AGENDA (timeframes are estimated for planning purposes)

I. Roll Call

II. Board Member Participation by Other Means

III. Public Participation (15 minutes maximum) 2:30 – 2:45 p.m.

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

V. *Rules for Initial Review (Darren Reisberg, Shelley Helton) 2:45 – 2:55 p.m.
   A. Part 226 (Special Education) (David Andel) (pp. 7-31)

VI. *Rules for Adoption (Darren Reisberg, Shelley Helton) 2:55 – 3:10 p.m.
   A. Part 30 (Programs for the Preparation of Principals in Illinois) (Patrick Murphy) (pp. 32-80)
   B. Part 228 (Transitional Bilingual Education) (pp. 81-87)
   C. Part 235 (Early Childhood Block Grant) (pp. 88-118)
   D. Part 575 (School Technology Program) (pp. 119-128)

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.
Ad Hoc Rules Committee of the Whole
Thursday, December 16, 2010
9:15 a.m.
State Board of Education Office
100 North First Street
Springfield, Illinois

Committee Members Present
Jesse Ruiz
James Baumann
Andrea Brown
David Fields
Steven Gilford
Vinni Hall
Lanita Koster
Melinda LaBarre
Chris Ward

Absent
None

Others
Chris Koch
Don Evans
Beth Hanselman
Linda Riley Mitchell
Susie Morrison
Melissa Oller
Linda Tomlinson
Matt Vanover

I. ROLL CALL
Chairman Jesse Ruiz called the meeting to order at 9:20 a.m. He noted that all Board members were present.

II. BOARD MEMBER PARTICIPATION BY OTHER MEANS
There was no need for Board member participation by other means.

III. PUBLIC PARTICIPATION
Eight individuals spoke to the Board members, and their comments are summarized under the rulemaking specific to the remarks provided, as applicable.

Eric Brown, who is a member of the State Teacher Certification Board (STCB), addressed concerns raised in recent weeks about the increase in the score needed to pass the Basic Skills Test (BST), which is not part of any rulemaking under consideration. Passage of the BST is required before a student may begin a teacher preparation program, and associates of the Grow Your Own Teacher Program (an alternative preparation program) have been concerned about their participants’ ability to pass the test.

Mr. Brown urged the Board to continue to demand high standards of teacher candidates. As part of his research about the appropriateness of the BST, Mr. Brown indicated he took the test in November and his experience convinced him that the agency and STCB are not “raising the bar too high” with the new passing score. He reiterated that the State does not need to make it easier to become a teacher, but rather to make it more attractive to become a teacher, particularly to encourage the State’s “best and brightest” to serve in low-performing and hard-to-staff schools.

IV. APPROVAL OF MINUTES
Board Secretary Vinni Hall moved approval of the minutes of the Committee’s meeting of October 28, 2010, and Board Member Lanita Koster seconded the motion. It was adopted unanimously, and the minutes were approved as presented.

V. RULES FOR DISCUSSION
Part 30 (Programs for the Preparation of Principals in Illinois): Superintendent Chris Koch explained that the agency decided to delay the adoption of proposed new Part 30, which will govern the establishment, approval and implementation of educator preparation programs designed for principals. Superintendent Koch indicated that staff will discuss several issues
raised as part of public comment. The analysis of that comment and any recommendations for changes in the proposal as a result were shared earlier in the month with the State Teacher Certification Board (STCB). Dr. Koch noted that the Board will consider the rules for adoption in January.

Assistant Superintendent Linda Tomlinson summarized the primary areas of concern addressed in public comment.

1. **Curricular Issues**: The concerns raised focus on the requirement of a candidate’s completion of a certain number of hours specific to students with disabilities and English language learners during the internship component of the preparation program. To address the concerns, staff are recommending that the proposed rules be modified to address competencies instead of mandating the completion of a specific number of hours. These competencies were determined with assistance from the field, including the Illinois special education community and the agency’s bilingual advisory council, national research, and a review of the Illinois Professional Teaching Standards. In response to Board Member David Field’s comment regarding mandated “time”, Dr. Koch emphasized that seat time becomes an irrelevant measure since it is attainment of the identified competencies that is important.

