ILLINOIS STATE BOARD OF EDUCATION

Ad Hoc Rules Committee of the Whole

March 24, 2010
3:30 p.m.
(This meeting will begin immediately following the previous session.)
All open meetings will be audio cast on the Internet at: www.isbe.net

AGENDA (timeframes are estimated for planning purposes)

I. Roll Call

II. Board Member Participation by Other Means

III. Public Participation (15 minutes maximum) 3:30 – 3:45 p.m.

IV. Minutes of the January Ad Hoc Rules Committee of the Whole Meeting (pp. 2-4)

V. *Rules for Initial Review (Darren Reisberg, Shelley Helton) 3:45 – 3:55 p.m.
   A. Part 24 (Standards for All Illinois Teachers) (Patrick Murphy) (pp. 5-51)
   B. Part 210 (Illinois Hope and Opportunity Pathways through Education Program) (Monique Chism) (pp. 52-79)

VI. *Rules for Adoption (Darren Reisberg, Shelley Helton) 3:55 – 4:15 p.m.
   A. Part 35 (Mentoring Program for New Principals) (Patrick Murphy) (pp. 80-92)
   B. Part 145 (Temporary Relocation Expenses) (Deb Vespa) (pp. 93-102)

VII. Committee Agenda Planning/Additional Items

VIII. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.
Chairman Jesse Ruiz called the meeting to order at 4:20 p.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 member David Fields moved the approval of the minutes of the Committee’s meeting of December 17, 2009, and Board member Vinni Hall seconded the motion. It was adopted unanimously, and the minutes were approved as presented.

2. PUBLIC PARTICIPATION
   There was no public participation.

3. RULES FOR INITIAL REVIEW
   The Chairman turned the meeting over to State Superintendent Chris Koch to briefly summarize the proposals that the Board would be considering. By way of an introduction to rulemaking for the new Board members, Superintendent Koch explained that the Board acts on rulemakings in two ways: initial review and adoption. During initial review, the Board authorizes the rulemakings to be published in the Illinois Register for public comment. It is at this time that Board members discuss the rulemaking and propose any changes they believe should be made before publication. After the public comment period ends, the Board adopts the rulemaking, which may include consideration of any changes in the rulemaking recommended by staff in response to the public comment received.

Superintendent Koch noted the importance of the rulemaking process and the seriousness with which staff and the Board proceed in promulgating administrative rules. He discussed the need to report any communication received after the rules are released as ex parte communication and emphasized that rules sometimes create mandates on school districts. After the Board adopts a particular rulemaking, it is then sent to the Joint Committee on Administrative Rules, a committee of the General Assembly charged with reviewing rule proposals and making recommendations, as necessary. Once the JCAR process is complete, the proposed rulemaking is filed with the Secretary of State, Superintendent Koch said, at which time the rules are “enforceable”.

One set of amendments were presented for the Board’s initial review. Proposed amendments to Part 180 (Health/Life Safety Code for Public Schools) result from the enactment of legislation that sets forth two processes for using fire prevention and safety financing for emergency situations:
one for situations when the amount of funds to be used is less than $50,000 and the other when the amount exceeds $50,000.

Board member Andrea Brown asked if the proposed amendments contained any “triggers” that would alert the agency to emergency situations, noting that there have been problems related to emergencies in the past. Debbie Vespa, division administrator for the School Business Services Division, replied that preapproval of the regional superintendent and State Superintendent will no longer be required for projects under $50,000. School districts will be allowed to proceed with the work and submit the required paperwork to the agency after that point. This change in the law was in response to a recent incident where a school district was unable to use fire prevention and safety funds for a small emergency project because it failed to have the project preapproved. For projects exceeding $50,000 that still require preapproval, Ms. Vespa said requests are processed quickly since districts usually call agency staff or fax materials to them in advance of the 10-day window in which the State Board must act to issue a certificate allowing the work to proceed.

Ms. Vespa also clarified for Board member Vinni Hall that the regional office of education issues any building permit needed under a separate process. In response to an inquiry from Member Brown, Ms. Vespa stated that recent changes in health-life safety inspection processes with the State Fire Marshall’s office have been working to end duplication of effort.

