B) Uses effective questioning techniques and stimulates discussion in different ways for specific instructional purposes.

C) Creates varied opportunities for all students to use effective written, verbal, non-verbal, and visual communication.
D) Communicates with and challenges students in a supportive manner and provides students with constructive feedback.

E) Uses a variety of communication modes to effectively communicate with a diverse student population.

F) Practices effective listening, conflict resolution, and group-facilitation skills as a team member.

G) Communicates using a variety of communication tools to enrich learning opportunities.

h) Assessment – The competent teacher understands various formal and informal assessment strategies and uses them to support the continuous development of all students.

1) Knowledge Indicators – The competent teacher:

A) Understands assessment as a means of evaluating how students learn, what they know and are able to do in meeting the Illinois Learning Standards, and what kinds of experiences will support their further growth and development.

B) Understands the purposes, characteristics, and limitations of different kinds of assessments.

C) Understands measurement theory and assessment-related issues such as validity, reliability, bias, and scoring.

D) Understands how to use the results of assessment to reflect on and modify teaching.

E) Understands how to select, construct, and use assessment strategies and instruments for diagnosis and evaluation of learning and instruction.

F) Knows legal provisions, regulations, and guidelines regarding assessment (and inclusion in statewide assessments) of individuals with disabilities.
G) Knows methods for monitoring progress of individuals with disabilities.

H) Knows strategies that consider the influence of diversity and disability on assessment, eligibility, programming, and placement of students with disabilities.

2) Performance Indicators – The competent teacher:

A) Uses assessment results to diagnose students’ learning needs, align and modify instruction, and design teaching strategies.

B) Appropriately uses a variety of formal and informal assessments to evaluate the understanding, progress, and performance of the individual student and the class as a whole.

C) Involves students in self-assessment activities to help them become aware of their strengths and needs and encourages them to establish goals for learning.

D) Maintains useful and accurate records of students’ work and performance and communicates students’ progress knowledgeably and responsibly to students, parents, and colleagues.

E) Uses appropriate technologies to monitor and assess students’ progress.

F) Collaborates with families and other professionals involved in the assessment of individuals with disabilities.

G) Uses various types of assessment procedures appropriately, including the adaptation of procedures for individual students in specific contexts.

H) Uses technology appropriately in conducting assessments and interpreting results.

I) Uses assessment strategies and devices which are nondiscriminatory and take into consideration the impact of
disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students.

i) Collaborative Relationships – The competent teacher understands the role of the community in education and develops and maintains collaborative relationships with colleagues, parents/guardians, and the community to support students’ learning and well-being.

1) Knowledge Indicators – The competent teacher:

A) Understands schools as organizations within the larger community context.

B) Understands the benefits, barriers, and techniques involved in parent/family relationships.

C) Understands school- and work-based learning environments and the need for collaboration with business organizations in the community.

D) Understands the collaborative process.

E) Understands collaborative skills which are necessary to carry out the collaborative process.

F) Understands concerns of parents of individuals with disabilities and knows appropriate strategies to collaborate with parents in addressing these concerns.

G) Understands roles of individuals with disabilities, parents, teachers, and other school and community personnel in planning individualized education programs for students with disabilities.

2) Performance Indicators – The competent teacher:

A) Initiates collaboration with others and creates situations where collaboration with others will enhance students’ learning.
B) Works with colleagues to develop an effective learning climate within the school.

C) Participates in collaborative decision-making and problem-solving with other professionals to achieve success for students.

D) Develops relationships with parents and guardians to acquire an understanding of the students’ lives outside of the school in a professional manner that is fair and equitable.

E) Works effectively with parents/guardians and other members of the community from diverse home and community situations and seeks to develop cooperative partnerships in order to promote students’ learning and well-being.

F) Identifies and uses community resources to enhance students’ learning and to provide opportunities for students to explore career opportunities.

G) Collaborates in the development of comprehensive individualized education programs for students with disabilities.

H) Coordinates and/or collaborates in directing the activities of a classroom para-educator, volunteer, or peer tutor.

I) Collaborates with the student and family in setting instructional goals and charting progress of students with disabilities.

J) Communicates with team members about characteristics and needs of individuals with specific disabilities.

K) Implements and monitors individual students’ programs, working in collaboration with team members.

L) Demonstrates the ability to co-teach and co-plan.

j) Reflection and Professional Growth – The competent teacher is a reflective practitioner who continually evaluates how choices and actions affect students, parents, and other professionals in the learning community and actively seeks opportunities to grow professionally.
1) Knowledge Indicators – The competent teacher:

A) Understands that reflection is an integral part of professional growth and improvement of instruction.

B) Understands methods of inquiry that provide for a variety of self-assessment and problem-solving strategies for reflecting on practice.

C) Understands major areas of research on the learning process and resources that are available for professional development.

D) Understands teachers’ attitudes and behaviors that positively or negatively influence behavior of individuals with disabilities.

2) Performance Indicators – The competent teacher:

A) Uses classroom observation, information about students, pedagogical knowledge, and research as sources for active reflection, evaluation, and revision of practice.

B) Collaborates with other professionals as resources for problem-solving, generating new ideas, sharing experiences, and seeking and giving feedback.

C) Participates in professional dialogue and continuous learning to support his/her own development as a learner and a teacher.

D) Actively seeks and collaboratively shares a variety of instructional resources with colleagues.

E) Assesses his or her own needs for knowledge and skills related to teaching students with disabilities and seeks assistance and resources.

k) Professional Conduct and Leadership – The competent teacher understands education as a profession, maintains standards of professional conduct, and provides leadership to improve students’ learning and well-being.
1) Knowledge Indicators – The competent teacher:

A) Understands the unique characteristics of education as a profession.
B) Understands how school systems are organized and operate.
C) Understands school policies and procedures.
D) Understands legal issues in education.
E) Understands the importance of active participation and leadership in professional organizations.
F) Is familiar with the rights of students with disabilities.
G) Knows the roles and responsibilities of teachers, parents, students, and other professionals related to special education.
H) Knows identification and referral procedures for students with disabilities.

2) Performance Indicators – The competent teacher:

A) Contributes knowledge and expertise about teaching and learning to the profession.
B) Follows codes of professional conduct and exhibits knowledge and expectations of current legal directives.
C) Follows school policy and procedures, respecting the boundaries of professional responsibilities, when working with students, colleagues, and families.
D) Initiates and develops educational projects and programs.
E) Actively participates in or leads in such activities as curriculum development, staff development, and student organizations.
F) Participates, as appropriate, in policy design and development at the local level, with professional organizations, and/or with community organizations.

G) Demonstrates commitment to developing the highest educational and quality-of-life potential of individuals with disabilities.

H) Demonstrates positive regard for individual students and their families regardless of culture, religion, gender, and sexual orientation.

I) Promotes and maintains a high level of integrity in the practice of the profession.

J) Complies with local, State, and federal monitoring and evaluation requirements related to students with disabilities.

K) Complies with local, State, and federal regulations and policies related to students with disabilities.

L) Uses a variety of instructional and intervention strategies prior to initiating a referral of a student for special education.

(Source: Amended at 34 Ill. Reg. _____, effective __________)

Section 24.110 Language Arts Standards for All Illinois Teachers Through June 30, 2013

Beginning July 1, 2013, the provisions of this Section are replaced by Section 24.130 of this Part as the minimum requirements both for the approval of any teacher preparation program or course of study in any teaching field pursuant to the State Board’s rules for Certification (23 Ill. Adm. Code 25.Subpart C) and the basis of the examinations required for issuance of an initial teaching certificate. Further limitations on institutions submitting applications for approval of new teacher preparation programs or courses of study are described in Section 24.130 of this Part.

a) All teachers must know a broad range of literacy techniques and strategies for every aspect of communication and must be able to develop each student’s ability to read, write, speak, and listen to his or her potential within the demands of the discipline.

1) Knowledge Indicators – The competent teacher:

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A) Understands and can articulate the needs for literacy development in general and in specific disciplines or at specific grade levels.

B) Understands effective literacy techniques to activate prior student knowledge and build schema to enhance comprehension of “text”.

C) Knows strategies and techniques for teaching communication skills to those students whose first language is not English.

2) Performance Indicators – The competent teacher:

A) Practices effectively the language processes of reading, writing, and oral communication in the daily classroom exchange between student and teacher, between student and student, between teacher and “text,” and between student and “text”.

B) Practices effective literacy techniques to make reading purposeful and meaningful.

C) Practices effective questioning and discussion techniques to extend content knowledge acquired from “text”.

D) Uses a variety of “text” and research resources with students in an attempt to enhance students’ learning from reading, learning from writing, and learning from oral communication.

b) All teachers should model effective reading, writing, speaking, and listening skills during their direct and indirect instructional activities. The most important communicator in the classroom is the teacher, who should model English language arts skills.

1) Knowledge Indicators – The competent teacher:

A) Knows and understands the rules of English grammar, spelling, punctuation, capitalization, and syntax for both written and oral contexts.

B) Understands how to communicate ideas in writing to accomplish a variety of purposes.
2) Performance Indicators – The competent teacher:

A) Models the rules of English grammar, spelling, punctuation, capitalization, and syntax in both written and oral contexts.

B) Reads, understands, and clearly conveys ideas from texts or other supplementary materials.

C) Writes and speaks in a well-organized and coherent manner that adapts to the individual needs of readers/listeners.

D) Expresses ideas orally with explanations, examples, and support in a clear, succinct style.

E) Helps students understand a variety of modes of writing (persuasive, descriptive, informative, and narrative).

F) Listens well.

c) All teachers should give constructive instruction and feedback to students in both written and oral contexts while being aware of diverse learners’ needs. Teachers should effectively provide a variety of instructional strategies, constructive feedback, criticism, and improvement strategies.

1) Knowledge Indicators – The competent teacher:

A) Understands how to analyze an audience to determine culturally appropriate communication strategies to share ideas effectively in both written and oral formats with students and their families, other faculty and administrators, and the community and business in general.

B) Understands how to use diverse instructional strategies and assessments that include an appropriate balance of lecture, discussion, activity, and written and oral work.

2) Performance Indicators – The competent teacher:
A) Analyzes content materials to determine appropriate strategies and techniques to create successful learning through reading, writing, speaking, and listening.

B) Assists students whose communication skills may be impeded by learning, language, and/or cultural differences, especially those whose first language is not English.

C) Conducts effective classroom discussions by managing groups, asking questions, eliciting and probing responses, and summarizing for comprehension.

D) Uses a variety of media to enhance and supplement instruction.

E) Uses multi-disciplinary instructional approaches.

(Source: Amended at 34 Ill. Reg. _____, effective __________)

Section 24.120 Technology Standards for All Illinois Teachers Through June 30, 2013

Beginning July 1, 2013, the provisions of this Section are replaced by Section 24.130 of this Part as the minimum requirements both for the approval of any teacher preparation program or course of study in any teaching field pursuant to the State Board’s rules for Certification (23 Ill. Adm. Code 25.Subpart C) and the basis of the examinations required for issuance of an initial teaching certificate. Further limitations on institutions submitting applications for approval of new teacher preparation programs or courses of study are described in Section 24.130 of this Part.

a) The competent teacher will have, and continually develop, the knowledge and skills in learning technologies to be able to appropriately and responsibly use tools, resources, processes, and systems to retrieve, assess, and evaluate information from various media. The competent teacher will use that knowledge, along with the necessary skills and information, to assist Illinois learners in solving problems, in communicating clearly, in making informed decisions, and in constructing new knowledge, products, or systems in diverse, engaged learning environments.

b) Basic Computer/Technology Operations and Concepts – The competent teacher will use computer systems to run software; to access, generate, and manipulate data; and to publish results. He or she will also evaluate performance of hardware
and software components of computer systems and apply basic trouble-shooting strategies as needed.

1) Knowledge Indicator – The competent teacher understands how to run computer software; access, generate, and manipulate data; and publish results.

2) Performance Indicators – The competent teacher:

A) Operates a multi-media computer system with related peripheral devices to successfully install and use a variety of software packages.

B) Uses appropriate terminology related to computers and technology in written and oral communications.

C) Describes and implements basic trouble-shooting techniques for multi-media computer systems with related peripheral devices.

D) Uses imaging devices such as scanners, digital cameras, and/or video cameras with computer systems and software.

E) Demonstrates knowledge of uses of computers and technology in education, business and industry, and society.

Personal and Professional Use of Technology – The competent teacher will apply tools for enhancing personal professional growth and productivity; will use technology in communicating, collaborating, conducting research, and solving problems and will promote equitable, ethical, and legal use of computer/technology resources.

1) Knowledge Indicator – The competent teacher understands how to use technology in communicating, collaborating, conducting research, and solving problems.

2) Performance Indicators – The competent teacher:

A) Identifies computer and other related technology resources for facilitating life-long learning and emerging roles of the learner and the educator in engaged, collaborative learning environments.
B) Uses computers and other learning technologies to support problem-solving, data collection, information management, communications, presentations, and decision-making.

C) Uses productivity tools for word processing, database management, and spreadsheet applications, and basic multi-media presentations.

D) Uses computer-based technologies including telecommunications to access information and enhance personal and professional productivity.

E) Demonstrates awareness of resources for adaptive/assistive devices for students with special needs.

F) Demonstrates knowledge of ethical and legal issues concerning use of computers and technology.

G) Adheres to copyright laws and guidelines in the access and use of information from various technologies.

H) Demonstrates knowledge of broadcast instruction, audio/video conferencing, and other distant learning applications.

I) Ensures policies and practices are in place to provide equal access to media and technology resources for students regardless of race, ethnicity, gender, religion, or socio-economic status.

d) Application of Technology in Instruction – The competent teacher will apply learning technologies that support instruction in his or her grade level and subject areas. He or she must plan and deliver instructional units that integrate a variety of software, applications, and learning tools. Lessons developed must reflect effective grouping and assessment strategies for diverse populations.

1) Knowledge Indicator – The competent teacher understands how to apply learning technologies that support instruction in his or her grade level and subject areas.

2) Performance Indicators – The competent teacher:
A) Explores, evaluates, and uses computer/technology resources, including applications, tools, educational software, and associated documentation.

B) Describes current instructional principles, research, and appropriate assessment practices as related to the use of computers and technology resources in the curriculum.

C) Designs, implements, and assesses student learning activities that integrate computers/technology for a variety of student grouping strategies and for diverse student populations.

D) Practices socially responsible, ethical, and legal use of technology, information, and software resources.

E) Designs student learning activities that foster equitable, ethical, and legal use of technology by students.

e) Social, Ethical, and Human Issues – The competent teacher will apply concepts and skills in making decisions concerning the social, ethical, and human issues related to computing and technology. The competent teacher will understand the changes in information technologies, their effects on workplace and society, their potential to address life-long learning and workplace needs, and the consequences of misuse.

1) Knowledge Indicator – The competent teacher understands the social, ethical, and human issues related to computing and technology.

2) Performance Indicators – The competent teacher:

A) Describes the historical development and important trends affecting the evolution of technology and its probable future roles in society.

B) Describes strategies for facilitating consideration of ethical, legal, and human issues involving school purchasing and policy decisions.
Productivity Tools – The competent teacher will integrate advanced features of technology-based productivity tools to support instruction, extend communication outside the classroom, enhance classroom management, perform administrative routines more effectively, and become more productive in daily tasks.

1) Knowledge Indicator – The competent teacher knows advanced features of technology-based productivity tools.

2) Performance Indicators – The competent teacher:

A) Uses advanced features of word processing, desktop publishing, graphics programs, and utilities to develop professional products.

B) Uses spreadsheets for analyzing, organizing, and displaying numeric data graphically.

C) Designs and manipulates databases and generates customized reports.

D) Uses teacher utility and classroom management tools to design solutions for a specific purpose.

E) Identifies, selects, and integrates video and digital images in varying formats for use in presentations, publications, and/or other products.

F) Applies specific-purpose electronic devices (such as a graphing calculator, language translator, scientific probeware, or electronic thesaurus) in appropriate content areas.

G) Uses features of applications that integrate word processing, database, spreadsheet, communication, and other tools.

Telecommunications and Information Access – The competent teacher will use telecommunications and information-access resources to support instruction.

1) Knowledge Indicator – The competent teacher knows how to access telecommunications resources to support instruction.

2) Performance Indicators – The competent teacher:
A) Accesses and uses telecommunications tools and resources for information-sharing, remote information access and retrieval, and multi-media/hypermedia publishing.

B) Uses electronic mail and web browser applications for communications and for research to support instruction.

C) uses automated, on-line search tools and intelligent agents to identify and index desired information resources.

h)g) Research, Problem Solving, and Product Development – The competent teacher will use computers and other technologies in research, problem solving, and product development. The competent teacher will appropriately use a variety of media, presentation, and authorizing packages; plan and participate in team and collaborative projects that require critical analysis and evaluation; and present products developed.

1) Knowledge Indicator – The competent teacher understands how to use computers and other technologies in research, problem solving, and product development.

2) Performance Indicators – The competent teacher:

A) Identifies basic principles of instructional design associated with the development of multimedia and hypermedia learning materials.

B) Develops simple hypermedia and multimedia products that apply basic instructional design principles.

C) Selects appropriate tools for communicating concepts, conducting research, and solving problems for an intended audience and purpose.

D) Identifies examples of emerging programming, authoring, or problem solving environments.

E) Collaborates with on-line workgroups to build bodies of knowledge around specific topics.
Information Literacy Skills – The competent teacher will develop information literacy skills to be able to access, evaluate, and use information to improve teaching and learning.

1) Knowledge Indicator – The competent teacher understands how to access, evaluate, and use information to improve teaching and learning.

2) Performance Indicators – The competent teacher:

   A) Models evaluation and use of information to solve problems and make decisions.

   B) Expects students to intellectually access, evaluate, and use information to solve problems and make decisions in all subject areas.

   C) Structures instruction and designs learning tasks and assignments to reflect higher-level thinking skills.
D) Structures and/or facilitates cooperative learning groups as part of students’ tasks and assignments.

(Source: Amended at 34 Ill. Reg. _____, effective __________)

Section 24.130 The Illinois Professional Teaching Standards Beginning July 1, 2013

No later than July 1, 2013, all approved teacher preparation programs shall submit the course of study for that program with evidence that the program’s or course’s content is congruent with the standards identified in this Section. An application for approval of a new preparation program or course of study submitted on or after November 1, 2010, shall provide evidence of congruence with the standards identified in this Section. No later than September 1, 2013, the assessment of professional teaching (APT) required for the issuance of an initial teaching certificate under 23 Ill. Adm. Code 25.720 (Certification) shall be based on the standards set forth in this Section.

a) Teaching Diverse Students – The competent teacher understands the diverse characteristics and abilities of each student and how individuals develop and learn within the context of their social, economic, cultural, linguistic, and academic experiences. The teacher uses these experiences to create instructional opportunities that maximize student learning.

1) Knowledge Indicators – The competent teacher:

A) understands the spectrum of student diversity (e.g., race and ethnicity, socioeconomic status, special education, gifted, English language learners (ELL), sexual orientation, gender, gender identity) and the assets that each student brings to learning across the curriculum;

B) understands how each student constructs knowledge, acquires skills, and develops effective and efficient critical thinking and problem-solving capabilities;

C) understands how teaching and student learning are influenced by development (physical, social and emotional, cognitive, linguistic), past experiences, talents, prior knowledge, economic circumstances and diversity within the community;

D) understands the impact of cognitive, emotional, physical, and sensory disabilities on learning and communication pursuant to the
Individuals with Disabilities Education Improvement Act (also referred to as “IDEA”) (20 USC 1400 et seq.), its implementing regulations (34 CFR 300, as amended by 73 Fed. Reg. 231; 2008), Article 14 of the School Code [105 ILCS 5/Art.14] and 23 Ill. Adm. Code 226 (Special Education);

E) understands the impact of linguistic and cultural diversity on learning and communication;

F) understands his or her personal perspectives and biases and their effects on one’s teaching; and

G) understands how to identify individual needs and how to locate and access technology, services, and resources to address those needs.

2) Performance Indicators – The competent teacher:

A) analyzes and uses student information to design instruction that meets the diverse needs of students and leads to ongoing growth and achievement;

B) stimulates prior knowledge and links new ideas to already familiar ideas and experiences;

C) differentiates strategies, materials, pace, levels of complexity, and language to introduce concepts and principles so that they are meaningful to students at varying levels of development and to students with diverse learning needs;

D) facilitates a learning community in which individual differences are respected;

E) uses information about students’ individual experiences, families, cultures, and communities to create meaningful learning opportunities and enrich instruction for all students.

b) Content Area and Pedagogical Knowledge – The competent teacher has in-depth understanding of content area knowledge that includes central concepts, methods of inquiry, structures of the disciplines, and content area literacy. The teacher
creates meaningful learning experiences for each student based upon interactions among content area and pedagogical knowledge, and evidence-based practice.

1) Knowledge Indicators – The competent teacher:

A) understands theories and philosophies of learning and human development as they relate to the range of students in the classroom;

B) understands major concepts, assumptions, debates, and principles; processes of inquiry; and theories that are central to the disciplines;

C) understands the cognitive processes associated with various kinds of learning (e.g., critical and creative thinking, problem-structuring and problem-solving, invention, memorization, and recall) and ensures attention to these learning processes so that students can master content standards;

D) understands the relationship of knowledge within the disciplines to other content areas and to life applications;

E) understands how diverse student characteristics and abilities affect processes of inquiry and influence patterns of learning;

F) knows how to access the tools and knowledge related to latest findings (e.g., research, practice, methodologies) and technologies in the disciplines;

G) understands the theory behind and the process for scaffolding instruction to maximize student learning; and

H) understands the relationship among language acquisition (first and second), literacy development, and acquisition of academic content and skills.

2) Performance Indicators – The competent teacher:

A) evaluates teaching resources and materials for appropriateness as related to curricular content and each student’s needs;
B) uses differing viewpoints, theories, and methods of inquiry in teaching subject matter concepts;

C) engages students in the processes of critical thinking and inquiry and addresses standards of evidence of the disciplines;

D) demonstrates fluency in technology systems, uses technology to support instruction and enhance student learning, and designs learning experiences to develop student skills in the application of technology appropriate to the disciplines;

E) uses a variety of explanations and multiple representations of concepts that capture key ideas to help each student develop conceptual understanding and address common misunderstandings;

F) facilitates learning experiences that make connections to other content areas and to life experiences;

G) designs learning experiences and utilizes assistive technology and digital tools to provide access to general curricular content to individuals with disabilities;

H) adjusts practice to meet the needs of each student in the content areas; and

I) applies and adapts an array of content area literacy strategies to make all subject matter accessible to each student.

c) Planning for Differentiated Instruction – The competent teacher plans and designs instruction based on content area knowledge, diverse student characteristics, student performance data, curriculum goals, and the community context. The teacher plans for ongoing student growth and achievement.

1) Knowledge Indicators – The competent teacher:

A) understands the Illinois Learning Standards (23 Ill. Adm. Code 1.Appendix D), curriculum development process, content, learning theory, assessment, and student development and knows how to incorporate this knowledge in planning differentiated instruction;
B) understands how to develop short- and long-range plans, including transition plans, consistent with curriculum goals, student diversity, and learning theory;

C) understands cultural, linguistic, cognitive, physical, and social and emotional differences, and considers the needs of each student when planning instruction;

D) understands when and how to adjust plans based on outcome data, as well as student needs, goals, and responses;

E) understands the appropriate role of technology, including assistive technology, to address student needs, as well as how to incorporate contemporary tools and resources to maximize student learning;

F) understands how to co-plan with other classroom teachers, parents or guardians, paraprofessionals, school specialists, and community representatives to design learning experiences; and

G) understands how research and data guide instructional planning, delivery, and adaptation.