2. **Mentors**: The building principal serves as the candidate’s mentor during the internship, and Dr. Tomlinson noted that the number of candidates per mentor is limited to two and each mentor must have four years of successful experience as a principal. Many submitting comments believed that four years was too stringent of a requirement, suggesting that two years would be sufficient. Dr. Tomlinson said in their response, staff are recommending three years of experience, which is identical to what is required in the State-funded Principal Mentoring Program.

3. **Teaching Experience of Candidates**: Dr. Tomlinson noted a great deal of discussion about the required four years of teaching experience that is a prerequisite to entering a principal preparation program. She said the STCB recommended four years of experience, in part since the members believed that teachers still on an initial certificate should not begin principal training. New teachers also lack depth of experience and knowledge and might find it difficult to show “growth” necessary for them to lead a school. Therefore staff is not recommending a change in the proposal. When asked by Dr. Hall if these requirements would apply to principals in charter schools, Dr. Koch said that they would not.

4. **Adjunct Faculty**: The proposed rules limit the amount of coursework that can be taught by adjunct, or part-time, faculty to one-third of the total. Dr. Tomlinson said this limit was proposed as a way to ensure the “integrity and research-backing” of full-time faculty yet recognize the need for the type of practical experience that adjunct teachers have. Staff are proposing that these two needs be balanced by raising the one-third limit to 50 percent and requiring that institutions include in their applications to establish principal preparation programs both a description of the qualifications they will expect adjunct faculty to meet and how their performance will be measured.

5. **Funding**: Dr. Tomlinson said that the potential cost to operate a program was mentioned in the public comment, although no changes are being recommended in the proposal to address funding concerns. Institutions of higher education may choose to offer a principal preparation program but they are not mandated to do so, she said. Another issue raised was an optional provision of the rules that allows an institution to charge principal preparation candidates a fee to be used to reimburse the candidate’s school district for the cost of substitute teachers.

Six people discussed various components of the principal preparation program. David Turner, a faculty member at the University of Illinois—Springfield and former executive director of the Illinois Principals Association, raised three points: teaching experience required of candidates, the limit of two candidates per mentor, and the lack of focus on the managerial and administrative aspect of a principal’s responsibilities in favor of an emphasis on instructional leadership. Dr. Turner indicated that a teacher’s third and fourth years in the profession are a “perfect time to start learning about leadership.” Additionally, any limits on the number of candidates per mentor should take into consideration the size of the school in which the internship will occur since larger
schools may provide a greater number of meaningful experiences for more interns. Finally, Dr. Turner lobbied for a greater focus on managerial and administrative duties, noting that the rules appear to prohibit their inclusion by putting “100 percent” of the focus on educational leadership. He noted that if one ignores the management side of running a school, then he or she cannot engage in a leadership role.

Several individuals from the higher education community presented testimony in support of the proposed rules. These individuals included Norman Durflinger, Center for the Study of Education Policy, Illinois State University (ISU); Douglas Hesbol, superintendent of Laraway CCSD 70C; Kristina Hesbol, assistant professor, Educational Administration and Foundations, ISU; Erika Hunt, Center for the Study of Education Policy, ISU; and Joanne Rooney, co-director, Midwest Principal Center. Dr. Rooney noted that the work of designing the principal preparation program came from practitioners, as well as individuals at the university level. She urged the Board to adopt the proposed rules as revised, which she called “relevant, rigorous and realistic”. Dr. Rooney added that the proposal received a warm reception from principals in DuPage County.