4. RULES FOR ADOPTION: Superintendent Koch summarized the proposed amendments and recommendations for changes proposed in response to public comment.

- **Part 1 (Public Schools Evaluation, Recognition and Supervision):** No public comment was received, and the amendments being presented are identical to the ones the Board considered in October. The proposed amendments address several different areas, including assessment, school fees, and curricular mandates.

- **Part 151 (School Construction):** Ms. Vespa reminded the Board that the proposed amendments address school maintenance grants and the new energy efficiency grants. The agency received two letters of public. She noted that the comments received questioned the type of local funding sources that could be used for the required match and the information relative to energy efficiency that must be reported. In order to provide for future flexibility, a specific listing of acceptable local matches will not be included in the proposed amendments. However, a change was recommended in response to the public comment about energy efficiency to require applicants to estimate the amount of savings they expect from a project at the time the grant application is made and then report back to the agency the actual savings realized after the project is completed.

Ms. Brown also asked about the eligibility lists for school construction grants. Ms. Vespa replied that all school districts on the 2002 list remain eligible. Applications for those districts on the 2003 eligibility list are due to the agency January 29, 2010. Ms. Vespa said several districts indicated that they were no longer interested in a school construction grant, so each was asked to submit to the agency a letter to that effect. Funding for school construction is expected to come from a tax on alcoholic beverages and for energy efficiency grants, the sale of bonds, Ms. Vespa said.

- **Part 252 (Driver Education):** No public comment was received, and the amendments being presented are identical to the ones the Board considered in October. These amendments represent technical changes only.

5. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

Staff anticipate that four parts of rules will be brought to the Board for adoption in March: Parts 35 (principal mentoring), 145 (temporary relocation expenses), 228 (bilingual education) and 235 (early childhood). In addition, the following new rulemakings will be presented for the Board’s initial review: Part 24 (standards for teachers), new Parts 160 (grant recovery) and Part 210 (re-
enrolling students program), Part 226 (special education), and Part 475 (contested cases), along with Part 485 (appeals before State Board or State Teacher Certification Board), which is proposed for repeal.

6. **ADJOURNMENT**

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

                 (Standards for All Illinois Teachers)

Materials:      Recommended Rules

Staff Contact(s):  Patrick Murphy, 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 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(s) of Agenda Item
The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed rules.

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 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, 2012. 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 developed by a committee of practitioners – the Preservice Standards Advisory Group (PSAG) – that included:

- higher education faculty,
- practicing teachers,
- staff from the Illinois Board of Higher Education and State Board of Education,
- individuals with specialties in reading and special education,
- advocates for gifted education and students whose first language is not English,
- a district superintendent,
- members of the State Teacher Certification Board, and
- representatives from the Administrative Center for Educational Support and the Illinois Resource Center.

The PSAG reviewed professional teaching standards from multiple states as well as many professional standards of other organizations in order to ensure that the Illinois Professional Teaching Standards aligned with these other standards. The state standards of California, Colorado, Florida, Michigan, North Carolina and Texas were used as part of this review, as well as information from the following professional organizations:

- National Governors Association;
- New Teacher Assessment and Support Consortium (INTASC);
- International Society for Technology Education;
• National Association for Gifted Children;
• Carnegie Corporation;
• National Center for Education Statistics; and

Additionally, PSAG participated in a telephone conference with INTASC about the agency’s efforts to revise the teaching standards in Illinois.

As noted above, the new standards will take effect July 1, 2012, giving postsecondary institutions with approved teacher preparation programs time to adjust their curriculum and instruction accordingly. The assessment of professional teaching (APT) based on the new standards will be the only version of that assessment administered starting September 1, 2012.

**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 authorizes solicitation of public comment on the proposed rulemaking for:

> Standards for All Illinois Teachers (23 Illinois Administrative Code 24), including publication of the proposed amendments in the Illinois Register.