2) Performance Indicators – The competent teacher:

A) establishes high expectations for each student’s learning and behavior;

B) creates short-term and long-term plans to achieve the expectations for student learning;

C) uses data to plan for differentiated instruction to allow for variations in individual learning needs;

D) incorporates experiences into instructional practices that relate to a student’s current life experiences and to future life experiences;

E) creates approaches to learning that are interdisciplinary and that integrate multiple content areas;
F) develops plans based on student responses and provides for different pathways based on student needs;

G) accesses and uses a wide range of information and instructional technologies to enhance a student’s ongoing growth and achievement;

H) when planning instruction, addresses goals and objectives contained in plans developed under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), individualized education programs (IEP) (see 23 Ill. Adm. Code 226 (Special Education)) or individual family service plans (IFSP) (see 23 Ill. Adm. Code 226 and 34 CFR 300.24; 2006);

I) works with others to adapt and modify instruction to meet individual student needs; and

J) develops or selects relevant instructional content, materials, resources, and strategies (e.g., project-based learning) for differentiating instruction.

d) Learning Environment – The competent teacher structures a safe and healthy learning environment that facilitates cultural and linguistic responsiveness, emotional well-being, self-efficacy, positive social interaction, mutual respect, active engagement, academic risk-taking, self-motivation, and personal goal-setting.

1) Knowledge Indicators – The competent teacher:

A) understands principles of and strategies for effective classroom and behavior management;

B) understands how individuals influence groups and how groups function in society;

C) understands how to help students work cooperatively and productively in groups;

D) understands factors (e.g., self-efficacy, positive social interaction) that influence motivation and engagement;
E) knows how to assess the instructional environment to determine how best to meet a student’s individual needs;

F) understands laws, rules, and ethical considerations regarding behavior intervention planning and behavior management (e.g., bullying, crisis intervention, physical restraint);

G) knows strategies to implement behavior management and behavior intervention planning to ensure a safe and productive learning environment; and

H) understands the use of student data (formative and summative) to design and implement behavior management strategies.

2) Performance Indicators – The competent teacher:

A) creates a safe and healthy environment that maximizes student learning;

B) creates clear expectations and procedures for communication and behavior and a physical setting conducive to achieving classroom goals;

C) uses strategies to create a smoothly functioning learning community in which students assume responsibility for themselves and one another, participate in decision-making, work collaboratively and independently, use appropriate technology, and engage in purposeful learning activities;

D) analyzes the classroom environment and makes decisions to enhance cultural and linguistic responsiveness, mutual respect, positive social relationships, student motivation, and classroom engagement;

E) organizes, allocates, and manages time, materials, technology, and physical space to provide active and equitable engagement of students in productive learning activities;
F) engages students in and monitors individual and group-learning activities that help them develop the motivation to learn;

G) uses a variety of effective behavioral management techniques appropriate to the needs of all students that include positive behavior interventions and supports;

H) modifies the learning environment (including the schedule and physical arrangement) to facilitate appropriate behaviors and learning for students with diverse learning characteristics; and

I) analyzes student behavior data to develop and support positive behavior.

e) Instructional Delivery – The competent teacher differentiates instruction by using a variety of strategies that support critical and creative thinking, problem-solving, and continuous growth and learning. This teacher understands that the classroom is a dynamic environment requiring ongoing modification of instruction to enhance learning for each student.

1) Knowledge Indicators – The competent teacher:

A) understands the cognitive processes associated with various kinds of learning;

B) understands principles and techniques, along with advantages and limitations, associated with a wide range of evidence-based instructional practices;

C) knows how to implement effective differentiated instruction through the use of a wide variety of materials, technologies, and resources;

D) understands disciplinary and interdisciplinary instructional approaches and how they relate to life and career experiences;

E) knows techniques for modifying instructional methods, materials, and the environment to facilitate learning for students with diverse learning characteristics;
F) knows strategies to maximize student attentiveness and engagement;

G) knows how to evaluate and use student performance data to adjust instruction while teaching; and

H) understands when and how to adapt or modify instruction based on outcome data, as well as student needs, goals, and responses.

2) Performance Indicators – The competent teacher:

A) uses multiple teaching strategies, including adjusted pacing and flexible grouping, to engage students in active learning opportunities that promote the development of critical and creative thinking, problem-solving, and performance capabilities;

B) monitors and adjusts strategies in response to feedback from the student;

C) varies his or her role in the instructional process as instructor, facilitator, coach, or audience in relation to the content and purposes of instruction and the needs of students;

D) develops a variety of clear, accurate presentations and representations of concepts, using alternative explanations to assist students’ understanding and presenting diverse perspectives to encourage critical and creative thinking;

E) uses strategies and techniques for facilitating meaningful inclusion of individuals with a range of abilities and experiences;

F) uses technology to accomplish differentiated instructional objectives that enhance learning for each student;

G) models and facilitates effective use of current and emerging digital tools to locate, analyze, evaluate, and use information resources to support research and learning.
H) uses student data to adapt the curriculum and implement instructional strategies and materials according to the characteristics of each student;

I) uses effective co-planning and co-teaching techniques to deliver instruction to all students;

J) maximizes instructional time (e.g., minimizes transitional time); and

K) implements appropriate evidence-based instructional strategies.

f) Reading, Writing, and Oral Communication – The competent teacher has foundational knowledge of reading, writing, and oral communication within the content area and recognizes and addresses student reading, writing, and oral communication needs to facilitate the acquisition of content knowledge.

1) Knowledge Indicators – The competent teacher:

A) understands appropriate and varied instructional approaches used before, during, and after reading, including those that develop word knowledge, vocabulary, comprehension, fluency, and strategy use in the content areas;

B) understands that the reading process involves the construction of meaning through the interactions of the reader's background knowledge and experiences, the information in the text, and the purpose of the reading situation;

C) understands communication theory, language development, and the role of language in learning;

D) understands writing processes and their importance to content learning;

E) knows and models standard conventions of written and oral communications;
F) recognizes the relationships among reading, writing, and oral communication and understands how to integrate these components to increase content learning;

G) understands how to design, select, modify, and evaluate a wide range of materials for the content areas and the reading needs of the student;

H) understands how to use a variety of formal and informal assessments to recognize and address the reading, writing, and oral communication needs of each student; and

I) knows appropriate and varied instructional approaches, including those that develop word knowledge, vocabulary, comprehension, fluency, and strategy use in the content areas.

2) Performance Indicators – The competent teacher:

A) selects, modifies, and uses a wide range of printed, visual, or auditory materials, and online resources appropriate to the content areas and the reading needs and levels of each student (including ELLs, and struggling and advanced readers);

B) uses assessment data, student work samples, and observations from continuous monitoring of student progress to plan and evaluate effective content area reading, writing, and oral communication instruction;

C) facilitates the use of appropriate word identification and vocabulary strategies to develop each student’s understanding of content;

D) teaches fluency strategies to facilitate comprehension of content;

E) uses modeling, explanation, practice, and feedback to teach students to monitor and apply comprehension strategies independently, appropriate to the content learning;

F) teaches students to analyze, evaluate, synthesize, and summarize information in single texts and across multiple texts, including
electronic resources;

G) teaches students to develop written text appropriate to the content areas that utilizes organization (e.g., compare/contrast, problem/solution), focus, elaboration, word choice, and standard conventions (e.g., punctuation, grammar);

H) integrates reading, writing, and oral communication to engage students in content learning;

I) works with other teachers and support personnel to design, adjust, and modify instruction to meet students’ reading, writing, and oral communication needs; and

J) stimulates discussion in the content areas for varied instructional and conversational purposes.

g) Assessment – The competent teacher understands and uses appropriate formative and summative assessments for determining student needs, monitoring student progress, measuring student growth, and evaluating student outcomes. The teacher makes decisions driven by data about curricular and instructional effectiveness and adjusts practices to meet the needs of each student.

1) Knowledge Indicators – The competent teacher:

A) understands the purposes, characteristics, and limitations of different types of assessments, including standardized assessments, universal screening, curriculum-based assessment, and progress monitoring tools;

B) understands that assessment is a means of evaluating how students learn and what they know and are able to do in order to meet the Illinois Learning Standards;

C) understands measurement theory and assessment-related issues, such as validity, reliability, bias, and appropriate and accurate scoring;

D) understands current terminology and procedures necessary for the appropriate analysis and interpretation of assessment data;
E) understands how to select, construct, and use assessment strategies and instruments for diagnosis and evaluation of learning and instruction;

F) knows research-based assessment strategies appropriate for each student;

G) understands how to make data-driven decisions using assessment results to adjust practices to meet the needs of each student;

H) knows legal provisions, rules, and guidelines regarding assessment and assessment accommodations for all student populations; and

I) knows assessment and progress monitoring techniques to assess the effectiveness of instruction for each student.

2) Performance Indicators – The competent teacher:

A) uses assessment results to determine student performance levels, identify learning targets, select appropriate research-based instructional strategies, and implement instruction to enhance learning outcomes;

B) appropriately uses a variety of formal and informal assessments to evaluate the understanding, progress, and performance of an individual student and the class as a whole;

C) involves students in self-assessment activities to help them become aware of their strengths and needs and encourages them to establish goals for learning;

D) maintains useful and accurate records of student work and performance;

E) accurately interprets and clearly communicates aggregate student performance data to students, parents or guardians, colleagues, and the community in a manner that complies with the requirements of the Illinois School Student Records Act [105 ILCS 10], 23 Ill. Adm. Code 375 (Student Records), the Family Educational Rights
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and Privacy Act (FERPA) (20 USC 1232g) and its implementing regulations (34 CFR 99; December 9, 2008);

F) effectively uses appropriate technologies to conduct assessments, monitor performance, and assess student progress;

G) collaborates with families and other professionals involved in the assessment of each student;

H) uses various types of assessment procedures appropriately, including making accommodations for individual students in specific contexts; and

I) uses assessment strategies and devices that are nondiscriminatory, and take into consideration the impact of disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students.

h) Collaborative Relationships – The competent teacher builds and maintains collaborative relationships to foster cognitive, linguistic, physical, and social and emotional development. This teacher works as a team member with professional colleagues, students, parents or guardians, and community members.

1) Knowledge Indicators – The competent teacher:

A) understands schools as organizations within the larger community context;

B) understands the collaborative process and the skills necessary to initiate and carry out that process;

C) collaborates with others in the use of data to design and implement effective school interventions that benefit all students;

D) understands the benefits, barriers, and techniques involved in parent and family collaborations;

E) understands school- and work-based learning environments and the need for collaboration with all organizations (e.g., businesses, community agencies, nonprofit organizations) to enhance student
learning;

F) understands the importance of participating on collaborative and problem-solving teams to create effective academic and behavioral interventions for all students;

G) understands the various models of co-teaching and the procedures for implementing them across the curriculum;

H) understands concerns of families of students with disabilities and knows appropriate strategies to collaborate with students and their families in addressing these concerns; and

I) understands the roles and the importance of including students with disabilities, as appropriate, and all team members in planning individualized education programs (i.e., IEP, IFSP, Section 504 plan) for students with disabilities.

2) Performance Indicators – The competent teacher:

A) works with all school personnel (e.g., support staff, teachers, paraprofessionals) to develop learning climates for the school that encourage unity, support a sense of shared purpose, show trust in one another, and value individuals;

B) participates in collaborative decision-making and problem-solving with colleagues and other professionals to achieve success for all students;

C) initiates collaboration with others to create opportunities that enhance student learning;

D) uses digital tools and resources to promote collaborative interactions;

E) uses effective co-planning and co-teaching techniques to deliver instruction to each student;

F) collaborates with school personnel in the implementation of appropriate assessment and instruction for designated students;
G) develops professional relationships with parents and guardians that result in fair and equitable treatment of each student to support growth and learning;

H) establishes respectful and productive relationships with parents or guardians and seeks to develop cooperative partnerships to promote student learning and well-being;

I) uses conflict resolution skills to enhance the effectiveness of collaboration and teamwork;

J) participates in the design and implementation of individualized instruction for students with special needs (i.e., IEPs, IFSP, transition plans, Section 504 plans), ELLs, and students who are gifted; and

K) identifies and utilizes community resources to enhance student learning and to provide opportunities for students to explore career opportunities.

i) Professionalism, Leadership, and Advocacy – The competent teacher is an ethical and reflective practitioner who exhibits professionalism; provides leadership in the learning community; and advocates for students, parents or guardians, and the profession.

1) Knowledge Indicators – The competent teacher:

A) evaluates best practices and research-based materials against benchmarks within the disciplines;

B) knows laws and rules (e.g., mandatory reporting, sexual misconduct, corporal punishment) as a foundation for the fair and just treatment of all students and their families in the classroom and school;

C) understands emergency response procedures as required under the School Safety Drill Act [105 ILCS 128/1], including school safety and crisis intervention protocol, initial response actions (e.g.,
whether to stay in or evacuate a building), and first response to medical emergencies (e.g., first aid and life-saving techniques);

D) identifies paths for continuous professional growth and improvement, including the design of a professional growth plan;

E) is cognizant of his or her emerging and developed leadership skills and the applicability of those skills within a variety of learning communities;

F) understands the roles of an advocate, the process of advocacy, and its place in combating or promoting certain school district practices affecting students;

G) understands local and global societal issues and responsibilities in an evolving digital culture; and

H) understands the importance of modeling appropriate dispositions in the classroom.

2) Performance Indicators – The competent teacher:

A) models professional behavior that reflects honesty, integrity, personal responsibility, confidentiality, altruism and respect;

B) maintains accurate records, manages data effectively, and protects the confidentiality of information pertaining to each student and family;

C) reflects on professional practice and resulting outcomes; engages in self-assessment; and adjusts practices to improve student performance, school goals, and professional growth;

D) communicates with families, responds to concerns, and contributes to enhanced family participation in student education;

E) communicates relevant information and ideas effectively to students, parents or guardians, and peers, using a variety of technology and digital-age media and formats;
collaborates with other teachers, students, parents or guardians, specialists, administrators, and community partners to enhance students’ learning and school improvement;

participates in professional development, professional organizations, and learning communities, and engages in peer coaching and mentoring activities to enhance personal growth and development;

uses leadership skills that contribute to individual and collegial growth and development, school improvement, and the advancement of knowledge in the teaching profession;

proactively serves all students and their families with equity and honor and advocates on their behalf, ensuring the learning and well-being of each child in the classroom;

is aware of and complies with the mandatory reporter provisions of Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4];

models digital etiquette and responsible social actions in the use of digital technology; and

models and teaches safe, legal, and ethical use of digital information and technology, including respect for copyright, intellectual property, and the appropriate documentation of sources.

(Source: Added at 34 Ill. Reg. _____, effective __________)
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent and Chief of Staff
Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Rules for Adoption: Part 210 (Illinois Hope and Opportunity Pathways through Education Program)

Materials: Recommended Rules

Staff Contacts: Monique Chism, Division Administrator

Purpose of Agenda Item
The purpose of this agenda item is to present the proposed rules for adoption.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item links to Strategic Goal 1, as it establishes opportunities for high school dropouts to earn their high school diplomas.

Expected Outcome of Agenda Item
The Board will be asked to adopt rules to Part 210.

Background Information
P.A. 96-106, effective July 30, 2009, establishes the Illinois Hope and Opportunity Pathways through Education (IHOPE) program with the goal of re-enrolling high school dropouts into programs that will enable these individuals to earn their high school diplomas. The legislation is the result of the 2008 report of the Illinois Task Force on Re-enrolling Students Who Dropped out of School (now the Council on Re-enrolling Students Who Dropped out of School), which recommended that these types of high school completion programs be established and funded with a combination of general state aid and an “incentive” grant to be distributed on a formula basis.

Under the law, regional offices of education (or City of Chicago School District 299) may establish IHOPE programs in coordination with school districts, community colleges and other community programs that work with dropouts. The programs may offer an array of programming to meet the needs of the individuals enrolled. Each program, however, must contain certain components specified in the law (i.e., limited enrollment and small teams of students, performance-based goals and outcomes, qualified staff, voluntary enrollment, integration of work experience and academics, provision of support services, technology center with Internet access).

Students in IHOPE programs work toward completion of coursework required for a high school diploma under Section 27-22 of the School Code, in addition to meeting any other graduation
requirements established by their school districts of residence. Once a student has satisfied both local and state graduation requirements, then he or she receives a high school diploma “identifying the student as graduating from his or her district of residence”.

New Part 210, Subpart A, sets forth the requirements for an IHOPE program, whose plan for the program must be approved by the State Board of Education in order for it to be eligible to receive general state aid or an incentive grant. The requirements for that plan are contained in Section 210.70 and criteria for review and approval of the plan are in Section 210.75.

The proposed requirements protect the rights of students who choose to enroll in IHOPE programs by ensuring that:

- before individuals can be enrolled in an IHOPE program, they, along with their parents or guardians if they are less than 18 years old, receive information about the program;
- each student has a learning plan that addresses his or her individual needs and goals;
- the IHOPE program and school district awarding the high school diploma work in cooperation to provide services to students who had an Individualized Education Program in the last high school they attended; and
- school records are retained by the district of residence awarding the diploma in accordance with the Illinois School Student Records Act and Part 375 (Student Records).

The proposed rules also require that individuals providing instruction be certified in Illinois and that personnel providing support services be properly qualified. While IHOPE programs must be offered for a full school year in order to claim general state aid (i.e., 176 days of actual pupil attendance), they may offer less than five clock-hours of instruction daily under conditions specified in Section 210.60 and still receive full reimbursement. Finally, it is proposed that IHOPE programs enroll students by lottery or on a first come, first serve basis when the number of spaces is less than the number of individuals wishing to enroll. Other provisions address continuation of programs beyond the initial approval year, and suspension and revocation of program approval in certain circumstances.

Subpart B of the proposed rules establishes the process for applying for an incentive grant. The law requires that grant funds be allocated based on the proportion of dropouts in the geographic area served by the regional office of education or Chicago school district in comparison to the total number of dropouts statewide. A consistent count for dropouts will be used to calculate the amount each regional office or Chicago school district will receive by using the dropout totals reported by school districts to the Student Information System by July 31 of each year. The General Assembly failed to provide for an appropriation for FY 2010, so no incentive grants were awarded this year. However, promulgating rules now for the application process will ensure that the grant process can begin immediately when funding is available.

The proposed rules were published in the Illinois Register to elicit public comment. None was received, and the version of the rules being presented for adoption is identical to the proposal the Board considered in March.

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

Policy Implications: See “Background” above.
Budget Implications: Illinois’ Race to the Top (RTTT) application in Phase II includes $12.5 million to support the establishment of an IHOPE regional delivery system for re-enrolling students who have dropped out of school. In order to receive RTTT funding, an IHOPE program would first need to be approved by ISBE in accordance with Subpart A of Part 210. Funding priority would be given to regions of the State with a high number of “Illinois Priority” high schools (i.e., those that are persistently lowest achieving). In addition to programs targeting students who have dropped out, the IHOPE programs supported with RTTT funds must also establish a partnership with school districts participating in the Illinois Partnership Zone to perform a segmentation analysis of the student population in “Illinois Priority” high schools and develop tailored solutions for students who are at risk of dropping out. Over the course of the RTTT grant period, it is the goal that IHOPE programs would enroll more than 9,000 dropouts in the State’s most impoverished communities and enable them to pursue a high school diploma.

Legislative Action: None needed.
Communication: Please see “Next Steps” below.

Pros and Cons of Various Actions
The proposed rules set forth the agency’s policies and procedures relative to the approval of an IHOPE program, thus enabling the ROE establishing the program to receive general state aid, and to allow the Chicago school district to receive general state aid for its dropouts who are enrolled in the program. Such policies and procedures establish a uniform process and consistent criteria for approving programs. Failure to promulgate rules in this regard would violate the provisions of the Illinois Administrative Procedure Act, which require that agency policies be set forth in administrative rules.

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

The State Board of Education hereby adopts the proposed rulemaking for:

Illinois Hope and Opportunity Pathways through Education Program (23 Illinois Administrative Code 210),

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.

Next Steps
Notice of the adopted rules will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.
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TITLE 23:  EDUCATION AND CULTURAL RESOURCES
SUBTITLE A:  EDUCATION
CHAPTER I:  STATE BOARD OF EDUCATION
SUBCHAPTER e:  INSTRUCTION

PART 210
ILLINOIS HOPE AND OPPORTUNITY PATHWAYS
THROUGH EDUCATION PROGRAM

SUBPART A:  PROGRAM APPROVAL

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SUBPART B:  INCENTIVE GRANTS

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AUTHORITY: Implementing and authorized by Section 2-3.66b of the School Code [105 ILCS 5/2-3.66b].

SOURCE: Adopted at 34 Ill. Reg. _______, effective ____________.

SUBPART A:  PROGRAM APPROVAL
Section 210.10 Purpose

This Subpart A establishes the requirements for approval of Illinois Hope and Opportunity Pathways through Education (IHOPE) programs established pursuant to Section 2-3.66b of the School Code [105 ILCS 5/2-3.66b] by regional offices of education or the City of Chicago School District 299 (CPS).

a) IHOPE programs shall re-enroll high school dropouts in their respective regions of the State and provide instructional and other services to enable dropouts to meet the prerequisites to receiving a high school diploma specified in Section 27-22 of the School Code and any other graduation requirements of the student’s district of residence. [105 ILCS 5/2-3.66b(b)] For the purposes of this Part, “any other graduation requirements” means those that the district of residence has established for all students enrolled in the district’s general program of instruction.

b) A regional office of education or CPS may establish an IHOPE program or may contract with one or more entities specified in Section 2-3.66b(d) of the School Code to operate those programs.

c) A regional office or CPS may provide instructional services through a subcontractor only if the entity providing those instructional services is recognized by the State Board of Education. (See Section 210.40(a)(2) of this Part.)

Section 210.20 Program Components

An IHOPE program approved under this Part shall contain each of the components enumerated under Section 2-3.66b(g) of the School Code. As set forth in Section 2-3.66b(b) of the School Code, instructional and other services may be offered in one or more of the following ways:

a) comprehensive year-round programming;

b) summer or evening school programs;

c) community college coursework offered through dual enrollment programs (i.e., a student attends both high school and college classes), or dual credit courses, as defined in Section 5 of the Dual Credit Quality Act [110 ILCS 27/5];
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d) adult education programs;

e) vocational training and work experience;

f) programs to enhance self-concept; and/or

g) parenting classes.

Section 210.30 Requirements for Student Participation

Any individual subject to compulsory attendance requirements set forth in Article 26 of the School Code [105 ILCS 5/Art. 26] may be considered for enrollment in an IHOPE program, provided that he or she is considered to be a “dropout” for reporting purposes under Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a].

a) Each regional office of education or CPS, as applicable, that establishes an IHOPE program shall provide information about the program to the parents or guardians of all dropouts who are less than 18 years old who are being considered for enrollment and shall identify a staff member who may be contacted for information or assistance.

1) Before a dropout as defined in subsection (a) of this Section is enrolled in an IHOPE program, the program shall send a written notification to the student and the student’s parent or guardian to attend a conference about the program. This notification also shall contain a statement of the rights of the parent or guardian (e.g., requirement for written parental permission to enroll in the program, ability to withdraw consent for enrollment, participation in development of an individual instructional plan).

2) The conference shall be designed to help the parent or guardian determine whether the student’s participation in an IHOPE program would be beneficial.

3) A dropout as defined in subsection (a) of this Section shall not be enrolled in an IHOPE program without the written consent of his or her parent or guardian. This provision does not apply to youth who are considered to be an “unaccompanied youth” under Section 725 of federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001 (42 USC 11431 et seq.).
b) Before enrolling a dropout who is 18 years or older or an unaccompanied youth, the IHOPE program shall conduct the conference described in subsection (a) of this Section with the dropout.

c) An approved IHOPE program shall enroll only dropouts who reside in their region or district (see Section 2-3.66b(b) of the School Code), and no tuition may be charged of students who choose to participate.

d) Enrollment, in an IHOPE program of a dropout who, when enrolled in his or her previous school had an Individualized Education Program, shall be subject to the additional requirements set forth in Section 210.35 of this Part.

e) Receipt of a high school diploma under the IHOPE program is not subject to the state assessment requirements contained in Section 2-3.64 of the School Code [105 ILCS 5/2-3.64].

f) All rights granted under this Part to the student’s parent or guardian shall become those of the student once the student reaches 18 years of age, subject to the provisions of the Emancipation of Minors Act [750 ILCS 30].

g) For each dropout enrolled, an IHOPE program shall request from the school that the student last attended a certified copy of the student’s records, in accordance with 23 Ill. Adm. Code 375.75 (Student Records).