Dr. Doug Hesbol stressed that through the rules, the Board has the opportunity to “influence the leadership of schools for generations”. He shared that he interviews candidates for principal positions who have no knowledge of or background in literacy or numeracy, instructional technology, response to interventions and English language learners, all of which will be elements of principal preparation programs. Dr. Kristina Hesbol agreed that the role of principal is complex and is about more than just supervision of personnel. Principals also must understand the instructional foci of each of their staff, she said.

Dr. Durflinger noted that without improvements in university programs, others, such as nonprofit organizations, school districts or groups of school districts, may rise up to fill the void with their own programs. Dr. Durflinger, who also serves as mayor of Morton, emphasized that good schools are an economic draw for businesses and families; these school result from having strong instructional leaders. In conclusion, Dr. Hunt, who is a member of the P-20 Council, said the council would be willing to monitor the implementation of the principal preparation programs and offer supports, resources and collaborative assistance to universities and school districts that participate in them.

After the presentation, Chairman Ruiz asked about online providers, which are required to meet additional conditions for approval if 50 percent or more of their coursework is offered online. To illustrate his point, Dr. Durflinger responded that while research concludes that there is no difference between online and in-person instruction, his 41 years of experience tells him “if you can see (a student’s) eyes, you can tell if they got it”. Dr. Rooney said online courses used to prepare a principal would be insufficient if they do not incorporate some face-to-face instruction, as the work of principal involves an individual’s ability to form relationships.

Board member Lanita Koster wanted clarification about who would conduct managerial and administrative duties if not the principal. Dr. Tomlinson said that those activities are the responsibility of principals and, as such, are embedded in and will be assessed as part of the internship.

VI. RULES FOR INITIAL REVIEW
Shelley Helton, the agency’s rules coordinator, briefly summarized the proposal that the Board would be considering.

Part 151 (School Construction Program): P.A. 96-37, effective August 25, 2009, establishes “green” building standards for school construction projects for which school districts make application on or before July 1, 2009, and those standards are being incorporated into the rule by reference.
VII. RULES FOR ADOPTION: Ms. Helton summarized three sets of amendments for the Board’s adoption.

Part 1 (Public Schools Evaluation, Recognition and Supervision): These amendments define for the purposes of administering the Prairie State Achievement Examination (PSAE) when a student is consider to be in grade 11. In addition, references to the Consumer Education Proficiency Test are being removed due to P.A. 96-1061’s repeal of that portion of the law. The agency received 79 comments regarding the rulemaking, all addressing the grade 11 definition. These comments resulted in revisions to the rule that will base the determination of grade 11 status on the number of credits the student’s school district requires him or her to earn, but prohibits a student from advancing to grade 12 until he or she has taken the PSAE.

Anne Hoffman, representing ED-RED, thanked Superintendent Koch and General Counsel Darren Reisberg for working with a number of statewide education groups in crafting a compromise to the proposed definition of “grade 11”. Indicating that the definition, as initially proposed, was a “significant issue” for several of the group’s member districts, Ms. Hoffman said she appreciated agency’s staff willingness to listen to the concerns raised and work to find a solution.

Dr. Koch also noted that the revised rules were shared with the U.S. Department of Education (USDE). USDE has not yet provided written confirmation that the changes adequately address the concerns it raised, but Dr. Koch indicated that conversations with USDE staff were such that he is comfortable recommending the revised rules for adoption. Board member Andrea Brown questioned how the rules will change the agency’s statewide reporting of progress. Dr. Koch said students not yet taking the state assessment will be reported as eleventh-graders and their scores will be reflected in the data collected and published. More students will be included in the accountability system due to this change in definition, he said, which may affect the overall statewide results.

Part 25 (Certification): The proposed amendments primarily address institution, educational unit and program recognition and approval, as well as update the rules to conform to recently enacted legislation. Six public comments were received, the majority of which addressed the discontinuation of programs in which no students were enrolled for each of three consecutive years. This provision has been in place since 2006, and no changes were recommended in response to the comments received. Therefore the version of the rules presented for adoption is identical to the version the Board considered in September.