**Next Steps**
With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the Superintendent’s Weekly Message and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.
Section 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 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, 2012
Beginning July 1, 2012, 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 examination(s) required for issuance of an initial teaching certificate.

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 discipline(s) 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.

d) 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:
STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

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, 2012

Beginning July 1, 2012, 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 examination(s) required for issuance of an initial teaching certificate.

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:

   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, 2012

Beginning July 1, 2012, 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 examination(s) required for issuance of an initial teaching certificate beginning.

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)a) 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.

g) 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) 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.

F) Use a computer projection device to support and deliver oral presentations.

G) Designs and publishes simple on-line documents that present information and include links to critical resources.

H) Develops instructional units that involve compiling, organizing, analyzing, and synthesizing of information, and uses technology to support these processes.

I) Conducts research and evaluates on-line sources of information that support and enhance the curriculum.

J) Makes use of development readings and other resource materials from professional and trade organizations to improve teaching learning.

K) Participates in courses and other professional development activities to enhance teaching and learning.

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, 2012

No later than July 1, 2012, 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, 2012, 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 71 Fed. Reg. 46540 (August 14, 2006, no later amendments or editions included)), 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;
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; and

F) enriches instruction by drawing on student background and individual experiences.

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;
understands the theory behind and the process for scaffolding instruction to maximize student learning; and

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.
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);

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 tasks;

F) engages students in and monitors individual and group-learning activities that help them develop the motivation to achieve;

G) uses a variety of effective behavior 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 enhance and differentiate 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 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;
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 general 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.

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 and Privacy Act (FERPA) (20 USC 1232g) and its implementing
regulations (34 CFR 99 (December 9, 2008, no later amendments or editions included.)).

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- and classroom-wide 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
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 parents or guardians and families of students with disabilities and knows appropriate strategies to collaborate with parents or guardians and 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 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 (e.g., support staff, teachers, paraprofessionals) in the implementation of appropriate assessment and instruction for designated students;
develops professional relationships with parents and guardians that result in fair and equitable treatment of all students 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.

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 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

H) understands local and global societal issues and responsibilities in an evolving digital culture.

2) Performance Indicators – The competent teacher:

A) models professional behavior that reflects honesty, integrity, personal responsibility, and confidentiality;

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 their student’s 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;

F) collaborates with other teachers, students, parents or guardians, specialists, administrators, and community partners to enhance students’ learning and school improvement;
G) participates in professional development, professional organizations, and learning communities, and engages in peer coaching and mentoring activities to enhance personal growth and development;

H) uses leadership skills that contribute to individual and collegial growth and development, school improvement, and the advancement of knowledge in the teaching profession;

I) 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;

J) is aware of and complies with the mandatory reporter provisions of the Abused and Neglected Child Reporting Act [325 ILCS 5/4];

K) models digital etiquette and responsible social actions in the use of digital technology; and

L) 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.
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


Materials: Recommended Rules

Staff Contact(s): Monique Chism, Division Administrator

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

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

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 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 will be awarded this year. However, promulgating rules now for the application process will ensure that the grant process can begin immediately when funding is available.

Before being presented to the Board, the proposed rules were sent to members of the Council, regional superintendents of education, and a randomly selected group of school districts for their review and comment. Three comments were received, and the key issues raised are summarized under “Policy Implications” below.
Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications. Comments received during the external review addressed a range of issues and asked for clarification in a number of areas. The primary concerns focused on teacher certification, special education students and requirements for participating in the state assessment.

Teacher Certification: While formal comment addressing this issue was not submitted, several members of the Council discussed the proposed certification requirements in Section 210.40(e) at length. Some members believed more flexibility should be added to the rules to allow for approval if a program meets a certain threshold of appropriately certified and qualified staff or to allow the requirements to be phased in over a period of time.