Section 210.35 Enrollment of Students with Individualized Education Programs

a) A dropout who, in his or her previous school, had an Individualized Education Program (IEP) is eligible to enroll in an IHOPE program if he or she meets the eligibility requirements for the program, subject to the requirements of this Section.

1) The IHOPE program shall work in cooperation with the school district at which the student was last enrolled to ensure that the student receives the special education and related services necessary for the student to achieve academically and meet the requirements for receipt of a high school diploma.
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2) All services identified as necessary pursuant to subsection (a)(1) of this Section shall be delivered by properly qualified personnel.

3) If a student enrolled in an IHOPE program is referred for an evaluation to determine whether he or she is eligible for special education, then the evaluation and eligibility determination shall be conducted in accordance with the State Board’s rules for Special Education (see 23 Ill. Adm. Code 226.Subpart B).

b) In cooperation with the school district from which the student will earn a high school diploma, the regional office of education establishing the IHOPE program, or CPS, as applicable shall develop an up-to-date IEP for each student who previously had an IEP and continues to qualify for services in accordance with 23 Ill. Adm. Code 226. The responsibilities of the regional office of education and the school district shall be specified in the cooperative agreement executed pursuant to Section 210.70(c)(8) of this Part.

Section 210.40 Program Requirements

Each IHOPE program approved by the State Board of Education shall conform to the following program requirements.

a) The program of instruction of an IHOPE program shall be consistent with State standards set forth in 23 Ill. Adm. Code 1.Appendix D (Public Schools Evaluation, Recognition and Supervision) and provide innovative and varied instructional strategies designed to facilitate the student’s receipt of a high school diploma.

1) In consultation with the student’s school district of residence, the IHOPE program must award academic credit in accordance with that district’s policy developed pursuant to 23 Ill. Adm. Code 1.420(b).

2) If the instructional program is provided by a non-profit entity, then that entity shall be recognized by the State Board of Education. A recognized entity is one that:

A) is established by the State to provide education-related services or instruction (e.g., regional offices of education, intermediate service centers, public community colleges or universities); or
B) is a nonpublic elementary or secondary school recognized by the State Board of Education under 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools); or

C) is designated for operation through a standardized approval process administered by the State Board of Education (i.e., public university laboratory schools, alternative schools, charter schools, area vocational centers, Alternative Learning Opportunities Programs); or

D) meets the requirements of a national or regional accrediting body (e.g., private colleges and universities, other nonpublic elementary or secondary schools).

b) Support services shall be provided for each student enrolled in the IHOPE program. The particular services provided shall be those that are determined to be necessary for the student’s academic success.

c) An individual instructional plan shall be developed for each student enrolled in the IHOPE program in accordance with Section 210.50 of this Part.

d) Progress reports for students enrolled in the IHOPE program shall be provided at least in the same manner and with the same frequency as progress reports are sent to parents and guardians of students enrolled in the school district from which the student will receive his or her diploma. A student’s parent or guardian may request a meeting anytime during the school year to review the student’s progress, in accordance with procedures developed by the IHOPE program.

e) The IHOPE program shall employ staff who are appropriately qualified.

1) Teachers shall hold a valid and active elementary, secondary, special K-12 or special preschool—age 21 Illinois teaching certificate required for the grade levels to which they will be assigned, except that staff employed in dual credit programs must meet the requirements set forth in 110 ILCS 27/20.

2) Professional personnel who provide other services for students enrolled in the program shall hold the certificates appropriate to their roles pursuant to
State Board of Education rules for Certification (23 Ill. Adm. Code 25), except that:

A) personnel providing professional nursing services shall meet the requirements of Section 10-22.23 of the School Code [105 ILCS 5/10-22.23];

B) personnel providing school counseling services shall meet the requirements of Section 10-22.24b of the School Code [105 ILCS 5/10-22.24b];

C) personnel providing noninstructional services shall meet the requirements of Section 10-22.34 of the School Code [105 ILCS 5/10-22.34];

D) personnel providing school psychological services shall meet the requirements of Section 14-1.09.1 of the School Code [105 ILCS 5/14-1.09.1]; and

E) personnel providing school social work services shall meet the requirements of Section 14-1.09.2 of the School Code [105 ILCS 5/14-1.09.2].

Section 210.50 Individual Instructional Plan

a) The individual instructional plan (IIP) developed for each student in the IHOPE program shall be based on an assessment of a student’s educational skills and prior academic success. Each plan shall contain the following elements:

1) goals and objectives for satisfactory performance that will lead to the awarding of a high school diploma. When appropriate, the goals and objectives specified in the IIP shall take into account the social norms and behaviors specific to the student’s cultural and linguistic background;

2) the specific curriculum and instructional methods;

3) the support services needed to remove barriers to learning;
4) when appropriate, the career development experiences the student will receive to enhance his or her career awareness;

5) the expected academic, social and behavioral outcomes to be achieved as a result of the student’s participation in the IHOPE program and the student’s responsibilities for achieving those outcomes;

6) an estimate of the length of time the student will need to complete State and local requirements for receipt of a high school diploma;

7) a description of the commitments that the student’s parent or guardian, as applicable, will make to ensure that the student successfully completes the IHOPE program; and

8) the assessment procedures to be used to determine the degree to which the student has achieved his or her learning objectives and other specified outcomes.

b) Each IIP shall be reviewed at least twice during the school year and more often, if necessary. The review shall consider any changes in the elements of the IIP, as specified under subsection (a) of this Section, that are necessary based on the student’s academic progress since the previous review period or in the previous school year. If any changes are proposed for the IIP of a student who meets the criteria under Section 210.30(a) of this Part, then the IHOPE program shall notify the student’s parent or guardian of the proposed changes in accordance with the procedures outlined in subsection (a) of this Section.

c) The IHOPE program shall send a written notification 10 school days in advance to the student, and his or her parent or guardian for a student meeting the criteria under Section 210.30(a) of this Part, of the opportunity to participate in the development of the IIP. The notice must include the time, date and place of the meeting to consider the plan. If the student or parent or guardian, as applicable, is unable to participate in the meeting, then the regional office of education or CPS, as applicable, shall:

1) take other steps, including individual or conference telephone calls, to ensure that the student and his or her parent or guardian, as applicable, have an opportunity to comment on the proposed plan; and
2) provide to the student and his or her parent or guardian, as applicable, a copy of the final IIP after it is completed.

d) The IIP and any subsequent revisions to the IIP shall become part of the individual’s Student Temporary Record, as defined in 23 Ill. Adm. Code 375.10, and shall be made available to the State Superintendent of Education upon request in instances in which there is a demonstrable educational interest (see 105 ILCS 10/6(a)(2)) and/or when necessary for State or federal program purposes (see 105 ILCS 10/6(a)(12)).

Section 210.60 Supplemental Services and Instructional Time

In order to receive general State aid, an IHOPE program shall develop a plan in accordance with Section 2-3.66b(c) of the School Code and Section 210.70 of this Part that proposes a calendar for the program that is in conformance with the requirements of Section 2-3.66b(e) of the School Code. A calendar that varies in the length of the instructional day (i.e., 5 clock-hours of school work) from those requirements shall be approved under the following conditions.

a) The calendar meets all of the following exceptions:

1) The IHOPE plan submitted under Section 210.70 of this Part establishes that a program providing the required minimum daily hours of school work would not serve the needs of the program's students.

2) Each day of attendance shall provide no fewer than 3 clock-hours of school work, as defined under Section 18-8.05(F)(1) of the School Code [105 ILCS 5/18-8.05(F)(1)].

3) Each day of attendance that provides fewer than 5 clock-hours of school work also shall provide supplementary services, including, without limitation, work-based learning, student assistance programs, counseling, case management, life-skills or conflict resolution training, career counseling, or service learning, in order to provide a total daily program to the student of 5 clock-hours. A program may claim general State aid for up to 2 clock-hours of the time each day that a student is receiving supplementary services.

4) Each program shall provide no fewer than 176 days of actual pupil attendance during the school term.
b) The supplemental services provided pursuant to subsection (a) of this Section that are noninstructional in nature (e.g., student assistance programs, counseling services, case management, life skills or conflict resolution training, career counseling) shall be:

1) directly linked to a need identified in the student’s individual instructional plan developed pursuant to Section 210.50 of this Part and necessary for the student to successfully advance in the instructional program and meet the requirements for receipt of a high school diploma set forth in Section 2-3.66b(b) of the School Code;

2) provided by qualified personnel with the experience and skills appropriate to the service being provided; and

3) monitored by IHOPE program staff to ensure that the services provided are effective in improving the student’s academic achievement, as specified in his or her individual instructional plan.

c) Activities that are instructional in nature (e.g., work-based learning activities, service learning) shall not be considered supplemental services for the purposes of this Section. These shall be considered to be part of the 5 clock-hours of school work required under Section 18-8.05 of the School Code, provided that:

1) the activity is an integral and regular part of the academic instruction that the student is receiving and is tied to one or more of the State Goals for Learning (23 Ill. Adm. Code 1.Appendix Dn);

2) the student receives academic credit upon successful completion of the activity, in accordance with the policies of the student’s district of residence that will be issuing the high school diploma; and

3) the activity is provided under the direction of a certified teacher (see Section 210.40(e) of this Part).

Section 210.70 Contents of IHOPE Plan
The plan for each IHOPE program shall be approved by the State Superintendent of Education in accordance with criteria set forth under Section 2-3.66b(c) of the School Code and Section 210.75 of this Part.

a) The State Superintendent of Education shall annually notify regional offices of education and CPS of the opportunity to submit an IHOPE plan for approval, specifying the information that shall be included in the plan and requiring that the plan be submitted no later than the date specified in the notification.

b) Each application shall be reviewed for completeness and conformance to the requirements of Section 2-3.66b of the School Code and this Part.

1) Incomplete plans shall be returned to the regional office of education or CPS, as applicable, specifying the additional information that is needed, which shall be submitted within 15 calendar days after receiving the request.

2) Based on the criteria contained in Section 210.75 of this Part, plans that do not meet the requirements of Section 2-3.66b of the School Code and this Part shall be returned to the regional office of education or CPS, as applicable, specifying the reasons why the plan was not acceptable.

c) Each plan for an IHOPE program shall be submitted in a format specified by the State Superintendent of Education and shall contain the following elements:

1) A description of the planning process conducted to determine the type of IHOPE program to be established and a list of the participants in that process to at least include those entities specified in Section 2-3.66b(c) of the School Code.

2) An organizational chart that reflects the governance, administrative, educational and support structures of the proposed IHOPE program and describes the responsibilities of each entity involved in the program.

3) Evidence that the plan for the IHOPE program includes each of the components enumerated in Section 2-3.66b(g) of the School Code.

A) Programs that exceed the enrollment limits set forth under Section 2-3.66b(g)(1) of the School Code shall provide a justification for a
larger program and a description of the steps to be taken to ensure that the program will meet the needs of each student to be enrolled in an effective manner.

B) In order to demonstrate compliance with Section 2-3.66b(g)(3) of the School Code, the plan shall include a description of the experiences, competency, and qualifications of certified and non-certificated staff that emphasizes their individual and collective abilities to work successfully with students who have dropped out of school. (Also see Section 210.40(e) of this Part.)

C) In order to demonstrate compliance with Section 2-3.66b(g)(6) of the School Code, the plan shall include a schedule of support services that will be available to students as part of their instructional program, including the procedures for accessing a student’s need for services on an as-needed basis.

D) In order to demonstrate compliance with Section 2-3.66b(g)(9), the plan shall address how instruction will incorporate “action into study” to include but not be limited to the following elements: observation and interaction, laboratory and field experiences, applying what is learned in the classroom to real-life situations or problems, or students being active participants in their learning.

4) The specific curriculum to be used (see Section 210.40(a) of this Part), to at least include a description of how work experience and the instructional program will be integrated. If a non-profit entity will be providing instructional services, then the regional office of education or CPS, as applicable, shall identify the entity and provide evidence that it meets the requirements of Section 210.40(a)(2) of this Part.

5) The process for admitting dropouts to the program, which shall address factors to be considered to enroll students. These factors shall be nondiscriminatory and shall not take into consideration the needs of individual students for specific services, such as special education or bilingual services. If there are more eligible applicants for enrollment in an IHOPE program than there are spaces available, students shall be selected either on a first come, first served basis or by lottery.
6) A list of any cooperative and intergovernmental agreements and subcontracts that identifies the entity with which the agreement or subcontract is entered and includes a description of the need and purpose of the agreement or subcontract; measurable and time-specific services to be provided, as applicable; associated costs, i.e., the amounts to be paid, as applicable; and the projected number of participants to be served.

7) An agreement with each school district from which an IHOPE student will graduate and receive a diploma in accordance with Section 2-3.66b(b) of the School Code.

8) If any of the students enrolled require special education services, then the cooperative agreement with the school district of residence of each student that addresses responsibility for at least, but not limited to, the evaluation process, provision of services, dispute resolution, child count, and receipt of State special education funds.

9) The procedures to be used to review student progress on a regular basis, which shall at least conform with the requirements of Section 210.40(d) of this Part.

10) A summary of the program’s student discipline policy, to address the procedures to be used for a student’s suspension or expulsion from the program due to gross disobedience or misconduct.

11) The proposed calendar for the program, providing evidence that it is in conformance with the requirements of Section 2-3.66b(e) of the School Code and Section 210.60 of this Part.

12) A description of how the IHOPE program’s professional development plan will address instruction of students who have dropped out of school.

13) A detailed program budget that includes the sources of funding to be used in conjunction with general State aid and/or any incentive grant received pursuant to Subpart B of this Part and a plan for allocating costs to those funds.
A) The budget plan shall outline how any local, State or federal funds will be coordinated to ensure the efficient and effective delivery of the program.

B) The budget shall describe sources of revenue other than general State aid or an incentive grant that the regional office of education or CPS, as applicable, will allocate to the program.

C) The budget shall include an estimate of the total cost per student for the program and an estimate of any gap between existing revenue available for the program and the total cost of the program.

14) A plan for evaluating the effectiveness of the program in improving academic performance of the students working towards meeting State and local requirements for receipt of a high school diploma. The plan shall include:

A) the methods to be used to conduct the evaluation;

B) the data to be collected, which shall include at least the indicators outlined in Section 2-3.66b(h) of the School Code, as applicable to the program;

C) the specific procedures for how achievement levels of individual students enrolled in the program will be assessed to ensure that each student is making anticipated progress, as stipulated in his or her individual instructional program;

D) the specific procedures for how achievement levels of students with IEPs will be assessed, if these students are enrolled in the program;

E) how the evaluation will measure the extent to which the program overall is an effective strategy for assisting dropouts in completing their high school education and receiving a diploma; and

F) how the evaluation results will be used to improve the program.

Section 210.75 Program Approval Criteria
All complete applications to establish an IHOPE program shall be reviewed in accordance with the following criteria and approved based upon the extent to which:

a) the proposed program is structured to meet the individual needs of the students anticipated to be served, includes approaches shown to be successful in serving dropouts, and will be located at a site that will be educationally beneficial for the students to be served;

b) the curriculum is tied to State and district standards, its pace and sequence will likely lead to academic progress in a timely way, and the specific educational goals and accompanying procedures for assessing student progress are clearly defined and measurable;

c) support services are appropriate and necessary for students to improve their academic achievement and will not unduly interrupt the ability of the students to progress academically;

d) evidence is presented that the staff to be employed meet the requirements of Section 210.40(e) of this Part and that any not-for-profit entity proposed to provide instructional services is recognized by the State Board of Education (see Section 210.40(a)(2) of this Part); and

e) the financial plan to support the program is cost-effective, as evidenced by the numbers to be served and services to be provided, and includes evidence that local, State or federal funds and other sources of revenue will be coordinated to ensure the efficient and effective delivery of program services and activities.

Section 210.80 Application for Program Continuation

a) In order to continue to operate an IHOPE program approved pursuant to Section 2-3.66b of the School Code and this Part, the IHOPE program shall annually submit an application for continuation, in a format specified by the State Superintendent of Education, that shall include the following:

1) a description of proposed changes in any of the elements of the plan for the IHOPE program (see Section 210.70(c) of this Part);
2) the results of the evaluation of the previous year’s program conducted pursuant to Section 210.70(c)(14) of this Part, including the educational outcomes achieved by the students enrolled in the program;

3) the activities proposed for the continuation period in light of the evaluation of the preceding year’s project, including the identification of each unmet objective and the rationale for its continued inclusion or its deletion from the program;

4) an expenditure report, in a format specified by the State Board of Education, for the previous school year; and

5) updated information regarding any subcontracts, contracts, or cooperative or intergovernmental agreements into which the IHOPE program has entered to operate the program or provide services, including any changes to the entities involved or in their roles and responsibilities.

b) An IHOPE program shall be approved for continuation provided that it:

1) submits evidence that it is meeting the educational outcomes specified in the IHOPE plan, including the educational outcomes identified for the individual students served;

2) continues to comply with all applicable State and federal laws;

3) in the year previous to the continuation application, complied with:

   A) the terms and conditions of any incentive grant it received pursuant to Subpart B of this Part;

   B) the plan submitted for program approval pursuant to Section 210.70 of this Part; and

   C) any updates to that plan subsequently submitted to the State Superintendent of Education pursuant to subsection (a) of this Section; and

4) maintains financial records in accordance with Generally Accepted Governmental Auditing Standards or, in the case of CPS, 23 Ill. Adm.
Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing).

c) An IHOPE program that is not approved for continuation shall be subject to the requirements of Section 210.100 of this Part.

Section 210.90 Program Funding

An IHOPE program approved by the State Board of Education shall be eligible to receive general State aid for those students who are participating in a high school completion program that is meeting the requirements of Section 27-22 of the School Code for receipt of a high school diploma [105 ILCS 5/2-3.66b(b)] from their respective school districts and meets the requirements for claiming State aid specified in Section 18-8.05 of the School Code and criteria specified in Section 210.60 of this Part.

a) A regional office of education that operates an eligible IHOPE program is entitled to submit a claim directly to the State Board of Education for general State aid at the foundation level of support. The regional office shall maintain a record-keeping system that tracks the attendance of IHOPE students and the provision of supplemental services, as applicable, and make such records available to the State Superintendent or designee upon request.

1) The regional office of education’s claim shall include only the time period during which students in the high school completion program are enrolled in the IHOPE program.

2) The school district or districts subject to the provisions of the cooperative agreements specific to the issuance of a diploma for students in the high school completion program shall not claim State aid for these students.

3) The school district or districts operating the program on behalf of the regional office of education shall not claim State aid for the students served in the IHOPE program.

b) CPS shall account for the students enrolled in an IHOPE program separately from other students enrolled in the district. Attendance by these students shall be claimed as part of the district’s regular claim for State aid. The district shall maintain a record-keeping system that tracks the attendance of IHOPE students.
and the provision of supplemental services, as applicable, and make those records available to the State Superintendent or designee upon request.

Section 210.100 Suspension and Revocation of Program Approval

a) The State Superintendent of Education shall investigate an IHOPE program when any of the following occurs:

1) the program fails to receive approval to continue operating, in accordance with the requirements of Section 210.80 of this Part;

2) a parent or guardian files a written complaint with the regional superintendent of education or CPS, as applicable, or the State Superintendent of Education alleging that the program meets one or more of the following conditions:

   A) A failure to meet educational outcomes as enumerated in the approved IHOPE plan for a period of two or more consecutive years;

   B) A failure to comply with all applicable laws as specified in Section 2-3.66b of the School Code and this Part;

   C) A failure to comply with the terms and conditions of an IHOPE incentive grant received pursuant to Subpart B of this Part; or

   D) A failure to maintain financial records according to Generally Accepted Accounting Procedures or, in the case of CPS, 23 Ill. Adm. Code 100;

3) the State Superintendent otherwise receives information or becomes aware of allegations that the program meets one or more of the conditions set forth in subsection (a)(2) of this Section.

b) If the State Superintendent of Education, at the conclusion of the investigation, identifies deficiencies in the program that meet any of the conditions specified in subsection (a) of this Section, then he or she shall provide to the regional office of education that established the program, or to CPS, as applicable, written notification of the specific deficiencies found.
The regional office of education or CPS, as applicable, shall submit to the State Superintendent of Education, within 30 calendar days after receiving the notification, a time-specific plan that addresses the specific steps to be taken and staff responsible to remedy each of the deficiencies cited. In no case shall the time needed to correct deficiencies exceed 120 days.

The State Superintendent shall approve the plan no later than 15 days after receiving the plan if it meets all of the following requirements.

A) The timeframe is reasonable to correct the cited deficiencies.
B) The proposed steps to be taken to remedy the problems have a high likelihood of correcting the cited deficiencies.
C) A sufficient number of staff are proposed to implement the plan, and their expertise relates to the areas in which the deficiencies were found.

The regional office of education or CPS, as applicable, shall provide a copy of the deficiencies and of the approved plan to any entity with which it has entered into a cooperative agreement, intergovernmental agreement, contract or subcontract in order to operate the program or to provide services for students enrolled, as well as to any school district with which it has agreements to issue high school diplomas.

If the regional office of education or CPS, as applicable, provides evidence that it has corrected the deficiencies within the timeframe specified in the plan approved pursuant to subsection (b)(2) of this Section, then no change in the program’s approved status shall be made.

c) If the regional office of education or CPS, as applicable, is unable to correct all of the deficiencies within the timeframe specified in its plan, even after the provision of technical assistance by State Board of Education staff, then it may submit to the State Superintendent an amended plan.

The amended plan shall be submitted no later than 30 calendar days prior to the time the affected deficiencies were to be corrected.
2) The amended plan shall identify the deficiencies that are still unresolved, specifying the reasons for the delay and describing the steps to be taken to remedy the problems and the timeline for completing each. In no case shall the time needed to correct the remaining deficiencies exceed 30 additional calendar days.

3) The State Superintendent of Education will accept the amended plan, provided the remaining deficiencies can be corrected within 30 calendar days and that none of the deficiencies:

A) presents an immediate health hazard or danger to students and staff;

B) severely affects the program’s ability to provide a program appropriate to the needs of the students enrolled (i.e., addresses the State Goals for Learning, employs certified staff, provides the services identified as necessary to assist students to earn a high school diploma); and

C) represents prolonged or repeated problems to a degree that indicates the program’s intention not to correct the deficiencies.

d) If the regional office of education or CPS, as applicable, fails to demonstrate that all of the deficiencies have been corrected within the timeframe specified in the amended plan, or fails to submit an amended plan that meets the requirements of subsection (c) of this Section, then approval to operate the program shall be suspended upon written notification from the State Superintendent of Education.

1) The program may serve the students enrolled in the program during the time of its suspension, provided it continues to make progress as specified in its plan and no additional students are enrolled in the program.

2) The regional office of education or CPS, as applicable, shall provide a copy of the notice of suspension to any entity with which it has entered into a cooperative agreement, intergovernmental agreement, contract or subcontract in order to operate the program or to provide services for students enrolled, as well as to any school district with which it has agreements to issue high school diplomas.
3) If the regional office of education or CPS, as applicable, fails to correct all remaining deficiencies within 30 calendar days after receiving the notice of suspension, then approval to operate the program shall be revoked.

e) Notification to revoke program approval shall be sent by certified mail, return receipt requested to the regional office of education that established the program or to CPS, as applicable. A regional office of education or CPS, as applicable, shall have 10 calendar days after receipt of the notice of revocation to submit a written request for a hearing pursuant to the Illinois Administrative Procedure Act [5 ILCS 100] and the State Board of Education’s rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). The receipt of notification shall be determined by the date of receipt shown on the return receipt form.

f) Once approval for a program has been revoked:

1) a regional office of education or CPS, as applicable, shall be ineligible to file any claim upon the Common School Fund with regard to the program;

2) the State Superintendent of Education shall recover grant funds from a regional office of education or CPS, as applicable, in accordance with the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705]; and

3) all students (and their parents or guardians, as applicable) enrolled in the program shall be informed in writing of the revocation no later than 10 school days following receipt of the notification that approval has been revoked.