Part 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing): This rulemaking provides an accounting code to be used by districts that have received federal Ed Jobs funds. No public comment was received, and the version presented for adoption is identical to the version the Board considered in September. Once these rules are filed, they will replace emergency rules currently in effect.

Part 675 (Providers of Supplemental Educational Services): This rulemaking addresses two changes: allowing means other than a certified audit to be submitted with a service provider’s application to present financial information about the provider and deletion of requirements that appeals of a provider’s removal by the State Board of Education from the approved provider list must be conducted through the hearing process specified in Part 475 (Contested Cases and Other Formal Hearings). No public comment was received, and the version of the rules being presented for adoption is identical to the version the Board considered in September.

VIII. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS
Chairman Ruiz said a number of rules will be considered for initial review in January, and four sets, including Part 30, will come back to the Board for adoption.

IX. ADJOURNMENT
Dr. Hall moved that the meeting be adjourned. Dr. Field seconded the motion, and the meeting adjourned at 10:30 a.m.
ILLINOIS STATE BOARD OF EDUCATION MEETING
January 12-13, 2011

TO: Illinois State Board of Education

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

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

Materials: Recommended Amendments

Staff Contact(s): David Andel, Division Administrator

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

Relationship to/Implications for the State Board's Strategic Plan
This agenda item links to Strategic Plan Goal 2, highly prepared and effective teachers and school leaders, as it helps ensure that personnel whose positions receive State reimbursement under Article 14 of the School Code meet certain minimum qualifications and provide services to students with disabilities.

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

Background Information
P.A. 96-257, effective August 11, 2009, amended Section 14-1.10 of the School Code [105 ILCS 5/14-1.10] to provide a definition of "qualified worker" to replace "professional worker" for the purpose of reimbursement under Section 14-13.01 of the School Code. The law further authorizes the agency to determine by rule any other "trained specialists" for whom reimbursement can be received.

The law also amended Section 14-13.01 of the School Code pertaining to reimbursement for noncertified positions, in that it replaced the standard for reimbursement of noncertified staff as those who are “necessary” to requiring that non-certified employees “deliver services to students with (Individualized Education Program) IEPs”.

New Sections 226.850 and 226.860 are being proposed to list the specific positions, and the qualifications for each, for which school districts may request reimbursement. Further specifics about the impact of this rulemaking are explained under “Policy Implications” below.
Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications  Section 226.850 and Section 226.860 specify the allowable positions and qualifications for qualified, professional workers and for noncertified workers, respectively. As noted in proposed changes to Section 226.800(a), these positions will be the only ones for which school districts and special education cooperatives may request reimbursement under Section 14-13.01 of the School Code once the rules are in effect. These requirements have been used by staff in the Funding and Disbursements Division for quite some time for reimbursement purposes, so they should be familiar to the field.

In the course of discussing the criteria for reimbursement imposed by P.A. 96-257, however, staff noted that certain positions, long approved for reimbursement, no longer meet the standard of the law. For instance, districts and cooperatives have been claiming certain general education staff who provide instruction to students with disabilities, but who nonetheless lack the “required special training in the understanding, techniques, and special instructional strategies for children with disabilities”, as directed by Section 14-1.10 of the School Code. These teachers often are in regular education classrooms where special education students are placed but the instruction they provide is general education rather than special education instruction. Under the law, as amended, these positions can no longer be considered as eligible for reimbursement and therefore are being not included in proposed Section 226.850. Additionally, general administrative positions not responsible for student services also are being removed.

The categories proposed to be eliminated are listed in the chart below. The chart indicates the number of claims submitted and approved for each of these positions in the 2009-10 school year (the most recent year for which data are available). Please note that the number of positions does not represent full-time equivalency, as the individual’s special education assignment may only be a portion of his or her responsibilities.