Given that this program will be serving a group of students who are dropouts and whom many would consider to be high risk, agency staff believe it is particularly important to ensure that instruction and other services are provided by staff who are appropriately qualified and have the proper certification. It is also important to keep in mind that an IHOPE student will be receiving a high school diploma from his or her school district of residence, provided that coursework required for the receipt of a diploma under Section 27-22 of the School Code as well as by the school district is successfully completed. For this reason, it seems appropriate to afford IHOPE students the same kind of well-qualified and well-trained staff that students in the regular high school program would have.

Special Education: Two of the commenters raised concerns about the IHOPE’s responsibility for the provision of special education services to students who had an Individualized Education Program (IEP) in the last school in which they were enrolled. As proposed, the IHOPE program would be required to enter into an agreement with the student’s school district of residence that will be awarding the high school diploma to ensure that appropriate services are provided (see Section 210.35). Since the IHOPE program structure is new and programs may differ around the state depending on the needs identified in each region, the proposed rules do not dictate the precise process for providing services. Rather, the agreement between the IHOPE program and resident school district must be specific as to the roles and responsibilities of each entity (see Section 210.70(c)(8)).

Each IHOPE program also will be required to assess the achievement of students with IEPs, in accordance to the evaluation process outlined in their applications for approval (see Section 210.70(c)(13)). The annual evaluation, including information about student achievement for IEP students, is submitted each year with an IHOPE’s continuation application. As with any agency monitoring effort, data indicating poor achievement of this particular population could lead to agency action to ensure that the appropriate services are being provided.

State Assessment: Several comments expressed the belief that failure to require students in an IHOPE program to participate in the Prairie State Achievement Examination (PSAE) would result in a program that is lower in quality – or at least, perceived that way – than the regular high school program. On the contrary, Section 2-3.66b of the School Code requires that a student meet the same graduation requirements of the school district and state that any other student in the district must meet. Participating in the PSAE is not evidence of a student’s having met those requirements since the assessment law only requires that a student participate in the PSAE rather than that he or she achieve a “meets” or “exceed” score.
Making a requirement by rule that an IHOPE student participate in the PSAE is further complicated since IHOPE students do not have to re-enroll in the school district to participate in the program. In fact, making a requirement that IHOPE students re-enroll in their school districts may be a disincentive to those students who left the district with ill feelings and may not wish to return. Some school districts, as well, may prefer that IHOPE students not be re-enrolled, as re-enrolling them would result in districts’ having to include them in all accountability measures.

While Section 2-3.66b does not say the diploma the student will receive is a “regular” high school diploma, which would require that students take the PSAE, the quality of the diploma is “guaranteed” by requiring students to complete the state and local graduation requirements required of other public high school students.

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

**Legislative Action.** None.

**Communication.** See below.

**Pros and Cons of Various Actions**
The proposed amendment 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 authorizes solicitation of public comment on the proposed rulemaking for:

> Illinois Hope and Opportunity Pathways through Education Program (23 Illinois Administrative Code 210),

> 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.
SUBPART A: PROGRAM APPROVAL

Section
210.10  Purpose
210.20  Program Components
210.30  Requirements for Student Participation
210.35  Enrollment of Students with Individualized Education Programs
210.40  Program Requirements
210.50  Individual Instructional Plan
210.60  Supplemental Services and Instructional Time
210.70  Content of IHOPE Plan
210.75  Program Approval Criteria
210.80  Application for Program Continuation
210.90  Program Funding
210.100 Suspender and Revocation of Program Approval
210.110 Terms and Conditions of Approval

SUBPART B: INCENTIVE GRANTS

210.200  Purpose
210.210  Eligible Applicants
210.220  Funding Formula
210.230  Application Procedures

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 the district’s general program of instruction.

b) A regional office 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 [105 ILCS 5/2-3.66b(d)] to operate such programs.

c) A regional office of education 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 [105 ILCS 5/2-3.66b(g)]. As set forth in Section 2-3.66b(b) of the School Code [105 ILCS 5/203.66b(b)], 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];

d) adult education programs;
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 Part with the dropout.

c) An approved IHOPE program shall enroll only dropouts who reside in their region or district (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.

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 to 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) (Public Schools
Evaluation, Recognition and Supervision).