Section 210.110 Terms and Conditions of Approval

a) All contracts, subcontracts, and cooperative or intergovernmental agreements necessary for the operation of the program shall be approved by the regional superintendent of schools or, in the case of CPS, the board of education, and shall specify the roles of, and amount to be paid to, each entity subject to the contract or agreement.

b) Student records for each student enrolled in the IHOPE program shall be maintained by the student’s resident district in accordance with the requirements of the Illinois School Student Records Act [105 ILCS 10], the State Board of
Education rules governing Student Records (23 Ill. Adm. Code 375), and the Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g).

c) Programs established and operated in accordance with Section 2-3.66b of the School Code and this Part must comply with all State and federal laws applicable to education providers, including, but not limited to, those prohibiting discrimination on the basis of race, color, national origin, sex, age or handicap, such as Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Illinois Human Rights Act [775 ILCS 5], the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982).

d) Each IHOPE program not subject to Section 34-18.5 of the School Code [105 ILCS 5/34-18.5] must certify that a fingerprint-based criminal history records check through the Illinois State Police and a check of the Statewide Sex Offender Database will be performed for all of its employees, volunteers, and all employees of persons or firms holding contracts with the program who have direct contact with students enrolled. Further, an IHOPE program shall not employ individuals, allow individuals to volunteer, or enter into a contract with a person or firm who employs individuals, who will have direct contact with students enrolled in the IHOPE program who have been convicted of any offense identified in Section 10-21.9(c) of the School Code [105 ILCS 5/10-21.9(c)] or have been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 [705 ILCS 405/Art. II].

e) It will be the responsibility of the IHOPE program to maintain records of attendance for the students enrolled in the program and to make those records available to the State Superintendent of Education upon request.

SUBPART B: INCENTIVE GRANTS

Section 210.200 Purpose
This Subpart B establishes the procedures for approval of applications submitted to the State Board of Education for incentive grant funding to develop partnerships with school districts, public community colleges and community groups to build comprehensive plans to re-enroll school dropouts in their regions or districts. [105 ILCS 5/2-3.66b(b)]

Section 210.210 Eligible Applicants

Regional offices of education and City of Chicago School District 299 (CPS) may apply for incentive grant funding if they meet each of the following conditions.

a) The State Board of Education has approved the plan submitted under Section 210.70 of this Part by the regional office of education or CPS, as applicable, to establish an Illinois Hope and Opportunity Pathways through Education (IHOPE) program.

b) The regional office of education or CPS, as applicable, has established a partnership with at least one community college and one community group to participate in the IHOPE project. In addition, the partnership of each regional office of education also shall include one or more school districts from which the resident students of those districts enrolled in the IHOPE program will receive high school diplomas upon completion of all State and local graduation requirements.

c) An administrative agent shall be designated from among the members of the partnership, and the official from each of the partnership entities who is legally authorized to submit the application and bind the partner to its provisions shall sign the application.

Section 210.220 Funding Formula

In years in which an appropriation is received for the incentive grant, the funds shall be distributed in accordance with the formula set forth in Section 2-3.66b(e) of the School Code [105 ILCS 5/2-3.66b(e)] to IHOPE programs that meet the criteria set forth in Section 210.210 of this Part. Dropout figures to be used in the calculation shall be those reported by school districts in the Student Information System (SIS) authorized under 23 Ill. Adm. Code 1.75 (Public Schools Evaluation, Recognition and Supervision) no later than July 31 of each year.

Section 210.230 Application Procedures
a) When an appropriation is made for the IHOPE incentive grant, the State Superintendent of Education shall release a request for applications (RFA) specifying the information that applicants shall include and requiring that proposals be submitted no later than the date specified in the RFA. The RFA shall provide at least 30 calendar days in which to submit applications.

b) It is the intention of the State Superintendent of Education to approve IHOPE incentive grants for a three-year period. Funding in each subsequent year is subject to a sufficient appropriation for the program and satisfactory progress of the grantee in the previous grant period. (See Section 210.80 of this Part.)

c) Each application shall include evidence that the plan, and any continuation plans, for the IHOPE program have received approval from the State Superintendent of Education. An applicant whose plan has been submitted to the State Superintendent of Education, but who has not yet received approval, shall submit a copy of the plan with its application for funding.

d) The application shall require the completion of a budget summary and payment schedule as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure.

e) Each application shall include such certifications, assurances and program-specific terms of the grant as the State Superintendent of Education may require, to be signed by each applicant that is a party to the application and submitted with the proposal.

f) Applicants may be requested to clarify various aspects of their applications. The contents of the approved application shall be incorporated into a grant agreement to be signed by the State Superintendent of Education or designee and the regional superintendent of education or, in the case of CPS, by the chief executive officer of the district.
ILLINOIS STATE BOARD OF EDUCATION MEETING
June 23-24, 2010

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Don Evans, Director of Human Resources
Susie Morrison, Deputy Superintendent and Chief of Staff
Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 228 (Transitional Bilingual Education) and Part 235 (Early Childhood Block Grant)

Materials: Recommended Amendments

Staff Contact(s): Robin M. Lisboa and Kay Henderson, Division Administrators

Purpose of Agenda Item
The purpose of this agenda item is to present the proposed amendments for adoption.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item links to Strategic Plan Goals 1 and 2, as the rules set forth standards for high-quality bilingual and preschool education programs and program personnel, particularly as they relate to school district-administered preschool programs.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt amendments to Part 228 and Part 235.

Background Information
The majority of the changes proposed in Part 228 flow from P.A. 95-793, effective January 1, 2009, which clarifies the law to explicitly direct school districts to provide bilingual education services required under Article 14C of the School Code to students enrolled in preschool programs established by the districts.

Also included in the proposal is new Section 228.27, which addresses districts’ plans for continuing services for students who leave a transitional bilingual education (TBE) program or a transitional program of instruction (TPI) without having achieved English proficiency. These new provisions help to identify more clearly school district requirements under both state law and the federal mandate in the Equal Educational Opportunities Act.

Section 228.25 also is being amended to require statewide exit criteria rather than allowing districts to use a higher cut score than the minimum set by the agency and/or to consider additional exit criteria to determine when students are no longer limited English proficient (LEP). This change is the result of federal Title I monitoring conducted in 2008, in which the agency received a finding for lacking consistent, statewide criteria to exit students from the LEP subgroup for annual yearly progress (AYP) purposes. As a result of the current rule, the
parameters of the LEP subgroup vary from district to district preventing a valid comparison of
the LEP subgroup across the State.

Other proposed amendments address the Spanish language arts standards and administrative
certificates. Additional technical changes and updates also are proposed.

The changes in Part 235 provide applicants and grantees with specific references to their
responsibilities under rules governing bilingual programs, rather than adding other substantive
changes to the way in which early childhood programs must operate. In addition, P.A. 96-119,
effective August 4, 2009, requires Preschool for All Children programs to enter into agreements
with their local, federally funded Head Start programs. Since the law is detailed regarding the
content of the agreements and deadline for their submission to the agency, no changes to Part
235 are needed to implement its provisions. However, Section 235.120(b)(3)(B) is no longer
necessary since it establishes a funding priority for those applicants who chose to enter into
partnership agreements with their Head Start programs.

The proposed amendments were published November 13, 2009, in the Illinois Register to elicit
public comment; 199 submissions were received. The public comments generally address the
requirements pertaining to implementation of bilingual programs in preschool settings, so their
impact on both Parts 228 and 235 are considered together.

A summary and analysis of that public comment, along with recommendations for any changes
in the proposed amendments to Part 228 as a result, is attached. Changes recommended in
Part 235 include the removal of a reference in Section 235.30(f)(2) to a prescribed screening
instrument. This will align Part 235 with the changes staff are recommending to the Part 228,
which are discussed under “Screening Tools” below. In addition, Section 235.30(f)(1) is being
removed since subsection (f) requires districts to comply with rules governing Transitional
Bilingual Education, which include the home language survey, and a specific reference to the
survey is unnecessary.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: The major substantive changes being recommended in Part 228 center on
two aspects: the screening procedures that school districts are required to use for preschool
students and the imposition of additional mandates at a time when the State and school districts
are experiencing serious financial difficulties.

Screening Procedures. In both written statements submitted during the public comment
period and oral testimony presented to the Board at its May, representatives of school districts
and the early childhood and bilingual communities expressed concerns about the way in which
preschool students would be screened to determine their English language proficiency and
eligibility for bilingual education services. Originally, the proposed amendments allowed a
district to choose between using a prescribed screen instrument identified in the rules (namely,
the Pre-IPT Oral English Test) or developing its own screening procedures. For the latter
option, the screening procedures had to meet criteria set forth in the proposed amendments and
be included for agency staff’s review as part of a district’s application for bilingual education
funding.

As a result of the public comment received, staff recommended in May that the State Board
modify the original proposal to remove mention of the Pre-IPT and the requirement that
bilingual funding applications include a description of the proposed screening procedures for
review. Instead, the definition of “prescribed screening procedures” stated the criteria a district should consider in choosing an instrument or developing local procedures. At the May Board meeting, this revision received a mixed reaction. While many of the speakers recognized the value in providing districts with additional flexibility in choosing screening procedures for preschool students, they also asked that the agency identify more specific criteria to define which instruments or procedures would most effectively identify students in need of bilingual education services.

During the discussion in May, several speakers also suggested that the agency consider the standards for assessing English language learners developed by the National Association for the Education of Young Children (NAEYC). Staff reviewed the NAEYC standards, summarized the salient criteria, and presented a revision to the definition of “prescribed screening procedures” to the Linguistic and Cultural Diversity Committee of the Illinois Early Learning Council and the Illinois Advisory Council on Bilingual Education for their review. The resulting definition incorporates changes recommended by both groups.

Staff also will be recommending a modification to the definition of “prescribed screening instrument” for use at kindergarten and grades 1 through 12 to allow the State Superintendent to identify the tool to be used rather than prescribing a specific instrument in the rules. This proposed change acknowledges revisions to the tools that school districts currently required under the rules that staff anticipate will be made over the next several years.

**Mandates and Cost.** The additional costs that school districts are likely to incur are largely due to the provision of bilingual education services for LEP students enrolled in preschool education programs. While programs for 3- to 5-year-olds funded under the Early Childhood Block Grant have always been required to ascertain a student’s English proficiency and provide an individualized language program, they have not been required to follow the more prescriptive provisions of Article 14C and Part 228. As a result, compliance with the law and rules governing the provision of bilingual education varied among programs.

A discussion of the costs to a school district for bilingual education services is complicated by the State’s fiscal crisis. School districts may apply to the agency for reimbursement of the excess costs of providing bilingual education services (transitional bilingual education or transitional program of instruction) to preschool students, as well as use a portion of its Early Childhood Block Grant to pay for bilingual services. Although these two options may be available, the appropriations for both programs most likely will be reduced or level-funded in the next fiscal year, and if this occurs, more of the cost of providing the required services would be borne by school districts.

Since it is state law rather than administrative rules that requires the provision of bilingual education services for preschool students, agency staff cannot relieve school districts of their obligations in this regard. In addition, two other proposed changes – new Section 228.27 and uniform statewide exit criteria, each of which are discussed above – respond to problems identified by the federal government so it would be imprudent for the agency not to go forward with those changes at this time. Instead, staff are recommending that implementation of two other requirements be delayed until the start of the 2012-13 school year given the current economic difficulties. Each of the affected requirements is enumerated below.

- **Spanish Language Arts Standards.** The State Board in January 2006 adopted the WIDA Spanish Language Arts Standards as a means of setting uniform expectations for the instruction provided to Spanish-speaking students in their native language as part of
transitional bilingual education programs. Approximately 80 percent of the ELLs in Illinois public schools are native speakers of Spanish. An important goal of the proposed changes to add the standards is to require that they be incorporated into instruction to ensure that ELLs have access to instruction that will promote literacy in their native language, with all the advantages that such literacy is known to bring in terms of English language learning. The proposed delay in implementation of the standards will provide an additional year before the curricula must be aligned to the standards and students’ progress in Spanish language arts be measured and monitored.

- **Staff and Administrator Qualifications; Professional Development.** The proposed amendments create new Section 228.35 that addresses requirements for bilingual staff and administrators, as well as for ongoing professional development. This section, in part, contains qualifications of administrators of bilingual education programs that were put in place in 2006 and were previously found in Sections 228.10 and 228.30(c). Depending on when an administrator assumed his or her position, each had at least two years, and up to four years in some cases, to meet the qualifications required. For this reason, no modifications are being proposed.

Staff are recommending the delay of the proposed requirement of eight hours of professional development for an administrator of a bilingual program with fewer than 200 students. Currently, the rules require two hours of professional development for an administrator holding only the administrative certificate or supervisory endorsement, and that provision will remain in effect through the 2011-12 school year.

As for early childhood teachers, the proposed amendments already allow preschool teachers, who currently must hold an early childhood certificate, until July 1, 2014, to meet bilingual certification requirements.

**Budget Implications.** It is not yet clear how funding for the bilingual education and early childhood programs will be affected by the recently enacted FY 2011 budget. The FY 2011 General Funds appropriations for the State Board is $478.4 (6.5 percent) less than the FY 2010 appropriation and $531.4 million (7.2 percent) less than the amount that the Board recommended for FY 2011 (with reappropriations).

As noted under “Policy Implications” above, school districts with preschool programs serving LEP students will be eligible to seek reimbursement for the excess cost of providing those services through the appropriation for bilingual education. If the state appropriation for bilingual education remains level or is decreased, then an increase in the number of requests for reimbursement specific to preschool English language learners – as school districts with preschool programs become cognizant of their responsibility to provide bilingual services – may shift more funding to school districts with early childhood programs and reduce funding for those districts not offering these programs.

**Legislative Action.** None.

**Communication.** See “Next Steps” below.

**Pros and Cons of Various Actions**
The proposed amendments will alert school districts to their obligations under Article 14C and Part 228 to serve LEP students enrolled in preschool programs. In addition, the proposal
recognizes areas in which services to preschool programs will differ from those provided for students in kindergarten through grade 12. New Section 228.5 also explicitly states that all school districts – regardless of whether they seek reimbursement under Article 14C and Part 228 for excess costs – must provide bilingual education services to students identified as LEP.

While the mention of bilingual education responsibilities in Part 235 is not technically necessary, as the requirements will still apply if early childhood rules are silent, their inclusion better assists school districts in understanding the required components of preschool programs funded under the Early Childhood Block Grant. Regarding Head Start partnership agreements, retention of a funding priority for applicants with these would be confusing given the new law and misleading since all Preschool for All programs now must establish agreements as a condition of funding.

If the amendments are not adopted, then confusion will continue to exist among some school districts as to whether or to what degree they must serve LEP students generally, particularly those participating in preschool programs. Allowing for a delay in the implementation of certain regulatory requirements will help to ease the immediate financial burden that will be placed on school districts while giving school districts time to make any adjustments necessary for eventual implementation.

**Superintendent’s Recommendation**

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

The State Board of Education hereby adopts the proposed rulemakings for:

- Transitional Bilingual Education (23 Illinois Administrative Code 228), and
- Early Childhood Block Grant (23 Illinois Administrative Code 235).

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.

**Next Steps**

Notices of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the amendments will be filed with the Secretary of State and disseminated as appropriate.
Summary and Analysis of Public Comment
23 Ill. Adm. Code 228 (Transitional Bilingual Education) and 23 Ill. Adm. Code 235 (Early Childhood Education)

The vast majority of comments -- 155 of the 199 comments received -- came from individuals urging the State Board of Education to adopt the amendments to Part 228 as proposed. These individuals expressed their support of the provision of bilingual education services to students enrolled in preschool programs. While many of the commenters submitted a form letter or postcard of support, others cited the importance of providing instruction in a student’s home language while he or she is learning English as a way to ensure future academic success. A student’s being competent in his or her home language as well as English also promotes parental involvement in the school and leads to stronger bonds between the child and parent, they said.

Other commenters, however, expressed concerns about the proposed financial considerations in implementing the new requirements, screening and assessment procedures, and shortages of qualified teaching and administrative staff. These and other issues raised are addressed individually below.

Funding Issues

Comment

A lack of funding was an overarching concern both explicitly stated or inherent in most of the comments that objected to some aspect of the rulemaking. Commenters noted that no new source of funds – through the Bilingual Education or the Early Childhood Block Grant appropriations – has been identified to help school districts align their preschool programs with the requirements. In fact, some respondents complained that the amount of state support that school districts receive for bilingual education has been decreasing. Allocating local resources to bilingual education, one person noted, will result in the “loss of service to other children”.

A number of other individuals submitted nearly identical treatises explaining how each requirement in the rules represents an unfunded mandate and therefore, school districts’ implementation of these requirements would be “burdensome” and a “tremendous financial hardship”. Several of the district superintendents submitting these remarks also estimated the costs their districts would incur in meeting the requirements. The stress of providing bilingual services in preschool programs is further complicated, a superintendent said, by “declining government support, tax caps, unfunded mandates, existing insurance costs, and aging facilities”.

One advocate asked that the agency direct bilingual funding to preschool programs to help them defray the costs of meeting the new requirements and to ensure that school districts providing subgrants to community-based organizations pass that additional funding to programs offered in community settings. Others expressed fear that the new requirements would cause some school districts to discontinue their preschool programs. Pointing out that preschool programs are optional, some said that the school district, rather than the state, should be responsible for making decisions regarding operation, support and staffing.

Preschool programs that rely on both early childhood and bilingual line items to fund their preschool bilingual services, one individual pointed out, will face difficulties in monitoring
program and student progress, and reporting information about the use of the funds since each division will have its protocols, standards and requirements.

Analysis

Article 14C of the School Code, rather than Part 228, establishes in law the mandate that school districts offering preschool education programs provide bilingual education services to students in those programs who are identified as limited English proficient. Article 14C also requires that the State Board of Education establish policy or identify requirements, within the general parameters of the law, pertaining to the implementation of transitional bilingual education programs or transitional programs of instruction. Under the Illinois Administrative Procedure Act, the State Board of Education is required to set forth those policies and requirements in administrative rules.

A careful reading of the proposed amendments shows that they contain very few changes that may be described accurately as “new mandates”. Rather, much of what is contained in the rulemaking are clarifications of existing requirements or explanations of how existing requirements apply in the case of preschool students. Article 14C, rather than the rules, sets forth the requirements for many of the complaints raised in the letters received: identification of English language learners, assessment, teacher qualifications, classroom model, and student-teacher ratio.

The implementation of these components in kindergarten-through-grade-12 classrooms that serve students who are limited English proficient are not being expanded, although specificity is provided about how these existing requirements are applied in the preschool setting. Even the addition of more formal procedures for serving preschool students who are identified as limited English proficient cannot be considered wholly a “new mandate”. On the contrary, recipients of preschool education grants always have been required to assess a student’s English proficiency and design an individual language and literacy program based on the results of that assessment. Grantees provided those services in a variety of ways, with some programs closely aligning their initiatives to the ones offered in kindergarten through grade 12 and others taking a more informal approach.

That being said, the proposed amendments create new requirements in several areas. For example, school districts exiting students from bilingual education programs after three years must ensure that services continue to be provided to students who are not yet proficient in English, and a plan must be developed that specifies these services. While this is a “new mandate”, it is one necessitated by an agreement with the U.S. Department of Justice. Another new mandate requires programs serving Spanish speakers to align instruction to the Spanish Language Arts Standards. Although both of these requirements may place additional responsibilities on school districts, they also help to improve the quality of bilingual education services and contribute to the improvement of academic outcomes for limited English proficient students. The benefits of these changes help ensure the programs meet the goal set forth in Article 14C of the School Code by providing equal educational opportunity for limited English proficient students.

Bilingual education services required under the law and administrative rules are funded through a separate state appropriation that is provided to school districts according to a formula based on the number and grade levels of the students served, and the type of services provided. Districts serving preschool students who are limited English proficient may apply for reimbursement for the excess cost of providing services under the bilingual education
appropriation. Districts that receive Early Childhood Block Grants may choose to use those funds for bilingual education services, as well.

Staff acknowledge that the bilingual appropriation currently is insufficient to fully reimburse school districts for the excess cost of providing the required services, particularly as the number of students who are limited English proficient continues to grow. This situation will be exacerbated further in FY 2011 should the bilingual appropriation or the Early Childhood Block Grant decrease or remain level-funded. With the expectation that no additional funding is forthcoming for the next school year, staff have examined the proposed amendments carefully in order to ascertain new requirements whose implementation can be delayed; that is, those requirements that are purely regulatory in nature that are not being mandated through another process (i.e., federal monitoring process).

Recommendation

The following changes are recommended in response to these comments.

Section 228.30(b)(4) Beginning with the 2011-12 2012-13 school year, instruction in Spanish language arts, where provided under subsection (c) or (d) of this Section, shall be aligned to the standards that are appropriate to the ages or grade levels of the students served, which are set forth in the document titled “World-Class Instructional Design and Assessment: Spanish Language Arts Standards” (2005) published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at http://www.wida.us/standards/sla.aspx. No later amendments to or editions of these standards are incorporated by this Section.

Section 228.35(d)(3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from all but the requirement for an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate, provided that he or she annually completes a minimum of two eight hours of professional development specifically designed to address the needs of students with limited English proficiency. Beginning in the 2012-13 school year, a minimum of eight hours of professional development shall be required. An assurance that this requirement has been met shall be provided annually in a school district’s application submitted pursuant to Section 228.50 of this Part. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

Section 228.35(e)(5) In addition to any other training required under this subsection (e) Beginning in the 2012-13 school year, each district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall provide annually at least one training session related to the implementation of the Spanish language arts standards required under Section 228.30(b)(4) of this Part for staff members of that
program who are providing instruction in the Spanish language arts.

Section 228.50(b)(4)(D) Additional requirements for programs offering instruction in Spanish language arts in kindergarten and any of grades 1 through 12:

i) For the 2011-12 school year only, a description of the steps the district will take to align its curriculum in the Spanish language arts with the standards required under Section 228.30(b)(4) of this Part; and

ii) For 2012-13 and each subsequent school year, a description of the methods by which the district will measure and monitor its students’ progress with respect to the standards required under Section 228.30(b)(4) of this Part.

Screening Procedures

Comment

One commenter urged the agency to require that all school districts use a single tool to screen preschool students relative to their proficiency in the English language rather than allowing districts to choose a tool that meets certain criteria (see revised Section 228.10). A “consistent and uniform assessment” would ensure that students are neither denied bilingual services or receive them when they are not needed nor that the criteria used to ascertain students’ English proficiency is determined on a district-by-district basis.

Several other commentors, however, supported allowing school districts to choose a screening instrument other than the Pre-IPT® Oral English Test. A suggestion was made that the agency identify other instruments that school districts might consider for screening purposes and the criteria to be used in this selection process. Additionally, preschool personnel should be allowed to use “language samples” of a child when he or she is “spontaneously engaged in various” classroom or home activities in making placement decisions. Another person also endorsed the use of “data gathered from a variety of sources”, as well as allowing eligibility for bilingual education services to be determined by a multi-disciplinary team that includes parents and professionals. One respondent promoted parent interviews or surveys, language samples in first and second languages, and play-based assessment as valid techniques to provide “an accurate view of the child’s abilities and (to) inform their instruction”. Procedures for parental notification and permission for screening should be included, one commenter urged.

Several commenters argued that a child’s language skills and development cannot be adequately assessed without also looking at the student’s skills in his or her home language (both in the initial screening and in annual assessments). One commenter encouraged the agency to explore “native language screening and assessment options” that can be adapted into other languages or the use of other methods to determine native language development.
Along the same lines, concerns focused on the process of screening children with special needs, particularly children who may be “non-communicative”; would such students be incorrectly identified as having limited English proficiency? One submission strongly stated that a child’s placement in a bilingual education program “should never be done on the basis of a ‘screening’ measure whose psychometric properties are not known or considered adequate”. School district staff should instead look at all available information and match the student’s “learning profile to an individualized program”.

Finally, a respondent believed that “more complete language” was needed to address the requirements for screening preschool students for English proficiency; however, the individual failed to specify what the proposed amendments were lacking. In contrast, another person commented that screening preschoolers “will be beneficial and the language (in the proposal) is clear”.