<table>
<thead>
<tr>
<th>Position</th>
<th>Total approved claims (school year 2009-10)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art</td>
<td>30</td>
</tr>
<tr>
<td>Business Manager/ Business Manager Assistant</td>
<td>47</td>
</tr>
<tr>
<td>Consultant Contractual</td>
<td>0</td>
</tr>
<tr>
<td>Drama</td>
<td>1</td>
</tr>
<tr>
<td>Home economics</td>
<td>9</td>
</tr>
<tr>
<td>Music</td>
<td>31</td>
</tr>
<tr>
<td>Technology education/Industrial arts</td>
<td>12</td>
</tr>
<tr>
<td>Vocational Education</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>150</strong></td>
</tr>
</tbody>
</table>

It is also proposed that reimbursement for speech-language paraprofessionals be provided at the lower noncertified rate. Unlike a speech-language pathologist, speech-language paraprofessionals are neither licensed by the State nor hold the appropriate credentials to serve in the position required under Part 25 of the agency’s rules governing Certification. These individuals also hold only a bachelor’s degree in speech-language pathology rather than a master’s degree or higher, which is required for fully qualified speech-language pathologists either in teaching or non-teaching positions. It is more appropriate, therefore, to classify these positions as “noncertified” since no licensure or certification is required. Claims for speech-language paraprofessionals that are approved will be reimbursed at $3,500 rather than $9,000 (117 claims approved in school year 2009-10).
As for noncertified employees, the potential impact is expected to be broader. As noted under “Background” above, the statutory standard for determining whether an individual position is eligible for reimbursement is whether the noncertified employee is providing services to students. Several categories of employees may be considered “necessary”, the standard the law previously required, but these individuals do not provide direct services to students. For this reason, it is proposed that the categories of bookkeepers, custodians, secretaries and other, undefined noncertified employees be ineligible for reimbursement.

<table>
<thead>
<tr>
<th>Position</th>
<th>Total approved claims (school year 2009-10)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bookkeeper</td>
<td>139</td>
</tr>
<tr>
<td>Custodian</td>
<td>343</td>
</tr>
<tr>
<td>Other Noncertified Staff</td>
<td>750</td>
</tr>
<tr>
<td>Secretary</td>
<td>1,734</td>
</tr>
<tr>
<td>Total</td>
<td>2,966</td>
</tr>
</tbody>
</table>

Additionally, several other categories of positions are being removed since their titles are obsolete and the duties and qualifications are the identical to those in other, existing categories. These categories are lunch/playground aide (which may be claimed under paraprofessional/teacher aide or individual student aide), prevocational counselor (which may be claimed under vocational coordinator) and vocational adjustment coordinator (which may be claimed under vocational transition specialist).

Finally, Section 226.800(g)(3) is being modified to correct a conflict between the course requirements stated in Part 226 for special education directors and the course requirements found in Part 25. A cross-reference to 23 Ill. Adm. 29.150 (Standards for Administrative Certification) also is being removed, since that section has been repealed.

Budget Implications. It is difficult to predict the fiscal impact to school districts and special education cooperatives of the proposal to exclude positions for which reimbursement was previously allowed. Under Section 14-13.01 of the School Code, districts and cooperatives may seek reimbursement for eligible qualified workers of up to $9,000 per position and for eligible noncertified staff of up to $3,500 per position. The amount an individual district or cooperative receives will vary among districts and from year to year depending on the number of approved and claimable positions each year and the proportion of time the individual in the position devotes to special education.

A rough statewide impact can be calculated based on 2009-10 approved claims. Since information about the proportion of special education responsibilities is not known, the calculation assumes that each position is full-time equivalency. Working with these conditions and recognizing that the estimate is most likely high, the total statewide impact of eliminating certain positions, as proposed in the rules, would be upwards of $12 million (3,116 positions eliminated out of total of 78,022 positions approved for reimbursement). This total represents less than 3 percent of the total FY 2010 appropriation of approximately $460 million. For speech-language paraprofessionals, a reduction of $643,500 is estimated, assuming each paraprofessional were serving in a full-time capacity.