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
STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

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. Where 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. Such 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 ten 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 where 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 [105 ILCS 5/2-3.66b(c)] 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 [105 ILCS 5/2-3.66b(e)]. A calendar that varies in the length of the instructional day (i.e., five 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 three 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 five 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 five clock-hours of school work required under Section 18-8.05 of the School Code [105 ILCS 5/18-8.05], 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 D; Public Schools Evaluation, Recognition and Supervision);

2) the student receives academic credit upon successful completion of the activity, in accordance 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 [105 ILCS 5/2-3.66b(c)] 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 reason(s) 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 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 [105 ILCS 5/2-3.66b(g)(1)] 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 [105 ILCS 5/2-3.66b(g)(3)], 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 [105 ILCS 5/2-3.66(g)(6)], 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 nondiscrimintory 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 serve 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 [105 ILCS 5/2-3.66b(h)], 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 with 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 [105 ILCS 5/2-3.17a] 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 such 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
STATE BOARD OF EDUCATION
NOTICE OF PROPOSED RULES

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 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 subsection (a) of this Section, then it shall provide to the regional office of education that established the program, or to CPS, as applicable, written notification of the specific deficiencies found.

1) 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.

2) 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.

3) 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.

4) 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.

1) 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 reason(s) for the delay and describing the steps to be taken to remedy the problem(s) 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 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 ten calendar days after receipt of such 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 ten 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 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 U.S.C. 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 5/1-101 et seq.), 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).
e) 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 subsection (c) of Section 10-21.9 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 405/2-1 et seq.].

f) 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.
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: Action Item: Amendments for Adoption – Part 35 (Mentoring Program for New Principals)
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 relates to Strategic Goals 1 and 2, in that the mentoring program helps ensure that new principals receive the support and guidance they need to become effective school leaders, which is essential to maintaining high-quality learning environments.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 35.

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

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

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

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

The proposed amendments were published January 4, 2010, in the Illinois Register to elicit public comment. None was received, and the version being presented for adoption at this time is identical to that originally proposed.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications. See “Background” above.

Budget Implications. See “Background” above.

Legislative Action. None.

Communication. See below.

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

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

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

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

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

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.
SECTION 35.10 Purpose and Applicability

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

1)a) is in his or her first school year of employment as a principal in Illinois, if the employment began prior to January 1 of that school year; or
STATE BOARD OF EDUCATION
NOTICE OF ADOPTED AMENDMENTS

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

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

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

Section 35.20 Annual Program Planning; Fiscal Provisions

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

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

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

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

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

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

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

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

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

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

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

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

g) No later than May 30 June 15 prior to a school year during which the program will be in operation, each experienced principal who desires intends to serve as a mentor shall submit an application to a provider approved under Section 35.60 of this Part notify the State Superintendent or designee of his or her availability, supply the required documentation of eligibility (see Section 35.40 of this Part), and, if employed in a school or in a regional office of education, provide verification in a format specified by the State Superintendent of supervisory approval for his or her participation. The State Superintendent or designee shall:

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

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

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

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

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

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

b) The role of each mentor shall include:

1) forming a supportive professional relationship with the participating new principal;
2) assisting the participating new principal in adjusting to his or her new role and in developing skill as an instructional leader;
3) coaching, observing, and providing feedback to the participating new principal on aspects of organizational management;
4) helping the participating new principal identify significant problems and issues that act as barriers to school improvement, as well as meaningful solutions to these; and
5) providing guidance to the participating principal in the development of his or her professional growth, structured opportunities for the new principal’s reflection on his or her educational practice.

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

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

2) near the middle of the school year, in order to complete the survey of
   progress required by Section 2-3.53a(e) of the School Code [105 ILCS
   5/2-3.53a(e)]; and

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

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

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

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

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

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

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

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

Section 35.40 Eligibility of Mentors

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

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

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

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

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

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

3) Each required letter of reference shall include:

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

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

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

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

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

Section 35.50 Training for Mentors

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

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

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

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

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

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

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

Section 35.60 Approval and Role of Providers

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

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

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

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

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

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

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

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

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

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

5) guide the mentor in the compilation of information that will contribute to the evaluation of individual mentoring relationships and of the mentoring program as a whole;
6) receive and distribute payments to mentors as delineated in Section 35.20(e) of this Part; and

7) provide annual continuation "refresher" training.