Analysis

The amendments, as originally proposed, required a district to screen preschool children using either the Pre-IPT® Oral English Test or another developmentally appropriate screening instrument or procedure that meets the following criteria:

- is research-based;
- addresses criteria to determine at what point performance identifies a child as being proficient in English; and
- measures the child’s English proficiency in at least listening and speaking, including vocabulary, comprehension, grammar and syntax, and verbal expression.

Staff proposed this additional flexibility in choosing a screening instrument or procedure after comments submitted during an external review of the proposed amendments pointed out concerns about the cost of the Pre-IPT® Oral English Test and questioned its appropriateness for screening children ages 3 to 5 years old. Staff carefully considered the Pre-IPT® instrument and other nationally recognized English language proficiency tests before requiring the use of the Pre-IPT®. At this time, the Pre-IPT® is the only instrument that has been approved for use with 3- and 4-year-old children and is valid for assessing English language proficiency. Staff also recognize, however, that the research on screeners for the early childhood population is not yet mature and that there may be other avenues to determine the English language proficiency of preschool children. While uniformity in screening is certainly desirable, it also is important to remember that preschool students – regardless of their being identified as limited English proficient and receiving bilingual education services in preschool programs – will be screened for English language proficiency upon entering kindergarten with a single, uniform instrument.

In order to ensure that districts are provided adequate flexibility and that they do not misinterpret the proposed amendments, staff are recommending removal of any reference to the Pre-IPT® as a screening tool for preschool students and that the criteria specific to locally determined screening instruments or procedures provide more detail about the qualities of an appropriate screening process. In the same regard, no requirements will be made for districts to address locally developed procedures in their applications for bilingual education funding, eliminating any agency approval or disapproval of the methods chosen. Similarly, the agency recognizes that new and more appropriate screening instruments are being developed for use in kindergarten and grades 1 through 12. In order for districts to be able to use the more up-to-date tools as they become available, staff are recommending that regulatory requirements regarding a specific instrument be removed.
It should be noted that Section 228.15(e)(4)(B) currently allows school districts to consider other evidence when the screening results show the student is “proficient” in English. In order to make the appropriate placement of the student, staff may use other indicators, such as teachers’ evaluations of performance, samples of a student’s work, or information received from family members and school personnel, to determine whether a student is in need of bilingual services.

Assessing a student’s ability in his or her native language as part of the screening process is a desirable practice that produces a more complete picture of the student’s language development for the purpose of guiding the student’s placement and instruction. Given the number of languages spoken by limited English proficient students in Illinois, however, it is not reasonable to require that districts acquire assessments in multiple native languages. The agency will recommend native language assessment to districts as a best practice but will not mandate the practice through the rulemaking process at this time.

Recommendation

The following changes are recommended in response to these comments.

Section 228.10 “Prescribed Screening Instrument” means the:

“Prescribed Screening Instrument” means the assessment tool prescribed by the State Superintendent of Education to be used by all school districts with students enrolled in kindergarten or any of the grades 1 through 12 to determine a student’s level of proficiency in English and placement in a bilingual education program, WIDA ACCESS Placement Test (W-APT)™ (2006 or 2007) for students entering or in the second semester of grades 1 through 12 (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006));

Measure of Developing English Language (MODEL™) (2008) for students entering kindergarten or the first semester of grade 1 (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706);

Either the Pre-IPT® Oral English Test (Ballard & Tighe, P.O. Box 219, Brea, CA 92822-0219 (2004)) or a screening process that meets the requirements of Section 228.50(b)(4)(E) of this Part.

“Prescribed Screening Procedures” means the procedures that a school district determines to be appropriate to assess a preschool student’s level of English language proficiency, (minimally in the domains of speaking and listening), in order to determine whether the student is eligible to receive bilingual education services. The procedures may include without limitation established screening instruments or other procedures, provided that they are research-based. Further, screening procedures shall at least:
Be age and developmentally appropriate;

Be culturally and linguistically appropriate for the children being screened;

Include one or more observations using culturally and linguistically appropriate tools;

Use multiple measures and methods (e.g., native language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions);

Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and

Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.

Section 228.15(e)(4)(A) For preschool programs using a screening procedure other than an established assessment tool where “proficiency” is defined as part of the instrument the Pre-IPT, “proficiency” is the point at which performance identifies a child as proficient in English, as set forth in the program’s proposed screening process submitted pursuant to Section 228.50(b)(4)(E) of this Part.

Section 228.30(c)(3) Students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, if an assessment of the student’s English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section 228.25(b) of this Part and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program.

i) Evidence of sufficient proficiency shall be achievement of the minimum score to be used for this purpose set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b). The State Superintendent shall inform districts of the minimum score to be used.

ii) Preschool programs shall use as evidence of sufficient proficiency either a minimum score for an established screening instrument or a minimum level of performance documented through established screening procedures.

iii) District staff also shall consider the student’s score and his or her proficiency in the home language; prior performance, if any, in coursework taught exclusively in
English; current academic performance; and other relevant factors such as age, disability, and cultural background in order to determine whether a full-time or a part-time program is appropriate.

Section 228.50(b)(4)(E) Prechool Programs

i) For preschool programs that will screen students for English proficiency using a procedure other than the administration of the Pre-IPT, a description of the screening procedures to be used that provides evidence that these procedures are developmentally appropriate, supported by research and address: criteria to determine at what point performance on the screening instrument identifies a child as proficient in English; and screening instruments or activities related to and able to measure the child’s English proficiency in at least the domains of listening and speaking to include vocabulary, comprehension, grammar and syntax, and verbal expression.

ii) A state-funded preschool program that does not submit an application for funding under this Part shall provide the information requested in subsection (b)(4)(E)(i) of this Section as part of its application submitted pursuant to 23 Ill. Adm. Code 235 (Early Childhood Block Grant).

In addition, references to “screening procedures” will be added in Sections 228.15(e) and (f), 228.20(b), 228.30(d), and 228.40(c).

Comment

One person questioned whether Section 228.15(e) requires school districts to screen all students with a non-English background who are entering kindergarten, regardless of whether they attended and were screened in a preschool program offered in the same district. Another recommended that the rules allow a student identified as an English language learner and receiving bilingual services in a preschool program of the district to forego another screening before entering the district’s kindergarten program. A question also was posed as to whether a preschooler who received bilingual services in preschool will be “exited” if his or her results on the kindergarten screener indicate that the student now is proficient in English.

Analysis

The purpose of the new language in Section 228.15(e) is to require that all students identified as having a non-English background be screened at the time they enroll in kindergarten, regardless of whether they had been screened in preschool. Requiring that districts screen all students in kindergarten using a uniform instrument identified by the State Superintendent parallels current requirements and ensures that identification of each student’s need for bilingual education services is determined consistently on a statewide basis. As explained in the previous analysis, staff believe that a uniform screening tool should be used in kindergarten for
all students since districts may choose to use any number of established instruments or other procedures to screen their preschool students.

A student’s receipt of bilingual education services in kindergarten will not be dependent on his or her receipt of such services in a preschool program. Rather, any kindergarten student, including those who received bilingual education services in preschool, who is determined to be proficient in English using a screening instrument that the agency has identified for this purpose would not receive bilingual education services.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

One commenter asked that the requirement in Section 228.15(e) that screening take place within 30 days of a child’s enrollment in a preschool program be changed to specify 30 _school_ days. The additional time will allow a district to re-screen a child who is “uncooperative” or whose results from the initial screening were “inconclusive”.

**Analysis**

The rules have always required that screening take place within 30 days of a child’s enrollment in a district. This timeline correlates with the requirement in Section 14C-4 of the School Code that parents be notified of a student’s enrollment in a bilingual education program within 30 days of the student’s enrollment in the district or in a bilingual program, if that occurs in the middle of a school year. Under the law, this notification must include the student’s level of English proficiency and how that level was determined. (Also see analysis on page 26 pertaining to calendar days versus school days.) Screening results would not be available for inclusion in this notification if a district were allowed to use “school days” since this would add upwards of a week or more to the 30-day deadline set forth in law.

The timeline for screening was modified for preschool students so as to allow screening to be conducted within 30 days “after the student commences participation in the program”. Staff believed that this distinction was important since a child might not begin participation in a preschool program at the time he or she is enrolled (e.g., space is not yet available).

**Recommendation**

No change is recommended in response to this comment.

**Comment**

A commenter suggested that other nationally normed standardized tests results be considered when determining whether to administer the screening instrument to students for whom results from the Illinois State assessments are not available. For example, another person making a similar comment mentioned that the district’s transfer students “come from a variety of states”. (See Section 228.15(e)(1)(C)(iv).)

**Analysis**
This request appears reasonable and provides school districts with an appropriate mechanism for treating certain students (i.e., out-of-state students, those transferring from nonpublic schools in Illinois, or students in Illinois public schools whose State assessment results are unavailable) in a manner similar to students whose State assessment results are available. It is advisable to restrict this latitude to those grades in which the Illinois State assessment is given so as not to disadvantage students transferring from an Illinois public school that does not use nationally normed standardized tests in grade levels not subject to the State assessments (i.e., kindergarten and grades 1 and 2).

Recommendation

It is recommended that Section 228.15(e)(1)(C)(iv) be changed as follows.

(e)(1)(C)(iv) has been performing at or above grade level as evidenced by having met or exceeded the Illinois Learning Standards in reading and math on the student’s most recent State assessment administered pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] or, for students for whom State assessment scores are not available, a nationally normed standardized test, provided that the assessment was not administered with accommodations for students of limited English proficiency. This provision applies only to a student who had been enrolled in any of the grades in which the State assessment is required to be administered in accordance with Section 2-3.64 of the School Code.

Comment

A commenter recommended a wording change in Section 228.15(e)(2) by moving the closing phrase “for purposes of eligibility and placement” to the beginning of the sentence.

Analysis

The proposed change would make the statement easier to read.

Recommendation

It is recommended that Section 228.15(e)(2) be changed as follows.

(e)(2) For purposes of eligibility and placement, a district must rely upon a student’s score attained on the English language proficiency assessment prescribed under Section 228.25(b) of this Part, if available from another school district or another state, provided that the score was achieved no more than 12 months prior to the district’s need to assess the student’s proficiency in English for purposes of eligibility and placement.

Annual Assessment

Comment

Four commenters from a single school district expressed concern that, under the proposed changes, school districts would no longer be able to use indicators other than a student’s score
on the ACCESS for ELLs® assessment for determining whether a student has attained English proficiency appropriate to his or her grade level. Achievement of a proficient score would result in the student’s exiting the bilingual education program. (See Section 228.25(b).) Currently, the rules allow other indicators, such as teachers’ evaluations of performance, samples of a student’s work, or information received from family members and school personnel, to be used in assessing whether the student is still in need of services.

The comments received suggest that a student’s scoring at the proficient level alone is not enough to guarantee that the student will not be “drowning in the classroom (due to) the demands on academic achievement that become much more rigorous for them”. One educator said the proposed amendment is “regressing to the idea that ACCESS is the only valid assessment”, rather than assessing each student individually. She asked that the district be allowed to continue to use other data to ensure that when limited English proficient students leave bilingual programs, they can be “without a doubt successful in the mainstream classroom with little or no support”. In the same vein, a commenter said the proposed amendments are “truly unfair and unethical” since they eliminate the “time” necessary for students to learn English, thereby “setting them up to fail”. The individual, however, did not cite the specific provision of the proposal that she believes will have this effect.

Another letter asked that the rules provide the specific minimum composite score and literacy score that will be used to determine whether a student is identified as “proficient”.

Analysis

The agency’s elimination of the use of other criteria to determine a student’s proficiency in English is the result of federal Title I monitoring conducted in 2008. The agency received a finding for lacking consistent, statewide criteria to exit students from the limited English proficient (LEP) subgroup for AYP purposes. The finding objected to the current rules’ allowing districts to use a higher cut-score than the minimum set by the agency and/or to set additional exit criteria to determine when students are no longer LEP. As a result of the local flexibility, the parameters of the LEP subgroup vary from district to district and prevent the agency from making a valid comparison of the LEP subgroup across the State. The amendment to 228.25 addresses the problem by establishing an exit standard for LEP students with statewide uniformity. Under the proposed rules, districts must use only the State-established cut-scores.

As proposed, the rule pertaining to minimum scores for English proficiency allow the agency to analyze and adjust the established cut-scores as needed in the event the assessment evolves. In this way, delays in using any adjusted scores will be minimized if the rules do not first have to be changed. Protection for school districts is provided in that the State Superintendent is obligated under the proposed amendments to inform school districts of the scores that will be used in advance of the test being administered.

Recommendation

No changes are recommended in response to these comments.

Comment

One commenter asked that the date of the administration of the ACCESS for ELLs® assessment be moved to October or November to allow for earlier receipt of student scores to help districts plan for classroom and staffing needs in a timely way. Another suggested waiting
until the results from the “winter” ACCESS for ELLs® assessment are shared with districts before they are required to make placement decisions.

Analysis

The rules do not specify the date that the ACCESS for ELLs® will be given (see Section 228.25(b)) nor when a district must make placement decisions based on those assessment results (see Section 228.30(c)(3)). However, at the start of each school year, districts must use the most recent ACCESS for ELLs® test results from the previous school year to decide whether to exit limited English proficient students in grades 1 through 12 from a bilingual education program (i.e., transitional bilingual program or transitional program of instruction). Districts may move students in transitional bilingual programs from full time to part time at any time during the school year.

Recommendation

No changes are recommended in response to these comments.

Comment

One commenter asked whether the minimum scores will differ for the purposes of determining a part-time placement for a student rather than placement in a full-time program. The commenter recommended that the decision on what score is used be made locally rather than by the agency, which she indicated is what the agency currently allows. (See Section 228.30(c)(3).) A local determination of minimum scores will enable districts to make sound decisions based on the number of students to be served, the districts’ capacity to serve them, and the individual capabilities of students to successfully progress in part-time programs.

Analysis

This comment is well-taken, as the proposed amendments in Section 228.30(c)(3) do not clearly convey that the score to be used to determine a student’s placement in a full- or part-time program is not the same score that is used to determine whether a student is proficient in English.

The minimum score for a part-time program placement will be lower than the score used to define English language proficiency and will be developed by the Division of English Language Learning in consultation with representatives of the bilingual community. The rules also allow districts to consider other criteria when deciding whether to place a student in a part-time program. Part-time placement should be based on the student’s needs and ability to benefit from instruction in English. The district’s staffing, scheduling and availability of bilingual resources should not be the only factors used to determine part-time placement.

Recommendation

It is recommended that Section 228.30(c)(3) be changed, as follows.

(c)(3) Students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, if an assessment of the student’s English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section 228.25(b) of this Part and the
assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program. Evidence of sufficient proficiency shall be achievement of the minimum score to be used for this purpose set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b). The State Superintendent shall inform districts of the minimum score to be used. District staff also shall consider the student’s score and his or her proficiency in the home language; prior performance, if any, in coursework taught exclusively in English; current academic performance; and other relevant factors such as age, disability, and cultural background in order to determine whether a full-time or a part-time program is appropriate.

Comment

One commenter asked about the provision of accommodations, such as large print or Braille, for students being administered the screening instrument or ACCESS for ELLs®. Accommodations for students with severe cognitive disabilities are not available from vendors, she stated. She also requested that the rules distinguish between students who refuse to take the assessments from those who require accommodations for the assessment results to be valid.

Analysis

Currently, the testing guides for the ACCESS for ELLs® assessment and the required screening instruments provide the accommodations that are permissible for districts to use when administering these assessments, and the testing company does provide large-print and Braille versions of the ACCESS for ELLs® assessment upon request. Section 228.15(f) is not being changed by this rulemaking; therefore districts should be providing the accommodations identified in a student’s Individualized Education Program to the best of their abilities when screening or assessing that student.

The commenter’s final comment is not clear, as the rules do not address situations in which a student “refuses” to participate in the screening or assessment. These procedures are addressed in the test administration instructions.

Recommendation

No changes are recommended in response to these comments.

Staff Qualifications

Comment

Several submitters believed that requiring early childhood teachers to meet bilingual qualifications would improve the provision of services to English language learners at the preschool level. As one commenter remarked, adhering to the proposed deadline of July 1, 2014, for early childhood teachers to meet bilingual qualifications is “an important incentive” for teachers, administrators and teacher preparation institutions to “begin to work toward change”.

On the other hand, a far greater number of commenters expressed considerable concern about preschool programs’ ability to employ teachers who hold both an appropriate early childhood
certificate (i.e., initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate) and either a transitional bilingual certificate or an approval or an endorsement in bilingual education or English as a second language.

Several commenters noted the difficulty preschool programs currently have in finding a sufficient number of teachers who meet the statutory requirement that they be properly certified for early childhood education. Some programs, particularly those in community-based settings, also worry that current staff who are working toward the early childhood certification while employed will lack both the resources and time to meet the additional requirements necessary for bilingual credentials by July 1, 2014. Another mentioned that an individual qualified for both early childhood and bilingual education would command a higher salary that preschool programs could not afford to pay.

One submitter worried that preschool programs that currently employ teachers who hold both early childhood and special education certificates (due to inclusion in preschool programs of children with special needs) may be forced to choose between these individuals and early childhood teachers with bilingual qualifications. These issues are further exacerbated for programs serving students whose home languages or the dialect of a primary language that they speak is not well-represented among Illinois’ bilingual population, a commenter noted.

As a remedy to anticipated shortages of qualified staff in four years, commenters proposed that the rules allow for a “phase-in” approach that serves as an “incentive program for agencies to meet higher thresholds of quality rather than a punitive approach of mandatory compliance”. Such a process could ensure, as one commenter stated, that preschool programs serving limited English proficient students “take immediate action” but at the same time recognizes that “time will be needed in order to develop the requisite pool of dually certified teachers”. Alternately, moving the deadline back to 2018 was suggested. Additionally, a commenter asked that provisions be made for preschool programs to request an extension of the deadline if the program can “demonstrate that reasonable efforts to comply are being made”.

One commenter asked that individuals holding a Type 29 (transitional bilingual certificate) with an early childhood background be allowed to take coursework leading to an early childhood certificate. Another asked that individuals holding a Type 29 certificate be allowed to teach in a preschool bilingual classroom due to the shortage of early childhood-certified teachers or work under the supervision of a teacher who holds proper early childhood certification. One other recommendation put forth is to allow preschool teachers currently working toward bilingual approval or endorsement to be considered “highly qualified” before the 2014 deadline.

Analysis

It is important to understand when considering any action relative to these comments that the agency is not at liberty to change the certification requirements for teachers providing instruction in either early childhood classrooms or to students receiving bilingual services. Section 2-3.71 of the School Code stipulates that all teachers must hold an early childhood teaching certificate. Likewise, Section 14C-8 requires any teacher employed in a transitional bilingual program to hold either a valid Illinois teaching certificate and meet other language and course requirements as determined by the State Board of Education (i.e., teaching certificate with bilingual education or English as a second language endorsement or approval) or meet the requirements for a certificate set forth under Section 14C-8 (transitional bilingual or Type 29 certificate). These
overlapping requirements mean that a preschool teacher serving bilingual students must meet both sets of certification requirements noted above.

As state-funded early childhood programs expanded substantially in the last several years due to an increase in the appropriation for the program and the inclusion of applicants other than school districts, a shortage in qualified early childhood teachers became apparent. The agency established a program to encourage individuals holding bachelor’s degrees to complete coursework necessary for receipt of an early childhood certificate, similar to the “Grow Your Own” Teacher Education initiative. Commenters urged the agency to use programs like this and others, such as Gateways to Opportunities, to expand the pool of candidates qualified to teach both early childhood and bilingual education. In addition, programs may use, as appropriate, other federal or state funding for teacher scholarships, cohorts or grants to institutions of higher education as encouragements for individuals to seek early childhood and/or bilingual certification.

Agency staff recognized the difficulty of programs finding an adequate number of qualified staff by proposing a delayed effective date in the rules. The July 1, 2014, deadline for preschool programs’ compliance with bilingual certification requirements was chosen because it is also the deadline for noncertificated staff who assist in instruction in preschool programs to meet the same qualifications as their counterparts employed in kindergarten through grade 12. It is assumed that the deadline would provide sufficient time for programs to meet requirements, yet not unreasonably delay the requirement that preschool programs must employ fully qualified staff.

Additionally, the agency soon will be making changes to rules regarding the transitional bilingual certificate and making it applicable to teachers in prekindergarten. At that point in time, individuals holding an appropriate early childhood certification may receive a transitional bilingual certificate by successfully completing the examination in the non-English language in which transitional bilingual education is offered. (In situations where a candidate was educated at a non-English university, the proficiency examination would be in English.) The certificate is valid for six years, during which time the individual may complete the coursework necessary for a bilingual endorsement or approval.

As to the final comment regarding “highly qualified”, it is assumed that the commenter was referring to being “highly qualified” under the federal No Child Left Behind Act of 2001 (NCLB). Pursuant to NCLB, teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) are required to be “highly qualified” for those assignments. Appendix D of rules governing Certification (Part 25) addresses specific criteria for determining if an individual is considered “highly qualified” for his or her assignment. These criteria are set forth for kindergarten through grade 12 and do not apply to prekindergarten programs.

Recommendation

No changes are recommended in response to these comments.

Comment

Several commenters believed that the requirements for administrators of bilingual programs were burdensome and unnecessary. One person questioned whether an administrator had to
be knowledgeable about bilingual education in order to be effective. Another went further, asking if there were any scientifically based data to show that administrators with bilingual certification were “better at meeting the needs of children who are English Language Learners”? Commenters asked that school districts be given flexibility to provide administrative support to bilingual programs in “a variety of ways” that take into consideration each district’s “limited resources”.

Analysis

The requirements for administrators to hold bilingual or English as a second language endorsement or approval, as applicable to the program, were first put in place in 2006 and originally appeared in the rules at Section 228.30(c). In response to public comment received at the time, the agency amended the rule, as originally proposed, to allow school districts two years to find individuals who met the new requirements, making them applicable to anyone hired after July 1, 2008. An individual hired before that date had four years -- until July 1, 2010 -- to meet the requirements.

The current proposed changes do not represent new mandates but simply strengthen the original rule by:
1. adding language that the supervisory endorsement is issued on a teaching certificate;
2. making clearer that administrators in districts serving fewer than 200 English language learners in transitional bilingual program or a transitional program of instruction are exempt from all but the requirement to hold an administrative certificate or supervisory endorsement;
3. allowing individuals administering a transitional bilingual program or a transitional program of instruction to hold an English as a New Language endorsement with a language designation or an English as a New Language endorsement, respectively, as well as bilingual or English as a Second Language endorsement or approval;
4. requiring eight hours of professional development annually starting in school year 2012-13 (rather than two hours) for administrators who hold only an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate; and
5. requiring annually the submission to agency staff of an assurance that the administrator has completed the required professional development as a way for agency staff to ensure that districts are complying with the requirement.

Staff believe that the qualifications of administrators as set forth in the current rules remain appropriate. To ensure effective implementation, the individual assigned to administer the bilingual education program and who has decision-making authority should be knowledgeable about the learning needs of English language learners, second language acquisition and bilingual education in order to direct the program’s curriculum, instructional methodologies, assessment, data management and materials’ selection. The need for this knowledge is evident in the administrator’s responsibilities.

Further, the administrative requirements set forth in the rules are not arbitrary. The agency has the responsibility to ensure that the statutory and regulatory requirements for bilingual education programs are met and that high-quality education programs are established to meet the needs of English language learners and their parents. These programs are designed to help children build academic skills and knowledge with native language support while they acquire the English language skills necessary to succeed in the general education program.

Recommendation
No changes are recommended in response to these comments.

Comment

A question was posed as to why teacher assistants would be required to meet “unnecessary certification requirements”. These particular requirements were not specified in the comment submitted.

Analysis

Requirements for noncertificated personnel at Section 228.35(c)(3) pertain only to staff of preschool programs rather than to bilingual instruction provided at other grade levels. The addition in Part 228 of this cross-reference to Part 235 (Early Childhood Block Grant) alerts school districts to, and enables them to review, long-standing requirements for noncertificated personnel in preschool programs that will apply equally to preschool programs serving English language learners.

Recommendation

No change is recommended in response to this comment.