Legislative Action. None.
Communication. See “Next Steps” below.
Pros and Cons of Various Actions
The proposed clarifications and updates are necessary to conform the rules to requirements set forth in recently enacted legislation. Not proceeding with the changes will result in Part 226 not being up to date and would result in agency policy not being set forth in rules, as is required by the Illinois Administrative Procedure Act.

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

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

Special Education (23 Illinois Administrative Code 226),

including publication of the proposed amendments in the Illinois Register.

Next Steps
With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the Superintendent’s Weekly Message and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.
TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 226
SPECIAL EDUCATION

SUBPART A: GENERAL

Section
226.10 Purpose
226.50 Requirements for a Free Appropriate Public Education (FAPE)
226.60 Charter Schools
226.75 Definitions

SUBPART B: IDENTIFICATION OF ELIGIBLE CHILDREN

Section
226.100 Child Find Responsibility
226.110 Evaluation Procedures
226.120 Reevaluations
226.130 Additional Procedures for Students Suspected of or Having a Specific Learning Disability
226.135 Additional Procedures for Students Suspected of or Having a Cognitive Disability
226.140 Modes of Communication and Cultural Identification
226.150 Evaluation to be Nondiscriminatory
226.160 Determination of Eligibility (Repealed)
226.170 Criteria for Determining the Existence of a Specific Learning Disability (Repealed)
226.180 Independent Educational Evaluation
226.190 Reevaluation (Repealed)

SUBPART C: THE INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Section
226.200 General Requirements
226.210 IEP Team
226.220 Development, Review, and Revision of the IEP
226.230 Content of the IEP
226.240  Determination of Placement
226.250  Child Aged Three Through Five
226.260  Child Reaching Age Three

SUBPART D: PLACEMENT

Section
226.300  Continuum of Placement Options
226.310  Related Services
226.320  Service to Students Living in Residential Care Facilities
226.330  Placement by School District in State-Operated or Nonpublic Special Education Facilities
226.340  Nonpublic Placements by Parents Where FAPE is at Issue
226.350  Service to Parentally-Placed Private School Students

SUBPART E: DISCIPLINE

Section
226.400  Disciplinary Actions
226.410  Manifestation Determination Review (Repealed)
226.420  Appeals (Repealed)
226.430  Protection for Children Not Yet Eligible for Special Education (Repealed)
226.440  Referral to and Action by Law Enforcement and Judicial Authorities (Repealed)

SUBPART F: PROCEDURAL SAFEGUARDS

Section
226.500  Language of Notifications
226.510  Notification of Parents’ Rights
226.520  Notification of District’s Proposal
226.530  Parents’ Participation
226.540  Consent
226.550  Surrogate Parents
226.560  Mediation
226.570  State Complaint Procedures

SUBPART G: DUE PROCESS

Section
226.600  Calculation of Timelines
STATE BOARD OF EDUCATION
NOTICE OF PROPOSED AMENDMENTS

226.605 Request for Hearing; Basis (Repealed)
226.610 Information to Parents Concerning Right to Hearing
226.615 Procedure for Request
226.620 Denial of Hearing Request (Repealed)
226.625 Rights of the Parties Related to Hearings
226.630 Qualifications, Training, and Service of Impartial Due Process Hearing Officers
226.635 Appointment, Recusal, and Substitution of Impartial Due Process Hearing Officers
226.640 Scheduling the Hearing and Pre-Hearing Conference
226.645 Conducting the Pre-Hearing Conference
226.650 Child’s Status During Due Process Hearing (Repealed)
226.655 Expedited Due Process Hearing
226.660 Powers and Duties of Hearing Officer
226.665 Record of Proceedings
226.670 Decision of Hearing Officer; Clarification
226.675 Monitoring and Enforcement of Decisions; Notice of Ineligibility for Funding
226.680 Reporting of Decisions (Repealed)
226.690 Transfer of Parental Rights