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

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

2) a statement that no significant changes have occurred.

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

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

(Source: Amended at 34 Ill. Reg. ______, effective ______________)
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Riley Mitchell, Chief Financial Officer
Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 145 (Temporary Relocation Expenses)

Materials: Recommended Rules

Staff Contacts: Debbie Vespa, 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 does not link directly to Strategic Plan, although the changes being proposed help to ensure that students are in a healthy and safe learning environment.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 145.

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

The proposed amendments would require that the district consider other revenue or in-kind contributions when calculating its ability to repay a loan (which will affect the final loan amount) or when determining the expenditures that it will incur (which will affect the amount of the grant to which an entity is entitled). In the former situation, the district may receive a grant or other financial assistance to defray costs associated with the temporary relocation. The amount of these financial resources is to be added to the amount of the proceeds from the tax and
insurance to determine the total loan amount to which the district is entitled, since the district eventually will be able to use these proceeds to repay the loan. (See Section 145.20(c).)

For in-kind resources or for grants whose uses are restricted, a district would need to eliminate from consideration as allowable expenditures the cost of any items covered by the in-kind resources or restricted grants. If these expenditures were to be considered, then the actual costs incurred by the district would be artificially raised, thus increasing the potential grant that the district might receive and does not need to repay. (See Section 145.30(b).)

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

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

In addition, a reference is being made to a tax levied under Section 17-2.2d of the School Code. Added to the School Code in 2004 by P.A. 93-690, Section 17-2.2d enables school districts that are located in counties subject to the Property Tax Extension Law that experience a condemnation of a building within 10 years of the building’s initial occupancy to levy a tax without benefit of referenda. This legislation initially pertained to only one of the state’s school districts; however, the law was amended a year later (re: P.A. 94-690) to broaden the criteria under which school districts qualify, so for the sake of completeness, Section 17-2.2d should be referenced in the rules.

The proposed amendments were published January 4, 2010, in the Illinois Register to elicit public comment. None was received, and the version being presented for adoption at this time is identical to that originally proposed.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications. See “Background” above.

Budget Implications. See “Background” above.

Legislative Action. None.

Communication. See below.

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

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

Temporary Relocation Expenses (23 Illinois Administrative Code 145),

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.
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCE

PART 145
TEMPORARY RELOCATION EXPENSES

Section
145.10 Definitions
145.20 General Requirements
145.30 Allowable and Nonallowable Expenses
145.40 Documentation (Repealed)
145.50 Accounting and Reporting Requirements
145.60 Determination of Loan and Grant Amounts

145.TABLE A Accounting Entries (Repealed)

AUTHORITY: Implementing and authorized by Section 2-3.77 of the School Code [105 ILCS 5/2-3.77].


Section 145.10 Definitions

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

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

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

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

Section 145.20 General Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 145.30 Allowable and Nonallowable Expenses

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

1) a) Lease: Leases include contracts for the purpose of providing attendance centers for displaced students; for securing any necessary equipment for operating such attendance centers; and for providing pupil transportation services to such attendance centers.
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

2) Rental: Rental may include the items in subsection (a)(1) of this Section when a rental agreement may be more advantageous to the school district than entering into a lease contract. For example, this may occur where the rental agreement covers a period of time that will be less than that obtainable through a lease contract.

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

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

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

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

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

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

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

10) Other expenses: A school district may apply for other expenses (e.g., insurance, equipment maintenance, sanitary services, property services, or supplies) only to the extent that they exceed the normal expenses of the
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

school district in the year immediately preceding the qualifying event and
are documented as being directly necessitated by the cause for relocation.

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

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

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

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

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

Section 145.50  Accounting and Reporting Requirements

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

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

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

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

Section 145.60 Determination of Loan and Grant Amounts

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

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

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