Miscellaneous

Comment

Numerous requests were received stating that all community-based organizations should adhere to the requirements for the provision of bilingual education set forth in Article 14C of the School Code and Part 228, regardless of whether an organization’s preschool program is funded directly by the state or through a subgrant awarded by a school district. Commenters cited the “inequities” that would be created if state-funded community-based programs did not provide instruction to English language learners in the same manner as would be provided to students in school district-administered programs that are provided in community-based and school settings.

At the same time, several respondents believed that it would be “burdensome” for community-based grantees to meet the statutory and regulatory requirements for bilingual services. Likewise, they noted that it would be difficult for community-based programs receiving a subgrant from a school district to meet these requirements since the funding they receive does not fully cover the cost of the preschool program. Although not related to either of the two current rulemakings, one person urged the agency also to look at integrating bilingual education services into programs serving children and families participating in birth-to-age-3 initiatives.

Finally, one school district that awards subgrants to community-based organizations for preschool programs complained that it lacks the ability to adequately monitor those programs for compliance with bilingual education requirements.

Analysis

As one of these commenters correctly noted, the agency has no authority under the law to require that services provided to English language learners in preschool programs delivered by
community-based organizations and other eligible recipients comply with Article 14C and Part 228. The law and rules regulate school districts only. Simply because the agency is authorized by law to award preschool grants to entities other than school districts does not extend its authority to require that those other entities comply with all laws and rules that apply to school districts.

It should also be clarified that a school district that receives an Early Childhood Block Grant to establish a preschool program is allowed to subcontract with other eligible entities, including community-based organizations, to provide these services. In these situations, the school district maintains responsibility and accountability for ensuring that its subgrantees comply with the terms and conditions of the preschool program, including the provision of bilingual services to English language learners. Additionally, a school district must take action to remedy any program violations of a subgrantee or, should no corrective action be taken, withdraw the subgrantee’s funding to operate the program.

The unintended consequence of extending services under Article 14C to preschool students enrolled in school district programs may be that English language learners could receive different levels of services, depending on whether the direct recipient of an Early Childhood Block Grant is a school district or another eligible entity. It is important to note, however, that all grantees receiving the Early Childhood program grants, including state-funded community-based programs, have always been required to provide services specific to the individual needs of each student. To best determine these needs, each child is screened. The screening includes assessing a child’s level of English proficiency and, based on the screening results, developing a language and literacy development plan. Although they are not subject to the requirements of Article 14C and Part 228, community-based preschool programs may choose to implement a model that includes components similar to those required under transitional bilingual education programs and transitional programs of instruction.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

Questions were raised about the type of bilingual instructional models that will be employed in preschool programs. Several comments received on this issue objected to providing instruction to preschool students in their native language, which would constitute a transitional bilingual education program. This type of instruction might create “segregated schooling opportunities”, an individual argued. One person asked that school districts be allowed to delay placement of students in transitional bilingual programs until kindergarten for those who have been identified as English language learners. Another advocated for “local control”, stating that a “one-size-fits-all” approach would prevent districts from ascertaining and meeting the needs of the students they would be serving.

Conversely, one supporter pointed out that providing the same instructional models for preschool English language learners as are provided in elementary and secondary settings will ensure that “transition from one institution to another is smooth and coordinated”. She noted that without formal bilingual services being provided, some English language learners will lack the “‘academic’ or ‘cognitive’ English that is needed to be successful in kindergarten”. The provision of an appropriate bilingual education will help English language learners continue to develop skills in their home language as well as in English. Someone else pointed out that the
best instructional approach is “dual-language” programs employing both English and home language instruction.

Analysis

Section 14C-3 requires school districts to establish a transitional bilingual program for each language classification once the number of students in that language classification is 20 or more within an attendance center of the district, and the agency cannot by rule change a statutory requirement. It should be noted that school districts may implement various types of transitional bilingual education programs that maximize interaction between English language learners and English-speaking peers (for example, a dual language program that integrates language minority and language majority students and is designed to teach students a second language through subject content instruction and everyday classroom conversation).

Recommendation

No changes are recommended in response to these comments.

Comment

Along the same lines as the comments received above, a respondent asked that the rules clarify the point at which a transitional bilingual program is required to be provided and when a district may choose to provide a transitional program of instruction. That is, does the “20 or more students in the same language classification” refer to students within a grade level or across all grade levels in an attendance center? The number of students in a given language classification within an attendance center is used by the district to determine whether those students are served through a transitional bilingual education program or a transitional program of instruction.

The same individual also asked that prekindergarten and kindergarten students be counted separately from students in grade 1 through 12 in making this determination, and that districts have the latitude to determine part-time or full-time placement based on the proficiency levels of the students within the language classification.

Analysis

Section 14C-3 refers to the number of students within an attendance center rather than the number in a particular grade level. Section 228.25(a)(1) and (2) use the statutory language (noted by the italicized text) that includes the reference to “an attendance center” so no further clarification specific to grade-level counts is needed in the rules. The proposed insertion of the grade levels to which this requirement applies, however, has the potential to create confusion in the field, as evidenced by this comment, and its intent can be improved by modifying the language of the rules.

The rationale is twofold for including an attendance center’s kindergarten students when determining the bilingual education model to be used (i.e., transitional bilingual education program or transitional program of instruction): it better aligns with teacher certification requirements and minimizes staffing constraints. For example, teachers with elementary certification are qualified to teach students in kindergarten through grade 9. In addition, transitional bilingual education programs in elementary schools that serve a small number of students may employ one or more teachers to work with children from multiple grades.
Moreover, it is appropriate to count preschool students separately from kindergarten-through-grade-12 students in an attendance center that houses the preschool program. A school district is not required to serve preschool students since it is an optional program funded under a competitive grant. Often the preschool program, which is geared towards at-risk students, is offered in only one of the district’s attendance centers, which may skew the total number of students who are limited English proficient in that school. Additionally, only a teacher who holds an early childhood certification may provide instruction in a preschool program.

As for full- and part-time provision of services, Section 228.30(c)(3) requires that the State Superintendent set a minimum English language proficiency level to be used for part-time placement in a transitional bilingual program (also see analysis beginning on page 12). When making a part-time placement decision for a student, the rules also require a school district to consider prior performance, if any, in coursework taught exclusively in English; current academic performance; and other relevant factors, such as age, disability, and cultural background.

**Recommendation**

It is recommended that the following changes be made in Sections 228.25(a)(1) and (2).

a) Program Options and Placement

1) *When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification in kindergarten or any of grades 1 through 12, the school district must establish a transitional bilingual education (TBE) program for each language classification represented by those students (Section 14C-3 of the School Code). A further assessment of those students to determine their specific programmatic needs or for placement in either a full-time or a part-time program may be conducted. This subsection (a)(1) applies only to students enrolled in kindergarten or any of grades 1 through 12 in an attendance center.*

2) *When an attendance center has an enrollment of 19 or fewer students of limited English proficiency of any single language classification other than English in kindergarten or any of grades 1 through 12, the school district shall conduct an individual student language assessment to determine each student’s need for native language instruction and may provide a transitional bilingual program in the languages other than English common to these students. If the district elects not to provide a transitional bilingual program, the district shall provide a locally determined transitional program of instruction (TPI) for those students. (Section 14C-3 of the School Code.) This subsection (a)(2) applies only to students enrolled in kindergarten or any of grades 1 through 12 in an attendance center.*
One person asked how a student's dialect of a primary language, such as Chinese, should be treated in making placements and when determining the instructional model to be used (transitional bilingual education program or transitional program of instruction).

Analysis

Chinese dialects, such as Mandarin and Cantonese, are considered to be different languages in accordance with standard language classifications. It is important that all students in a bilingual classroom understand the language spoken by the teacher so placement in a transitional bilingual education program must coincide with the student’s home language.

Recommendation

No change is recommended in response to this comment.

Comment

Several commenters objected to what they described as a new requirement for school districts to provide summer school programs. (See Section 228.30(a)(6).)

Analysis

The provision of the rules to which they refer is taken verbatim out of the law. The intent of the requirement is to alert school districts that choose to offer summer school programs that they must provide transitional bilingual education programs or transitional programs of instruction for students attending who are identified as an English language learners. The proposed revision to that section simply clarifies that interpretation of the law. The provision does not mandate the provision of summer school for English language learners who choose not to enroll in the summer session.

Recommendation

No change is recommended in response to this comment.

Comment

A commenter questioned whether a preschool program with more than 20 students in a single language classification would require more than one teacher who holds an early childhood certificate.

Several other individuals indicated that extending to kindergarten the requirement that bilingual class sizes not exceed 90 percent of the average student-teacher ratio in general education classrooms has “no scientific basis”. Another asked that the requirement for class sizes not to exceed 90 percent of the average student-teacher ratio be aligned to the requirement in rules governing the Early Childhood Block Grant that limits class size to no more than 20 students.

Analysis

Rules governing the Early Childhood Block Grant (see Section 235.30(d)) set forth the student-staff ratio for a preschool classroom of one staff member for every 10 students, with no more than 20 students being served in a classroom. This restriction typically means that a preschool
A classroom would have at least an early childhood certified teacher, and when class sizes exceed 10 students, another teacher or aide is employed. Therefore, if a preschool program has more than 20 students in a single language classification, then additional classrooms, each with its own early childhood certified teacher, would need to be established. Each classroom would be required to have an early childhood certified teacher, but the bilingual services could be provided among several classrooms by using a qualified bilingual teacher, employing a team-teaching approach, or having the bilingual teacher rotate among the early childhood classrooms to provide services and support. The proposed rule is intended to exempt preschool classrooms from the 90 percent requirement since Part 235 governs the establishment of those programs. A slight modification to the language as proposed will make that intent clearer.

Section 228.30(b) also is being modified to explicitly state that the 90 percent rule applies to kindergarten as well as to grades 1 through 12. Prior to the addition of language to reference class size restrictions for early childhood programs, there was no need to specify that the rules applied to kindergarten as well as grades 1 through 12.

**Recommendation**

It is recommended that Section 228.30(b)(1) be changed as follows.

(b)(1) Student-Teacher Ratio - The student-teacher ratio in the ESL and native language components of programs serving students in kindergarten or any of grades 1 through 12 as of September 30 of each school year shall not exceed 90% of the average student-teacher ratio in general education classes for the same grades in that attendance center. Decreases in the ratio for general education during the course of a school year due to students' mobility shall not require corresponding adjustments within the bilingual program. Further, additional students may be placed into bilingual classes during the course of a school year, provided that no bilingual classroom may exhibit a student-teacher ratio that is greater than the average for general education classes in that grade and attendance center as a result of these placements. For preschool programs established pursuant to Section 2-3.71 of the School Code [105 ILCS 5/2-3.71], the student-teacher ratios for each preschool classroom providing bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30(d) (Early Childhood Block Grant) rather than the requirements of this subsection (b)(1).

**Comment**

Suggestions were made to add an overall definition for “bilingual education services”. Alternately, it was recommended that terms such as “bilingual”, “transitional program of instruction”, “English as a second language” (ESL), and “sheltered” be defined under Section 228.30(a) (“Establishment of Programs”).

**Analysis**

The term “bilingual education services” appears in 228.30(a)(6). In this context, it is intended to refer to a transitional bilingual education program or transitional program of instruction, so a clarification in the proposed amendments is advisable.
Defining the other terms mentioned mirrors comments received during the last rulemaking in 2006. As the agency noted at that time, Sections 228.30(c) and (d) provide as much definition as is needed for the terms “transitional bilingual education” and “transitional program of instruction” to be understood, in that these sections discuss what must be included in each type of program. Inclusion of definitions in Section 228.10 would introduce unnecessary redundancy. The rules can be clarified, however, if cross-references to Sections 228.30(c) and (d) are added at the first instance where each term is used.

Further, ESL is defined in Section 228.10, and “sheltered” is not used in the rules.

**Recommendation**

It is recommended that Section 228.25(a)(1) and (a)(2) be changed as follows.

a) **Program Options and Placement**

1) *When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification in kindergarten or any of grades 1 through 12, the school district must establish a transitional bilingual education (TBE) program for each language classification represented by those students (Section 14C-3 of the School Code; also see Section 228.30(c) of this Part).* A further assessment of those students to determine their specific programmatic needs or for placement in either a full-time or a part-time program may be conducted.

2) *When an attendance center has an enrollment of 19 or fewer students of limited English proficiency of any single language classification other than English in kindergarten or any of grades 1 through 12, the school district shall conduct an individual student language assessment to determine each student’s need for native language instruction and may provide a transitional bilingual program in the languages other than English common to these students. If the district elects not to provide a transitional bilingual program, the district shall provide a locally determined transitional program of instruction (TPI) for those students. (Section 14C-3 of the School Code; also see Section 228.30(d) of this Part.)*

It is recommended that Section 228.30(a)(6) be changed as follows.

(a)(6) *Preschool and Summer School - A school district may establish preschool and summer school programs for students of limited English proficiency, or join with other school districts in establishing such programs. Summer school programs shall not replace programs required during the regular school year. (Section 14C-11 of the School Code [105 ILCS 5/14C-11]) A school district that offers a summer school program or preschool program shall provide transitional bilingual education programs or transitional programs of instruction bilingual education services for students having limited English proficiency in accordance with Article 14C and this Part.*

**Comment**
Also in Section 228.10, “Definitions”, a commenter questioned the expansion of the definition for “home language”, indicating that the inclusion of the language of anyone who lives in the student’s home is “too broad” and will result in “too many children being referred for a screening”. Another commenter noted that the expanded definition also does not align with the questions posed in the home language survey (see Section 228.15(a)).

Also questioned was the rules’ use of both “home language” and “native language”. The latter term is not defined, it was pointed out, and so it is not clear whether there is a distinction between “home language” and “native language” as used in the rules. The lack of distinction between the two terms could create “data recording and reporting issues” for the district since it does not know the “source of information” it must use when reporting a student’s home language and native language.

Analysis

The commenter’s point concerning the inclusion in the definition of the “home language” of others living in a student’s home is well-taken and the rule will be revised to eliminate that criterion when determining a student’s home language.

This criterion also is used in the definition for “language background other than English” and its use there is appropriate. Language skills in young children develop, in part, by listening to the speech of parents and other caregivers. The language of a caregiver or other relative who lives in the home and spends time with the child regularly may be the basis for the child’s primary language development. Children who come from a home where a language other than English is spoken regularly may not have had sufficient exposure to English to develop strong English language skills, so it is appropriate to use this as a trigger for screening. Providing the screening ensures that the child’s academic progress is not unduly delayed if he or she has limited English proficiency. Consideration of the language of others in the home also aligns with the home language survey, which asks whether a language other than English is spoken in the student’s home and, if so, which language.

It is true that when discussing languages generally, that a student’s home language may not be the same language as his or her “native” language. For example, a family who speaks English may have adopted a child who only speaks Russian, which neither parent knows. In the context of the rules, however, “home language” and “native language” are used interchangeably, and so the definition of “home language” should be clarified.

As to the use of the terms for data collection purposes, the Student Information System includes definitions for all data elements collected. Once the rules are in effect, the Division of English Language Learning will review these definitions to ensure that they align with the rules.

Recommendation

It is recommended that the definition of “home language” in Section 228.10 be changed as follows.

“Home Language” means that language normally used in the home by the student and/or by the student’s parents or legal guardians, or by anyone who resides in the student’s household.
It also is recommended that “home language” be used throughout the rulemaking in place of “native language”. This change would be made in Sections 228.10, 228.25, 228.27, 228.30 and 228.35.

Comment

A question was posed about a student who transfers into a school district with records showing that he or she met English proficiency requirements more than 12 months ago and has been “exited” from a bilingual program, and whether that student should receive bilingual services in the new school if the results of a screening there identifies the student as an English language learner.

Analysis

The district to which a student is transferring should not administer a new screening test if that student’s records show that he or she achieved English language proficiency in his or her previous school district and that district “exited” the student from either the transitional bilingual education program or the transitional program of instruction.

Recommendation

No change is recommended in response to this comment.

Comment

A commenter urged the agency to “accurately collect” data necessary to “identify needed services and evaluate program effectiveness”. This would include data elements pertaining to whether the student also is identified as at risk or has disabilities, the types of additional services provided, and the type of program in which the student was served.

Analysis

Section 228.20 requires that information relative to the provision of bilingual education services be included in a student’s record maintained in the electronic Student Information System (SIS). The information specified in the rules includes the student’s home language and his or her academic achievement level. The specific information required under the rules is general in nature and would not provide the type of data the commenter was envisioning; however, other data are collected via the SIS. This other data include placement information (transitional bilingual education, transitional program of instruction, self-contained special education or general education classroom), as well as the student’s participation in various programs or receipt of other services.

A review of the requirements for the annual application in Section 228.50(b) also may alleviate some concerns about the need to expand data collection efforts. Starting with the 2010-11 funding cycle, applications will be submitted through the agency’s Electronic Grants Management System (eGMS), allowing for staff to easily access program service levels and student demographics.

Recommendation

No change is recommended in response to this comment.
Comment

One person asked that separate standards for Spanish language arts not be promulgated and that those standards instead be integrated with those established for English language arts. Another asked that the agency clarify how school districts are to measure students’ progress in meeting the Spanish language arts standards and whether the agency would be developing a tool that districts can use for this purpose. Others questioned why only Spanish was being mandated and complained that school districts will need to purchase Spanish curricular and assessment materials beyond what is now needed in bilingual classrooms. It was also stated that requiring mastery of the language arts in Spanish exceeds the requirements of the federal No Child Left Behind Act of 2001.

Analysis

Approximately 80 percent of the English language learners in Illinois public schools are native speakers of Spanish. The Spanish Language Arts Standards are intended to allow Spanish-speaking students access to instruction that will promote literacy in their native language, with all the advantages that such literacy is known to bring in terms of English language learning. The standards provide the framework to direct the development of the Spanish language arts curriculum used in a transitional bilingual education program, provide for continuity across grade levels and across school districts, and guide instruction and assessment at the classroom level.

The Spanish Language Arts Standards are aligned to the existing Illinois Learning Standards for English Language Arts (set forth in rules at 23 Ill. Adm. Code 1.Appendix D), so they are parallel but not identical to the standards to which English language learners will be held in their English coursework. That is, the Spanish Language Arts Standards incorporate language usage standards and conventions of the Spanish language.

Recommendation

No changes are recommended in response to these comments.

Comment

Several comments addressed different aspects of parental notification. For instance, the rules do not specify requirements for notice to parents of preschool students, particularly regarding the child’s continuation in the program in the following year. This same commenter also asked whether a school district must provide notice if a qualified teacher is not available (it is assumed by “qualified” that the commenter meant an individual who holds both an early childhood teaching certificate and either a transitional bilingual certificate or bilingual or English as a second language approval or endorsement). She also asked that Section 228.40(a) be amended to specify “school” days.

Another commenter asked that latitude be given to school districts in providing both notices and progress reports in the student’s home language when a translator may not be available or in instances where there is a low enrollment of students in that language classification.

Analysis
Nothing in the law or rules would require that notices provided to the parents of preschool students be less specific or contain different information than those sent to parents of students in other grade levels. Section 14C-4 of the School Code lists the required components of a parental notification. Additionally, the lack of a qualified teacher, in either a preschool program or at other grade levels, does not negate the school district’s responsibility to provide the required notices.

The agency cannot change the 30-day requirement by rule since this language is verbatim from what is in the statute. Section 1.11 of the Statute on Statutes (5 ILCS 70/1.11) provides a process for determining the time whereby any action mandated by law must occur. The language of that statute clearly contemplates calendar days and is copied below.

Sec. 1.11. The time within which any act provided by law is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in this State, and then it shall also be excluded. If the day succeeding such Saturday, Sunday or holiday is also a holiday or a Saturday or Sunday then such succeeding day shall also be excluded.

The same rationale (i.e., statutorily mandated) can be used for supporting the provision of notices in the student’s home language. The law is specific and did not provide flexibility to prepare notices in a student’s home language only when translation is “feasible and necessary”, using the phrase that the commenter asked to be inserted in Sections 228.40(a)(1).

The commenter wanted similar language inserted in Section 226.40(c)(1)(C) regarding progress reports, and agency staff recognize that districts face challenges in finding translators for certain languages. It is important, however, that parents be informed of their child’s school performance in a language that they understand. Home school communication is key to supporting a student’s learning and ability to achieve academically in school. If the parents who speak English, including parents of foreign adoptees and bilingual parents, do not need progress reports to be translated into their home language, then the rules provide for a process so that the required translation can be waived.

Recommendation

No changes are recommended in response to these comments.

Comment

An individual asked if a student receiving bilingual education services in preschool and kindergarten will have that time included in the three years in which he or she can be served under Section 14C-3 of the School Code.

Analysis

Section 228.40(b)(1) provides that a student’s participation in a transitional bilingual program or a transitional program of instruction in preschool or kindergarten does not count towards the three-year total specified in Section 14C-3 of the School Code.

Recommendation

27
No change is recommended in response to this comment.

Comment

Several commenters asked that the agency provide information and resources to directors and staff of school districts and preschool programs to help them implement bilingual education programs that meet the requirements of the law and rules. Chief among these resources were guidance, professional development, models and examples of classroom practices, and online resources. For the preschool setting specifically, useful materials could address language development, second language acquisition, and best practices for serving English language learners.

Analysis

Both the divisions of English Language Learning and Early Childhood provide a variety of support and other technical assistance to school districts and other recipients of grant funds. Many of the requirements contained in Article 14C and Part 228 are new to preschool education programs, so staff will make resources available to directors of both district bilingual and early childhood programs through direct communication with districts, posting of materials on the ISBE website, and provision of workshops and presentations at state conferences and meetings.

Recommendation

No changes are recommended in response to these comments.
Section 228.5  Purpose and Applicability

a) This Part establishes requirements for school districts’ provision of services to students in preschool through grade 12 who have been identified as limited English proficient in accordance with Article 14C of the School Code [105 ILCS 5/14C] and this Part.
b) The requirements of Article 14C of the School Code and this Part shall apply to every school district in Illinois, regardless of whether the district chooses to seek funding pursuant to Section 228.50 of this Part.

(Source: Added at 34 Ill. Reg. _____, effective _____________)

Section 228.10 Definitions

“Bilingual Education Teacher” means a teacher who:

holds a valid Illinois certificate with an endorsement or approval in bilingual education or an endorsement in ENL with a language specific designation for bilingual education (see 23 Ill. Adm. Code 25.Appendix E and 23 Ill. Adm. Code 1.780 and 1.781); or

holds a Transitional Bilingual Certificate endorsed for teaching in a language other than English and issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25.90; or

holds a Visiting International Teacher Certificate and meets the requirements of 23 Ill. Adm. Code 25.92(i).

“English as a Second Language” or “ESL” or “English as a New Language” or “ENL” means specialized instruction designed to assist students whose home language is other than English in attaining English language proficiency. ESL or ENL instruction includes skills development in listening, speaking, reading, and writing. (ESL is and ENL are not to be confused with English language arts as taught to students whose home language is English.)

“English Language Proficiency Assessment” means the ACCESS for ELLs® (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

“Home Language” means that language normally used in the home by the student and/or by the student’s parents or legal guardians.
“Language Background other than English” means that the home language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student comes from a home where a language other than English is spoken, by the student, or by his or her parents or legal guardians, or by anyone who resides in the student’s household.

“Preschool Program” means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12] in any program administered by a school district, regardless of whether the program is provided in an attendance center or a non-school-based facility.

“Prescribed Screening Instrument” means the assessment tool prescribed by the State Superintendent of Education to be used by all school districts with students enrolled in kindergarten or any of the grades 1 through 12 to determine a student’s level of proficiency in English and placement in a bilingual education program WIDA ACCESS Placement Test (W-APT)™ (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

“Prescribed Screening Procedures” means the procedures that a school district determines to be appropriate to assess a preschool student’s level of English language proficiency, (minimally in the domains of speaking and listening), in order to determine whether the student is eligible to receive bilingual education services. The procedures may include without limitation established screening instruments or other procedures, provided that they are research-based. Further, screening procedures shall at least:

Be age and developmentally appropriate;

Be culturally and linguistically appropriate for the children being screened;

Include one or more observations using culturally and linguistically appropriate tools;
Use multiple measures and methods (e.g., native language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions):

Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and

Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.