SUBPART H: ADMINISTRATIVE REQUIREMENTS

Section
226.700 General
226.710 Policies and Procedures
226.720 Facilities and Classes
226.730 Class Size for 2009-10 and Beyond
226.731 Class Size Provisions for 2007-08 and 2008-09
226.735 Work Load for Special Educators
226.740 Records; Confidentiality
226.750 Additional Services
226.760 Evaluation of Special Education
226.770 Fiscal Provisions

SUBPART I: PERSONNEL

Section
226.800 Personnel Required to be Qualified
226.810 Special Education Teaching Approval
226.820 Authorization for Assignment
STATE BOARD OF EDUCATION
NOTICE OF PROPOSED AMENDMENTS

226.830 List of Independent Evaluators
226.840 Qualifications of Evaluators
226.850 List of Qualified Workers
226.860 List of Noncertified Employees

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


SUBPART I: PERSONNEL

Section 226.800 Personnel Required to be Qualified

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

2) Each district or cooperative entity shall periodically submit to the State Board of Education, on forms supplied by the State Board, the roster of the individuals who will be or are providing special education or related services. The State Board may request any additional documentation needed in order to verify that each individual holds the qualifications that are required for his or her assignments.

3) Reimbursement for personnel expenditures shall be made by the State Board only with respect to only those individuals who are qualified pursuant to this Subpart I, to deliver services to students with IEPs [105 ILCS 5/14-1.10 and 14-13.01], and whose positions are listed either in Section 226.850 or 226.860 pursuant to Section 226.810 or 226.820 of this Part.

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

b) Professional Instructional Personnel

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

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

2) another valid teaching certificate and approval issued by the State Board of Education specific to the area of responsibility (see Section 226.810 of this Part).
c) An individual assigned as a vocational coordinator shall be required to hold approval for this position, which shall be granted provided that the individual submits an application demonstrating that he or she:

1) has two years’ teaching experience;

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

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

   A) Survey of the exceptional child;

   B) Characteristics of the mentally retarded student;

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

   D) Vocational programming for students with disabilities;

   E) Characteristics of other exceptionalities;

   F) Methods course in special education;

   G) Guidance and counseling;

   H) Educational and psychological diagnosis;

   I) Vocational and technical education.

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

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

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

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

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

f) Qualified Bilingual Specialists

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

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

   A) Psychological/educational assessment of students with disabilities who have limited English proficiency;

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

   C) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English proficiency.

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

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

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

B) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and

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

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

A) Survey of children with all types of disabilities;

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

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

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

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

g) Directors and Assistant Directors of Special Education

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

1) Each director or assistant director of special education shall hold a valid administrative certificate issued pursuant to 23 Ill. Adm. Code 25.365 and a master’s degree, including 30 semester hours of coursework distributed among all the following areas specified either in 23 Ill. Adm. Code 25.365(b) or (c), as applicable:

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

2) Each individual who will function as a director or assistant director of special education shall submit an application for special education administrative approval on a form supplied by the State Board of Education.
Each school district, or the cooperative entity of which it is a member, shall submit to the State Board of Education a letter identifying the individual employed as the director of special education. If the individual is qualified as required, the State Board shall confirm that the individual is the State-approved director of special education for the district or cooperative entity.

h) Supervisors

1) Each district or cooperative entity shall employ sufficient supervisory personnel to provide consultation to and coordination of special education services.