“Standard School Program” means the educational program offered by the local school district to the majority of its students ("general education").

“Students of Limited English Proficiency” means students in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, whose home native language background is a language other than English and whose difficulties in speaking, reading, writing, or understanding English may be sufficient to deny them:

the ability to meet the State’s proficient level of achievement on State assessments;

the ability to successfully achieve in classrooms where the language of instruction is English; or

the opportunity to participate fully in the school setting.

“Students of Non-English Background” means students, whether born in the United States or born elsewhere, whose native language is other than English or students who come from homes where a language other than English is spoken, either by the students themselves, or by their parents or legal guardians.

“Teacher of English as a Second Language” or “Teacher of English as a New Language” means a teacher who:

holds a special certificate endorsed for teaching ESL or ENL, issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25; or
Section 228.15 Identification of Eligible Students

a) Each school district shall administer a home language survey with respect to each student in preschool, kindergarten or any of grades 1 through 12 who is entering the district’s schools or any of the district’s preschool programs for the first time, for the purpose of identifying students who have a non-English language background other than English. The survey should be administered as part of the enrollment process or for preschool programs, by the first day the student commences participation in the program. The survey shall include at least the following questions, and the student shall be identified as having a non-English language background other than English if the answer to either question is yes:

1) Whether a language other than English is spoken in the student’s home and, if so, which language; and

2) Whether the student speaks a language other than English and, if so, which language.

b) The home language survey shall be administered in English and, if feasible, in the student’s home language.

c) The home language survey form shall provide spaces for the date and the signature of the student’s parent or legal guardian.

d) The completed home language survey form shall be placed into the student’s temporary record as defined in 23 Ill. Adm. Code 375 (Student Records).

e) The district shall, using the prescribed screening instrument, screen the English language proficiency of each student identified through the home language survey.
as having a language non-English background other than English by using the prescribed screening instrument applicable to the student’s grade level (i.e., kindergarten or any of grades 1 through 12) or the prescribed screening procedures identified by the preschool program. This screening assessment shall take place within 30 days either after the student’s enrollment in the district or, for preschool programs, after the student commences participation in the program, for the purpose of determining the student’s eligibility for bilingual education services and, if eligible, the appropriate placement for the student. For kindergarten, all students identified through the home language survey, including students previously screened when enrolled in preschool, must be screened using the prescribed screening instrument for kindergarten.

1) The prescribed screening instrument does not need to be administered to a student who, in his or her previous school district:

   A) has been screened and identified as English language proficient as required in this subsection (e); or

   B) has met the State exit requirements as described in Section 228.25(b)(2) of this Part; or

   C) has met all of the following criteria:

      i) resides in a home where a language other than English is spoken, and

      ii) has not been screened or identified as a student with limited English proficiency, and

      iii) has been enrolled in the general program of instruction in the school he or she has previously attended, and

      iv) has been performing at or above grade level as evidenced by having met or exceeded the Illinois Learning Standards in reading and math on the student’s most recent State assessment administered pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] or, for students for whom State assessment scores are not available, a nationally
normed standardized test, provided that either assessment was not administered with accommodations for students of limited English proficiency. This provision applies only to a student who had been enrolled in any of the grades in which the State assessment is required to be administered in accordance with Section 2-3.64 of the School Code.

2) For purposes of eligibility and placement, a district must rely upon a student’s score attained on the prescribed screening instrument or on the English language proficiency assessment instrument prescribed under Section 228.25(b) of this Part, if either is available from another school district or another state, provided that the score was achieved no more than 12 months prior to the district’s need to assess the student’s proficiency in English for purposes of eligibility and placement.

3) If results are not available pursuant to subsection (e)(2) of this Section, then a district must rely upon a student’s score on the prescribed screening instrument if available from another school district or another state for the purposes of eligibility and placement for students entering any of grades 1 through 12, if the student’s score on the prescribed screening instrument was achieved no more than 12 months prior to the district’s need to assess the student’s proficiency in English.

4) Each student whose score on the prescribed screening instrument or procedures, as applicable, is identified as not “proficient” as defined by the State Superintendent of Education shall be considered to have limited English proficiency and therefore to be eligible for bilingual education services.

A) For preschool programs using a screening procedure other than an established assessment tool where “proficiency” is defined as part of the instrument, “proficiency” is the point at which performance identifies a child as proficient in English, as set forth in the program’s proposed screening process.

B) For any preschool. However, even if the student who scores at the “proficient” level, the school district may consider additional indicators such as the results of criterion referenced or locally
developed tests, teachers’ evaluations of performance, samples of a student’s work, or information received from family members and school personnel in order to determine whether the student’s proficiency in English is limited and the student is eligible for services.

3) Students who, based on review of assessment scores and other evidence such as that outlined in subsection (e)(2) of this Section, are judged to be of limited English proficiency shall be eligible for, and shall be placed into a program of, bilingual education services.

f) Each district shall ensure that any accommodations called for in the Individualized Education Programs of students with disabilities are afforded to those students in the administration of the screening instrument or procedures, as applicable, discussed in this Section and the English language proficiency assessment prescribed under Section 228.25(b) 228.25(c) of this Part.

g) The parent or guardian of any child resident in a school district who has not been identified as having limited English proficiency may request the district to determine whether the child should be considered for placement in a bilingual education program, and the school district shall make that determination upon request, using the process described in this Section. A determination contested by a parent or legal guardian may be appealed to the regional superintendent of schools for the region in which the district is located, pursuant to the provisions of Section 3-10 of the School Code [105 ILCS 5/3-10].

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

Section 228.20 Student Language Classification Data Public School Bilingual Census

a) In order to meet the requirements of Section 14C-3 of the School Code, every school district shall update its individual student records in the Student Information System (SIS) authorized under 23 Ill. Adm. Code 1.75 (Public Schools Evaluation, Recognition and Supervision) no later than the first day in March of each year to reflect the following information. No later than the first day of March of each year, every school district shall submit a bilingual census report for that school year to the State Superintendent of Education (Section 14C-3 of the School Code [105 ILCS 5/14C-3]). The bilingual census
report shall be submitted on forms provided by the Superintendent and shall include [105 ILCS 5/14C-3]:

a) 1) whether the student has a language number of students of non-English background other than English in each attendance center, as identified via the home language survey;

b) 2) whether the student has number of those students who have been identified as having limited English proficiency based on the results of the prescribed screening instrument or procedures, as applicable, or the English language proficiency assessment and other factors discussed in Section 228.15(e) or Section 228.25(b) 228.25(e) of this Part; and

c) 3) the home language, birth date, languages, ages, and grade or achievement level levels of the student students identified as having limited English proficiency.

b) A district may use the number of students who have been identified in its census report as having limited English proficiency and who are thus eligible for bilingual education services as a preliminary count for the purpose of submitting a program application pursuant to Section 228.50 of this Part.

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

Section 228.25 Program Options, Placement, and Assessment

a) Program Options and Placement

1) When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification the school district must establish a transitional bilingual education (TBE) program for each language classification represented by those students (Section 14C-3 of the School Code; also see Section 228.30(c) of this Part.). A further assessment of those students to determine their specific programmatic needs or for placement in either a full-time or a part-time program may be conducted. This subsection (a)(1) applies only to students enrolled in kindergarten or any of grades 1 through 12 in an attendance center.
2) When an attendance center has an enrollment of 19 or fewer students of limited English proficiency of any single non-English language classification other than English, the school district shall conduct an individual student language assessment to determine each student’s need for home native language instruction and may provide a transitional bilingual program in the non-English languages other than English common to these students. If the district elects not to provide a transitional bilingual program, the district shall provide a locally determined transitional program of instruction (TPI) for those students. (Section 14C-3 of the School Code; also see Section 228.30(d) of this Part.) This subsection (a)(2) applies only to students enrolled in kindergarten or any of grades 1 through 12 in an attendance center.

3) When a preschool program of the school district has an enrollment of 20 or more students of limited English proficiency of any single language classification other than English in an attendance center or a non-school-based facility, the school district shall establish a TBE program for each language classification represented by the students. If the preschool program of an attendance center or non-school-based facility has 19 or fewer students of limited English proficiency of any single language classification other than English, then the school district shall meet the requirements of subsection (a)(2) of this Section when determining placement and the program to be provided.

b) English Language Proficiency Assessment Annual Examination

1) School districts must annually assess the English language proficiency, including aural comprehension (listening), speaking, reading, and writing skills, of all children of limited English-speaking ability in kindergarten and any of grades 1 through 12 students enrolled in programs (Section 14C-3 of the School Code) using the English language proficiency assessment prescribed by the State Superintendent of Education. This assessment shall be administered during a testing window designated by the State Superintendent, for the purpose of determining individual students’ continuing need and eligibility for bilingual education services. The annual assessment shall be based on the “English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12.”
English Language Proficiency Standards for English Language Learners—K–12 (2007 2004), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium State of Wisconsin and posted at http://www.wida.us/standards/elp.aspx www.isbe.net/bilingual/pdfs/elps_framework.pdf. No later amendments to or editions of these standards are incorporated by this Section.

2) The State Superintendent shall determine, and inform school districts of, the composite score and the literacy score that will be used to determine whether a student is identified as “proficient”.

A) Each student whose score on the English language proficiency assessment is identified as “proficient” shall may be considered eligible to exit the program of bilingual education services, subject to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3]. However, the school district may also consider other indicators such as those listed in Section 228.15(e)(2) of this Part to determine whether individual students continue to exhibit limited English proficiency and remain eligible for bilingual education services, subject also to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3].

B) Each student whose score is identified as “proficient” in accordance with subsection (b)(2)(A) of this Section shall no longer be identified as limited English proficient.

3) Beginning with the 2007 administration of the annual English language proficiency examination, each student who is not enrolled in a program under this Part but who has been identified as having limited English proficiency at any time since 2006 shall be required to participate in the assessment annual examination each year until he or she achieves a “proficient” score.

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

Section 228.27 Language Acquisition Services for Certain Students Exiting the Program
In accordance with Section 1703(f) of the Equal Educational Opportunities Act (EEOA), a school district must provide services that will enable limited English proficient students to “overcome barriers that impede equal participation by these students in the district’s instructional programs” (see 20 USC 1703). Section 14C-3 of the School Code, however, authorizes school districts to discontinue services to students who have been enrolled and participated in the TBE or TPI program for three consecutive years. In instances where a school district chooses to discontinue TBE or TPI program services as permitted under Section 14C-3 of the School Code for those students who have not achieved English proficiency as determined by the process set forth in Section 228.25(b) of this Part, the district shall submit a plan to the State Superintendent that describes the actions it will take to meet its obligations under Section 1703(f) of the EEOA. Any amendments to the plan shall be submitted to the State Superintendent no later than 30 days following adoption of the changes. The plan shall at least include:

a) the process and criteria the district will use to make a determination of when to exit eligible students from the TBE or TPI program (e.g., after a certain amount of time in the program, once a prescribed academic or proficiency level is achieved);

b) The language acquisition services and methods to be provided, including how the services and methods differ from the general program of instruction in content, instructional goals, and the use of English and home language instruction;

c) How the program will meet the educational needs of the students and build on their academic strengths;

d) How the program will specifically help the students learn English and meet academic achievement standards for grade promotion and graduation;

e) The names and qualifications of the staff who will implement the program; and

f) How sufficient resources, including equipment and instructional materials, shall be made available to support the program.

(Source: Added at 34 Ill. Reg. _____, effective ______________)

Section 228.30 Establishment of Programs

a) Administrative Provisions
1) Program Facilities – Other than for preschool education programs, TBE and TPI programs shall be located in regular public school facilities rather than in separate facilities. (Section 14C-6 of the School Code [105 ILCS 5/14C-6]) If such a location is not feasible, the substitute location shall be comparable to those made available to a majority of the district’s students with respect to space and equipment. If housed in a facility other than a public school (including a charter school), the school district shall provide a written explanation in its annual application to the State Superintendent of Education as to why the use of a public school building is not feasible.

2) Course Credit - Students enrolled in approved programs shall receive full credit for courses taken in these programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for coursework completed in the program.

3) Extracurricular Activities - Each district shall ensure that students enrolled in programs shall have the opportunity to participate fully in the extracurricular activities of the public schools in the district. (Section 14C-7 of the School Code [105 ILCS 5/14C-7])

4) Inclusion of Students Whose First or Home Language is English - Students whose first or home language is English may be included in a program under this Part provided that all students of limited English proficiency are served.

5) Joint Programs - A school district may join with one or more other school districts to provide joint programs or services in accordance with the provisions of Section 10-22.31a of the School Code [105 ILCS 5/10-22.31a]. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) 110 (Program Accounting Manual) as they pertain to cooperative agreements.

6) Preschool and Summer School - A school district may establish preschool and summer school programs for students of limited English proficiency,
or join with other school districts in establishing such programs. Summer school programs shall not replace programs required during the regular school year. (Section 14C-11 of the School Code [105 ILCS 5/14C-11])

A school district that offers a summer school program or preschool program shall provide transitional bilingual education programs or transitional programs of instruction for students having limited English proficiency in accordance with Article 14C and this Part.

b) Instructional Specifications

1) Student-Teacher Ratio - The student-teacher ratio in the ESL and home native language components of programs serving students in kindergarten or any of grades 1 through 12 as of September 30 of each school year shall not exceed 90% of the average student-teacher ratio in general education classes for the same grades in that attendance center. Decreases in the ratio for general education during the course of a school year due to students’ mobility shall not require corresponding adjustments within the bilingual program. Further, additional students may be placed into bilingual classes during the course of a school year, provided that no bilingual classroom may exhibit a student-teacher ratio that is greater than the average for general education classes in that grade and attendance center as a result of such these placements. Preschool programs established pursuant to Section 2-3.71 of the School Code [105 ILCS 5/2-3.71] that provide bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30(d) (Early Childhood Block Grant) rather than the requirements of this subsection (b)(1).

2) Grade-Level Placement - Students enrolled in a program of transitional bilingual education shall be placed in classes with students of approximately the same age or grade level, except as provided in subsection (b)(3) of this Section. (Section 14C-6 of the School Code)

3) Multilevel Grouping - If students of different age groups or educational levels are combined in the same class, the school district shall ensure that the instruction given each student is appropriate to his/her age or grade level. (Section 14C-6 of the School Code) Evidence of compliance with this requirement shall be:
A) individualized instructional programs; or

B) grouping of students for instruction according to grade level.

4) Beginning with the 2012-13 school year, instruction in Spanish language arts, where provided under subsection (c) or (d) of this Section, shall be aligned to the standards that are appropriate to the ages or grade levels of the students served, which are set forth in the document titled “World-Class Instructional Design and Assessment: Spanish Language Arts Standards” (2005), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at http://www.wida.us/standards/sla.aspx. No later amendments to or editions of these standards are incorporated by this Section.

5) Language Grouping - School districts may place students of limited English proficiency who have different home languages in the same class, provided that, in classes taught in the home native language:

A) instructional personnel or assistants representing each of the languages in the class are used; and

B) the instructional materials are appropriate for the languages of instruction.

6) Program Integration – In courses of subjects in which language is not essential to an understanding of the subject matter, including, but not necessarily limited to, art, music, and physical education, students of limited English proficiency shall participate fully with their English-speaking classmates. (Section 14C-7 of the School Code)

e) Administrators

Beginning July 1, 2008, each individual newly assigned to administer a program under this Part shall meet the applicable requirements of this subsection (e). Administrators first assigned on or before June 30, 2008, shall be subject to the applicable requirements of this subsection (e) as of July 1, 2010.
1) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TBE program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must hold the bilingual approval or endorsement.

2) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TPI program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 and 1 and must hold the bilingual or ESL approval or endorsement.

3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from the requirement for bilingual or ESL approval or endorsement, provided that he or she annually completes two hours of professional development specifically designed to address the needs of students with limited English proficiency. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

4) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (c)(1) of this Section at the beginning of the fourth school year of the TBE program’s operation. A person who has been assigned to administer a program under subsection (c)(3) of this Section in a district where the number of students eligible for bilingual education grows beyond 200 shall become subject to the requirements of subsection (c)(2) of this Section at the beginning of the fourth school year in which the eligible population exceeds 200 students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.

d) In-Service Training for Staff
1) Each school district having a program shall annually plan in-service training activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district’s annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (d)(2) and (d)(3) of this Section.

2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district’s relevant policies and procedures.

3) Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:

   A) current research in bilingual education;

   B) content-area and language proficiency assessment of students with limited English proficiency;

   C) research-based methods and techniques for teaching students with limited English proficiency;

   D) research-based methods and techniques for teaching students with limited English proficiency who also have disabilities; and

   E) the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.

4) In addition to any other training required under this subsection (d), each individual who is responsible for administering the screening instrument referred to in Section 228.15(e) of this Part or the annual English language proficiency examination discussed in Section 228.25(e) of this Part shall be required to complete an on-line training sequence furnished by the State Board of Education and to pass the test embedded in that material.
Specific Requirements for Transitional Bilingual Education (TBE) Programs

1) Each full-time TBE program shall consist of at least the following components (Section 14C-2 of the School Code):

A) *Instruction in subjects which are either required by law* (see 23 Ill. Adm. Code 1) *or by the student’s school district, to be given in the student’s home language and in English; core subjects such as math, science and social studies must be offered in the student’s home language;*

B) *Instruction in the language arts in the student's home language;*

C) *Instruction in English as a second language, which must align to the “English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12”* (2007), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at [http://www.wida.us/standards/elp.aspx](http://www.wida.us/standards/elp.aspx). No later amendments to or editions of these standards are incorporated by this Section; and

D) *Instruction in the history and culture of the country, territory, or geographic area which is the native land of the students or of their parents and in the history and culture of the United States.*

2) Programs may also include other services, modifications, or activities such as counseling, tutorial assistance, learning settings, or special instructional resources that will assist students of limited English proficiency in meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D) and for preschool programs established pursuant to Section 2-3.71 of the School Code and for kindergarten levels, the Illinois Early Learning Standards (see 23 Ill. Adm. Code 235, Appendix A).

3) Students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, if an assessment of the student’s English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section...
228.25(b) 228.25(e) of this Part and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program.

i) Evidence of sufficient proficiency shall be achievement of the minimum score to be used for this purpose set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b). The State Superintendent shall inform districts of the minimum score to be used.

ii) Preschool programs shall use as evidence of sufficient proficiency either a minimum score for an established screening instrument or a minimum level of performance documented through established screening procedures.

iii) However, district staff also shall consider the student’s score and his or her proficiency in the home language, prior performance, if any, in coursework taught exclusively in English, current academic performance, and other relevant factors such as age, disability, and cultural background in order to determine whether a full-time or a part-time program is appropriate.

4) A part-time program shall consist of components of a full-time program that are selected for a particular student based upon an assessment of the student’s educational needs. Each student’s part-time program shall provide daily instruction in English and in the student’s home native language as determined by the student’s needs.

5) Parent and Community Participation – Each district or cooperative shall establish a parent advisory committee consisting of parents, legal guardians, transitional bilingual education teachers, counselors, and community leaders. This committee shall participate in the planning, operation, and evaluation of programs. The majority of committee members shall be parents or legal guardians of students enrolled in these programs. Membership on this committee shall be representative of the
languages served in programs to the extent possible. (Section 14C-10 of the School Code [105 ILCS 5/14C-10])

A) The committee shall:

i) meet at least four times per year;

ii) maintain on file with the school district minutes of these meetings; and

iii) review the district’s annual program application to the State Superintendent of Education.

B) Each district or cooperative shall ensure that training is provided annually to the members of its parent advisory committee. This training shall be conducted in language that the parent members can understand and shall encompass, but need not be limited to, information related to instructional approaches and methods in bilingual education; the provisions of State and federal law related to students’ participation and parents’ rights; and accountability measures relevant to students in bilingual programs.

d) Specific Requirements for Transitional Program of Instruction (TPI)

1) Program Structure – The level of a student’s proficiency in English, as determined by an individual student language assessment of the student’s language skills on the basis of either the prescribed screening instrument or procedures, as applicable, required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b) of this Part in conjunction with other information available to the district regarding the student’s level of literacy in his or her home language, will determine the structure of the student’s instructional program.

2) Program Components – A transitional program of instruction must include instruction or other assistance in the student’s home language to the extent necessary, as determined by the district on the basis of the prescribed screening instrument or procedures, as applicable, student assessment required in Section 228.15(e) of this Part or the English language
proficiency assessment required in Section 228.25(b) of this Part, to enable the student to keep pace with his/her age or grade peers in achievement in the core academic content areas. A transitional program of instruction may include, but is not limited to, the following components:

A) instruction in ESL, which must align to the “English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12” (2007), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at http://www.wida.us/standards/elp.aspx. No later amendments to or editions of these standards are incorporated by this Section;

B) language arts in the students’ home language;

C) instruction in the history and culture of the country, territory, or geographic area that is the native land of the students or of their parents and in the history and culture of the United States.

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

Section 228.35 Personnel Qualifications; Professional Development

a) Each individual assigned to provide instruction in a student’s home language shall meet the requirements for bilingual education teachers set forth in 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), as applicable.

b) Each individual assigned to provide instruction in ESL shall meet the requirements for ESL or English as a New Language teachers set forth in 23 Ill. Adm. Code 25 and 23 Ill. Adm. Code 1, as applicable.

c) Preschool Programs

1) Each individual assigned to provide instruction to students in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c)(8)(A) (Early Childhood Block Grant).
2) By July 1, 2014, each individual assigned to provide instruction to students in a preschool program also shall meet the applicable requirements of subsection (a) or (b) of this Section, depending on the assignment.

3) Noncertificated staff employed to assist in instruction in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c)(8)(B).

d) Administrators

Beginning July 1, 2008, each individual newly assigned to administer a program under this Part shall meet the applicable requirements of this subsection (d). Administrators first assigned on or before June 30, 2008 shall be subject to the applicable requirements of this subsection (d) as of July 1, 2010.

1) Except as provided in subsections (d)(3) and (4) of this Section, any person designated to administer a TBE program must hold a valid administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must hold the bilingual approval or endorsement or the ENL endorsement with a language designation.

2) Except as provided in subsections (d)(3) and (4) of this Section, any person designated to administer a TPI program must hold a valid administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 and 1 and must hold the bilingual or ESL approval or endorsement or the ENL endorsement.

3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from all but the requirement for an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate, provided that he or she annually completes a minimum of two hours of professional development specifically designed to address the needs of students with limited English
proficiency. Beginning in the 2012-13 school year, a minimum of eight hours of professional development shall be required. An assurance that this requirement has been met shall be provided annually in a school district’s application submitted pursuant to Section 228.50 of this Part. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

4) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (d)(1) of this Section at the beginning of the fourth school year of the TBE program’s operation. A person who has been assigned to administer a program under subsection (d)(3) of this Section in a district where the number of students eligible for bilingual education reaches 200 shall become subject to the requirements of subsection (d)(2) of this Section at the beginning of the fourth school year in which the eligible population equals or exceeds 200 or more students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.

e) Professional Development for Staff

1) Each school district having a program shall annually plan professional development activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district’s annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (e)(2) and (e)(3) of this Section.

2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district’s relevant policies and procedures.

3) Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:
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A) current research in bilingual education;

B) content-area and language proficiency assessment of students with limited English proficiency;

C) research-based methods and techniques for teaching students with limited English proficiency;

D) research-based methods and techniques for teaching students with limited English proficiency who also have disabilities; and

E) the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.

4) In addition to any other training required under this subsection (e), each individual who is responsible for administering the prescribed screening instrument referred to in Section 228.15(e) of this Part or the annual English language proficiency assessment discussed in Section 228.25(b) of this Part shall be required to complete on-line training designated by the State Superintendent of Education and to pass the test embedded in that material.

5) Beginning in the 2012-13 school year, each district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall provide annually at least one training session related to the implementation of the Spanish language arts standards required under Section 228.30(b)(4) of this Part for staff members of that program who are providing instruction in the Spanish language arts.

(Source: Added at 34 Ill. Reg. _____, effective ____________)

Section 228.40 Students’ Participation; Records

a) Notice of Enrollment and Withdrawal
1) **Notice of Enrollment** – No later than 30 days after the beginning of the school year or 14 days after the enrollment of any student in a transitional bilingual education program in the middle of a school year, the school district shall notify by mail the parents or legal guardians of the student that their child has been enrolled in a transitional bilingual education program or a transitional program of instruction. The notice shall be in English and in the home language of the student and shall convey, in simple, nontechnical language, all of the information called for in Section 14C-4 of the School Code [105 ILCS 5/14C-4].

2) **Withdrawal by Parents** – Any parent or legal guardian whose child has been enrolled in a program shall have the absolute right to withdraw the child from the program immediately by submitting a written notice of his or her desire to withdraw the child to the school authorities of the school in which the child is enrolled or to the school district in which the child resides. (Section 14C-4 of the School Code)

b) Unless terminated as set forth in subsection (a)(2) of this Section, the duration of a student’s participation in a program under this Part shall be as set forth in Section 14C-3 of the School Code.

1) If a student participates in a TBE or TPI in preschool or kindergarten, then that participation does not count towards the three-year total specified in Section 14C-3 of the School Code.

2) If a student exits a program after three years and is not proficient in English, then the school district shall meet the requirements of Section 228.27 of this Part.

c) **Maintenance of Records and Reporting Procedures**

1) **Report Cards** - The school shall send progress reports to parents or legal guardians of students enrolled in programs in the same manner and with the same frequency as progress reports are sent to parents or legal guardians of other students enrolled in the school district. These

   A) **Progress** reports shall indicate the student's progress in the program and in the general program of instruction, and
B) Progress reports shall indicate when the student has successfully completed requirements for transition from the program into the general program of instruction if that information has not been reported separately in writing to the parents or legal guardian.

C) Progress reports for all students enrolled in a program under this Part shall be written in English and in the student's home language unless a student's parents or legal guardian agrees in writing to waive this requirement. The parents' waiver shall be kept on file in accordance with subsection (c)(3) of this Section.

2) Annual Student Reports - Each district must submit electronically the information requested by the State Superintendent using the Student Information System (see 23 Ill. Adm. Code 1.75) no later than June 30 of each year. Each district also must complete the Transitional Bilingual Education Annual Student Report and the Program Delivery Report provided by the State Superintendent of Education, in which information on each program and each student participating in the program is compiled.

3) Records - School districts shall maintain records of each student enrolled in programs in the manner prescribed in 23 Ill. Adm. Code 375 (Student Records). These records shall include program entry/exit information, annual English language proficiency assessment scores and results from the prescribed screening instrument for students in kindergarten and any of grades 1 through 12 or the results from the prescribed screening procedures for students in preschool programs; and other student information (e.g., language, grade level, and attendance), the rationale for a student’s placement into a part-time program, where applicable, including documentation of the factors indicating that a part-time program would be appropriate, and documentation of conferences and written communication with parents or legal guardians. Parents and legal guardians of students enrolled in programs shall have access to their students’ records, as specified in 23 Ill. Adm. Code 375.

(Source: Amended at 34 Ill. Reg. _____, effective ______________)
Section 228.50  Program Plan Approval and Reimbursement Procedures

a) Reimbursement for programs provided by school districts pursuant to the provisions of Article 14C of the School Code and this Part is contingent upon the submission and approval of a program plan and request for reimbursement in accordance with the requirements of Section 14C-12 of the School Code and this Section.

b) Program Plan Submission and Approval

1) Applications for program approval shall be submitted, on forms provided by the State Superintendent of Education, at least 60 calendar days prior to the start of the proposed initial or continuing program.

2) The State Superintendent of Education will waive the requirement in subsection (b)(1) of this Section only when an application is accompanied by a statement of facts showing that the waiver will enable the district to begin serving a student or students sooner than would otherwise be the case.

3) School districts shall be granted at least 45 calendar days to complete and submit applications to the State Superintendent of Education. A district's failure to submit a completed application by the date specified on the form will delay its receipt of reimbursement pursuant to subsection (c) of this Section.

4) Applications for a Transitional Bilingual Education Program and/or a Transitional Program of Instruction must contain at least the following information:

A) The number of students to be served by grade or grade equivalent and language group in a full-time or part-time program.

B) A summary description of the number and types of personnel who will provide services in the program.

C) A description of the full-time and/or part-time program to be provided to the students identified pursuant to subsection (b)(4)(A)
of this Section in relation to the applicable program standards set forth in Section 228.30 of this Part.

D) Additional requirements for programs offering instruction in Spanish language arts in kindergarten and any of grades 1 through 12:

i) For the 2011-12 school year only, a description of the steps the district will take to align its curriculum in the Spanish language arts with the standards required under Section 228.30(b)(4) this Part; and

ii) For 2012-13 and each subsequent school year, a description of the methods by which the district will measure and monitor its students’ progress with respect to the standards required under Section 228.30(b)(4) of this Part.

E) A budget summary containing a projection of the program expenditures (e.g., instruction, support services, administration and transportation) and offsetting revenues for the upcoming fiscal year, and a detailed budget breakdown, including allowable program expenditures for which reimbursement is sought, other program expenditures, and total program costs.

F) In the case of a TBE program, an assurance that the signature of the chairperson of the district's Bilingual Parent Advisory Committee established pursuant to Section 14C-10 of the School Code and Section 228.30(c)(5) of this Part, which shall be evidence that the Committee has had an opportunity to review the application.

G) Inclusion of certifications, assurances and program-specific terms of the grant, as the State Board of Education may require, to be signed by the applicant that is a party to the application and submitted with the application.

5) Applications that, upon review by the State Superintendent of Education staff, are found to contain the information required pursuant to this Section
shall be recommended for approval by the State Superintendent of Education. If the application is found to be incomplete, State Board staff will send a written notice to applicants requesting that they supply the needed information. In order to permit accurate allocation of funds for the program among eligible recipients, the State Superintendent may establish a deadline by which applicants must supply the requested information.

6) The State Superintendent of Education will approve applications that demonstrate compliance with Article 14C of the School Code and this Part, except that the State Superintendent shall invoke subsection (b)(5) of this Section with respect to any requested information that is missing from any application submitted for approval.

c) Account of Expenditures and Reimbursement Procedures

1) An account of each district's expenditures pursuant to Article 14C of the School Code and this Part shall be maintained as required in Section 14C-12 of the School Code. Accounting procedures shall be in accordance with applicable requirements of 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) and 110 (Program Accounting Manual).

2) The final annual report of district expenditures, which shall include the information specified in Section 14C-12 of the School Code, shall be submitted on forms provided by the State Superintendent of Education no later than July 31 of each year.

3) School districts shall submit claims for reimbursement of programs approved in accordance with this Part on forms provided by the State Superintendent of Education and in accordance with Section 14C-12 of the School Code. No State reimbursement shall be available with respect to any student served for fewer than five class periods per week.

4) In the event that funds appropriated by the General Assembly are insufficient to cover the districts' excess costs, the funds will be distributed on a pro rata basis and in accordance with the timelines specified in Section 14C-12 of the School Code.
5) A request to amend a district's approved budget shall be submitted on forms provided by the State Superintendent of Education whenever a district determines that there is a need to increase or decrease an approved line item expenditure by more than $1,000 or 20 percent, whichever is larger. A budget amendment must also be submitted for approval when a grantee proposes to use funds for allowable expenditures not identified in the approved budget.

6) Budget amendment requests will be approved if the rationale provided for each amendment includes facts demonstrating that:

A) there is a need (e.g., a change in the number of students served or personnel needed); and

B) the altered expenditures and their related program services will be in compliance with the requirements of Article 14C of the School Code and this Part.

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

Section 228.60 Evaluation Enforcement

a) Each school district's compliance with the requirements of Article 14C of the School Code and this Part shall be evaluated at least every three years by State Board of Education staff, who shall use the criteria set forth in Article 14C of the School Code and this Part to determine compliance.

b) Each school district’s progress with regard to the academic achievement of students having limited English proficiency shall be evaluated annually in accordance with the provisions of 23 Ill. Adm. Code 1.40 (Adequate Yearly Progress). The recognition status of districts found to be in noncompliance with the requirements of Article 14C of the School Code and this Part will be evaluated in accordance with the provisions of Subpart A of 23 Ill. Adm. Code 1.

(Source: Amended at 34 Ill. Reg. _____, effective ____________)
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SUBTITLE A: EDUCATION
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PART 235
EARLY CHILDHOOD BLOCK GRANT

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Section 235.20 Application Procedure and Content for New or Expanding Programs

Each applicant that is proposing a program that has not received funding in the year previous to the current application or is seeking additional funds to expand its currently funded program shall submit to the State Board of Education a proposal that includes the components specified in this Section. For purposes of this Section, an “expanded” program includes one in which the applicant is proposing to serve additional children and their families or to offer initiatives not provided under its currently funded program.

a) Grants for new or expanded programs shall be offered in years in which the level of available funding is such that one or more new or expanded programs can be supported, along with those currently funded programs that seek continuation funding in accordance to Section 235.60 of this Part.

b) When sufficient funding is available, the State Superintendent of Education shall issue one or more Requests for Proposals (RFP) specifying the information that applicants shall include in their proposals, informing applicants of any bidders’ conferences, and requiring that proposals be submitted no later than the date specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.

c) All proposals submitted in response to an RFP shall include the following components:
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1) A cover page completed on a form supplied by the State Board of Education and signed by the school district superintendent or official authorized to submit the proposal or, in the case of a joint application, by the superintendent from each of the school districts and each authorized official of other eligible entities participating in the joint proposal.

2) For applicants other than public school districts, a description that includes the following:
   A) the applicant’s mission statement, organizational structure, and goals or policies regarding early childhood programs;
   B) the applicant’s existing competencies to provide early childhood education programs, to include a list of any early childhood accreditations that have been achieved; and
   C) in the case of a joint application, the goals and objectives of the collaboration and a brief description of each partner’s experience in providing services similar to those to be provided under the Early Childhood Block Grant program.

3) A description of the need for the program, which shall include:
   A) current demographic or descriptive information regarding the community in which the families and children reside (including information on the prevalence of homelessness); and
   B) the process that was used to determine the need for the program in the community in relation to other similar services that may be operating in the same geographic area.

4) A description of the population to be served, as defined in Section 235.10(a) of this Part, for each program to be funded under the Early Childhood Block Grant. This description shall include:
   A) how the eligible population will be recruited;
   B) the geographic area to be served; and
C) the estimated number of children and/or families to be enrolled.

5) A description of the procedures to be used to screen children and their families to determine their need for services. Results of the screening shall be made available to the program staff and parents of the children screened. All screening procedures shall include:

A) criteria to determine at what point performance on the screening instrument indicates that children are at risk of academic failure as well as to assess other environmental, economic and demographic information that indicates a likelihood that the children would be at risk;

B) screening instruments/activities related to and able to measure the child’s development in at least the following areas (as appropriate for the age of the child): vocabulary, visual-motor integration, language and speech development, English proficiency, fine and gross motor skills, social skills and cognitive development;

C) written parental permission for the screening;

D) parent interview (to be conducted in the parents’ home language, if necessary), including at least the following:

i) for preschool education programs, a summary of the child’s health history and social development; or

ii) for prevention initiative programs, information about the parents, such as age, educational achievement and employment history;

E) vision and hearing screening, in accordance with 77 Ill. Adm. Code 685 (Vision Screening) and 675 (Hearing Screening); and

F) where practicable, provision for the inclusion of program teaching staff in the screening process.
6) A description of the parent education and training component that will be provided, to meet at least all of the requirements of Section 2-3.71a of the School Code.

7) A description of how the program will coordinate with other programs, as specified in the RFP, that are in operation in the same area and that are concerned with the education, welfare, health and safety needs of young children.

8) A description of the full-time and part-time professional and nonprofessional staff to be paid by the program, indicating that program administrators, early childhood teachers, counselors, psychologists, psychiatrists and social workers are appropriately qualified.

   A) Teachers of children ages 3 to 5 years must hold an initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate. (See Section 2-3.71(a)(3) of the School Code and 23 Ill. Adm. Code 1.Appendix A.)

   B) By July 1, 2014, noncertificated staff employed to assist in instruction provided to children ages 3 to 5 years shall meet the requirements set forth in 23 Ill. Adm. Code 25.510(c).

   C) Teachers of children ages 3 to 5 years who are assigned to a transitional bilingual program or a transitional program of instruction that is administered by a school district, either in an attendance center or a non-school-based facility, shall meet the requirements set forth in 23 Ill. Adm. Code 228.35 (Transitional Bilingual Education), as applicable.

9) A description of staff development assessment procedures and ongoing professional development activities to be conducted.

10) A description of the required program components, as set forth in either Section 235.30 or 235.40 of this Part.

11) Other information, as specified in the RFP, such as daily schedules (including the number of hours per day and days per week the program
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will operate), classroom locations, facility information (e.g., owner’s name, terms of lease arrangement, size of classrooms and other areas to be used by the program), if applicable.

12) The plan for ensuring that the program provides either a snack, in the case of a half-day program, or a meal, in the case of a full-day program, for participating children.

13) Budget information, provided on forms supplied by the State Board of Education. The budget shall specify that no more than 5 percent of the total grant award shall be used for administrative and general expenses not directly attributed to program activities, except that a higher limit not to exceed 10 percent may be negotiated with an applicant that has provided evidence that the excess administrative expenses are beyond its control and that it has exhausted all available and reasonable remedies to comply with the limitation.

14) A description of how the applicant will ensure that no fees will be charged of parents or guardians and their children who are enrolled and participate in Early Childhood Block Grant programs.

15) A plan for evaluating the proposed programs and activities to be included in the Early Childhood Block Grant, which shall correspond to the applicable specifications set forth in the RFP.

16) Such certifications and assurances as the State Board of Education may require.

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

Section 235.30 Additional Program Components for Preschool Education Proposals

In addition to the requirements set forth in Section 235.20, applications for funding for preschool education programs and activities, as defined in Section 235.10(a)(1) of this Part, must provide:

a) a description of how the comprehensive services to be provided are aligned with the Illinois Early Learning Standards as set forth in Appendix A of this Part;
b) a description of how the proposed educational program is developmentally appropriate for each child, which shall:

1) be accepted based upon evidence in the proposal that the results of the individualized assessment profile for each child will be the basis for determining that child’s educational program;

2) address the domains of development specified in Section 235.20(c)(5)(B) and how a language and literacy development program shall be implemented for each child based on that child’s individual assessment; and

3) address how student progress will be assessed and documented to ensure that the educational program meets the needs of the student and provides a system whereby that student’s parents are routinely advised of their child’s progress;

c) the maximum number of children to be screened for program eligibility and, for those children that are screened, the maximum to be served by the educational program. The maximum number must be served in each classroom if, following completion of screening, the program has a waiting list of eligible children;

d) the child/staff ratio for each classroom, which shall not exceed a ratio of 10 children to one adult, with no more than 20 children being served in each classroom; and

e) a description of how the program will ensure that those children who are age-eligible for kindergarten are enrolled in school upon leaving the preschool education program; and

f) for school district applicants, a description of the steps to be taken to ensure that the provisions of Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) are met.

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

SUBPART B: PRESCHOOL FOR ALL CHILDREN PROGRAM

Section 235.120 Proposal Review and Approval for New or Expanding Programs
In order to meet the funding priorities set forth in Section 2-3.71(a)(4.5) of the School Code, each proposal shall be reviewed using both quantitative and qualitative criteria.

a) Proposals shall first be screened to identify those proposals that meet the criteria for each funding priority (see Section 235.110(a) of this Part). Proposals shall be separated into the following three categories:

1) proposals serving primarily at-risk children,

2) proposals serving primarily children whose families meet income guidelines, and

3) all other proposals.

b) Within each of the three categories set forth in subsection (a) of this Section, the proposals shall be reviewed and scored using the qualitative criteria set forth in Section 235.50(a) of this Part to determine which proposals provide evidence of a “qualified program”. “Qualified programs” shall be those scoring at least 60 out of 100 total points.

1) All qualified programs within the category set forth in subsection (a)(1) of this Section shall be funded before funding any qualified programs in the categories set forth in subsection (a)(2) or (a)(3) of this Section.

2) All qualified programs within the category set forth in subsection (a)(2) of this Section shall be funded before funding any qualified programs in the category set forth in subsection (a)(3) of this Section.

3) Within each category, priority for funding will be given to substantially similar proposals that:

A) serve children from a community with limited preschool programs or few resources promoting preschool education, or

B) include a signed partnership agreement with the local Head Start program.
c) The selection of proposals for funding may be based in part on the need to make programs available on a statewide basis and/or to provide resources to school districts and communities with varying demographic characteristics.

d) The State Superintendent of Education shall determine the amount of individual grant awards. The final award amounts shall be based upon:

1) the total amount of funds available for the Preschool for All Children program; and

2) the resources requested in the top-ranked proposals, as identified pursuant to subsections (b) and (c) of this Section.

(Source: Amended at 34 Ill. Reg. _____, effective _____________)
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Darren Reisberg, Deputy Superintendent and General Counsel


Materials: Summary of Rulemaking Activity in Fiscal Year 2010

Staff Contacts: Shelley Helton

Purpose of Agenda Item
The purpose of this item is to provide a summary of the agency’s rulemaking activities during FY 2010. No action is needed.

Background Information
The rulemaking activities of the agency are summarized on a fiscal-year basis. The attached chart begins with the rulemaking items that are being initiated this month and moves back in time to the beginning of this fiscal year to show those items that were begun in FY 2009 but completed in FY 2010.
Summary of FY 2010 Rulemaking Activities

The chart below presents a summary of all rulemaking activities either completed or initiated by ISBE during FY 2010. These are organized in chronological order, with the most recently begun ones presented first. “DIBR” stands for “Date of Initial Board Review”, i.e., the month in which the State Board authorized the initiation of the given rulemaking. Where dates are not filled in, the procedural steps in question have not yet been reached.

<table>
<thead>
<tr>
<th>Title of the Part and III. Adm. Code Citation</th>
<th>Description</th>
<th>Timeline/Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Schools Evaluation, Recognition and Supervision (Part 1)</td>
<td>Incorporates the Common Core Standards for English Language Arts and Mathematics, replacing the Illinois Learning Standards for those areas.</td>
<td>DIBR: June 2010 Adoption: Effective:</td>
</tr>
<tr>
<td>Public Schools Evaluation, Recognition and Supervision (Part 1) Emergency</td>
<td>Incorporates the Common Core Standards for English Language Arts and Mathematics, replacing the Illinois Learning Standards for those areas.</td>
<td>DIBR: NA Adoption: June 2010 Effective: June 28, 2010 (tentative), for a maximum of 150 days</td>
</tr>
<tr>
<td>Code of Ethics for Illinois Educators (Part 22)</td>
<td>New rules.</td>
<td>DIBR: June 2010 Adoption: Effective:</td>
</tr>
<tr>
<td>Special Education (Part 226)</td>
<td>Changes in response to legislation.</td>
<td>DIBR: June 2010 Adoption: Effective:</td>
</tr>
<tr>
<td>Public Schools Evaluation, Recognition and Supervision (Part 1)</td>
<td>Addresses Student Information System, annual measurable achievement objectives for English language learners, interim superintendents, teacher evaluation, and bilingual certification requirements.</td>
<td>DIBR: May 2010 Adoption: Effective:</td>
</tr>
<tr>
<td>Certification (Part 25)</td>
<td>Basic skills testing, institutions’ access to examinee test results (i.e., pass or fail).</td>
<td>DIBR: May 2010 Adoption: Effective:</td>
</tr>
<tr>
<td>Standards for All Illinois Teachers (Part 24)</td>
<td>Updates to standards.</td>
<td>DIBR: March 2010 Adoption: June 2010 Effective:</td>
</tr>
<tr>
<td>Illinois Hope and Opportunity Pathways through Education Program (Part 210)</td>
<td>New rules for dropout recovery program.</td>
<td>DIBR: March 2010 Adoption: June 2010 Effective:</td>
</tr>
<tr>
<td>School Construction Program (Part 180)</td>
<td>Changes in response to legislation regarding emergency projects.</td>
<td>DIBR: January 2010 Adoption: May 2010 Effective:</td>
</tr>
<tr>
<td>Title of the Part and III. Adm. Code Citation</td>
<td>Description</td>
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<tr>
<td>Temporary Relocation Expenses (Part 145)</td>
<td>Allows for consideration of in-kind services and other monetary resources in determining loan/grant amount.</td>
<td>DIBR: December 2009 Adoption: March 2010 Effective: April 22, 2010</td>
</tr>
<tr>
<td>School Construction Program (Part 151)</td>
<td>Updates application requirements for school maintenance grants; adds requirements for school energy efficiency grants.</td>
<td>DIBR: October 2009 Adoption: January 2010 Effective: February 18, 2010</td>
</tr>
<tr>
<td>Transitional Bilingual Education (Part 228)</td>
<td>Clarifies several provisions, including school districts’ responsibility to provide services to preschool students.</td>
<td>DIBR: October 2009 Adoption: June 2010 Effective:</td>
</tr>
<tr>
<td>Early Childhood Block Grant (Part 235)</td>
<td>Provides cross-references regarding the provision of bilingual education services in school district administered preschool programs.</td>
<td>DIBR: October 2009 Adoption: June 2010 Effective:</td>
</tr>
<tr>
<td>Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100)</td>
<td>Includes ARRA codes as well as other revisions to update or eliminate out-dated codes or ones that are no longer needed.</td>
<td>DIBR: August 2009 Adoption: October 2009 Effective: November 23, 2009</td>
</tr>
<tr>
<td>Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100) Emergency</td>
<td>Additions to accounting codes relative to districts’ use of funding received under the American Recovery and Reinvestment Act of 2009 (ARRA).</td>
<td>DIBR: Not applicable Adoption: August 2009 Effective: August 26, 2009, for a maximum of 150 days</td>
</tr>
<tr>
<td>Health/Life Safety Code for Public Schools (Part 180)</td>
<td>Updates to rely on 2009 editions of IBC and sub-codes; revision related to safety reference plans.</td>
<td>DIBR: June 2009 Adoption: September 2009 Effective: October 20, 2009</td>
</tr>
<tr>
<td>Driver Education (Part 252)</td>
<td>Permission for districts to contract with facilities offering adaptive programs needed by certain students with disabilities; update requirements for</td>
<td>DIBR: June 2009 Adoption: September 2009 Effective: October 20, 2009</td>
</tr>
<tr>
<td>Title of the Part and III. Adm. Code Citation</td>
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</tbody>
</table>
| Special Education Facilities Under Section 14-7.02 of the School Code (Part 401) | Technical updates left over from previous rulemaking that could not be filed. | DIBR: June 2009  
Adoption: September 2009  
Effective: October 20, 2009 |
| Providers of Supplemental Educational Services (Part 675) | Technical correction to evaluation rubric; update in application requirements. | DIBR: June 2009  
Adoption: September 2009  
Effective: October 20, 2009 |
Adoption: September 2009  
Effective: October 20, 2009 |
| Certification (Part 25) | Numerous revisions and updates. | DIBR: May 2009  
Adoption: October 2009  
Effective: January 12, 2010 |
| Pupil Transportation Reimbursement (Part 120) | Provisions for transportation to and from child care locations; other clarifications. | DIBR: May and June 2009  
Adoption: September 2009  
Effective: November 2, 2009 |
| Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100) | Includes ARRA codes as well as other revisions to update or eliminate out-dated codes or ones that are no longer needed. | DIBR: April 2009  
Withdrawn |
| Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100) Emergency | Additions to accounting codes relative to districts’ use of funding received under the American Recovery and Reinvestment Act of 2009 (ARRA). | DIBR: Not applicable  
Adoption: April 2009  
Effective: April 17, 2009  
Expired: September 13, 2009 |
Adoption: October 2009  
Effective: December 7, 2009 |
| New Teacher Induction and Mentoring (Part 65) | Change from pilot program to continuing grant; uniform amount to be paid. | DIBR: April 2009  
Adoption: September 2009  
Effective: October 20, 2010 |
| School Technology Program (Part 575) | Technical updating. | DIBR: March 2009  
Adoption: June 2009  
Effective: July 22, 2009 |
Adoption: June 2009  
Effective: July 22, 2009 |