2) Each individual performing a supervisory function shall hold a master’s degree, including at least 15 semester hours of coursework distributed among all the following areas:

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

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

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

i) Chief Administrator of Special School

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

1) the qualifications required under 23 Ill. Adm. Code 25.43 in at least one disability area served by the school; or

2) approval issued by the State Board of Education pursuant to Section 226.810 of this Part for at least one disability area served by the school.

j) Other Professional Personnel

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

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

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

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

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

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

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

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 226.820 Authorization for Assignment

In the circumstances described in this Section, neither the qualifications required by Section 226.800 of this Part nor special education approval under Section 226.810 of this Part shall be required. When authorized pursuant to this Section, reimbursement shall be available for staff providing special education and related services.

a) No Fully Qualified Individual Available

1) When a district or cooperative entity demonstrates to the State Board of Education that it is unable to secure the services of an individual who holds the required credentials for a particular assignment, the State Board may authorize the assignment of another individual if the director of special education submits a written request through the regional superintendent of schools, on a form provided by the State Board, that:

A) describes the position or assignment involved or the services to be provided and identifies the required certificate or approval;

B) describes the population to be served, including the number of students in each disability category represented;
C) describes the type and frequency of supervision and technical assistance to be provided to the individual, including the name(s) and title(s) of the supervisor and any other individual(s) who will provide technical assistance;

D) describes the unique training, education, experience, or other qualifications that will assist the individual in fulfilling the requirements of the position;

E) describes the district’s or cooperative entity’s efforts to locate a fully qualified individual to fill the position, including contacts with universities, regional superintendents, and the State Board of Education; and

F) indicates that the individual to be assigned is working toward attainment of the required certificate, endorsement, or approval for the position.

2) The State Board’s authorization to assign such an individual shall be specific to the affected position and to the district or cooperative entity requesting the authorization and shall be limited to two years in duration.

b) Interns

The State Board may also authorize the assignment of interns in school psychology, school social work, school nursing, and speech/language pathology who will work under the supervision of fully qualified professionals, subject to the requirements of this subsection (b).

1) For each intern in school psychology, school social work, or school nursing, the director of special education shall submit, on forms supplied by the State Board:

A) verification provided by an educational institution that the candidate is participating in a formal internship under its auspices; and

B) a request for authorization to assign the individual to an intern’s position.
2) For each intern in speech/language pathology, the director of special education shall submit evidence that the individual holds a valid teaching certificate and has a bachelor’s degree in communication disorders. The individual shall also either have completed graduate-level coursework in communication disorders or be enrolled in a program providing such coursework. The director of special education shall provide evidence that the intern will be supervised by an individual who holds a special certificate endorsed for speech and language impaired pursuant to 23 Ill. Adm. Code 25.45.

c) No Specific Credential Required

1) When a school district or cooperative entity needs to fill a position for which no specific certificate, endorsement, or other credential is required, the district or cooperative entity shall seek authorization from the State Board of Education to assign the individual who has been selected.

2) The director of special education shall submit a written request through the regional superintendent of schools, on a form provided by the State Board, that:

A) describes the position or the service to be provided, why it is needed, and for how long it is expected to be needed; and

B) describes the training, education, experience, or other qualifications held by the individual selected that will be relevant to the unique needs of the students to be served (e.g., experience in teaching students with similar disabilities, experience in providing the specific service(s) involved).

3) The State Board’s authorization to assign such an individual shall be limited to the period for which the service is stated to be needed and shall be specific to the affected position and to the requesting entity.

d) Other Positions Attributed to Special Education
A district or cooperative entity may be reimbursed for the services of other individuals who hold regular education credentials but serve special education students, e.g., a teacher who provides adaptive physical education.

1) In order to claim reimbursement for the services of such individuals, the director of special education shall submit:

A) A description of the individual’s duties and an indication of the certificate required for those duties;

B) Information about the special education pupils to be served and the percentage of the individual’s time that will be spent serving these students; and

C) A description of the individual’s related education and experience.

2) The State Board’s authorization of reimbursement for such individuals shall be specific to the requesting entity but shall not be limited in duration.

Section 226.850 List of Qualified Workers

The following table lists the work assignments and qualifications for qualified workers for whom reimbursement may be requested under Section 14-13.01 of the School Code. All requirements necessary for proper certification or approval in these work assignments are found in this Subpart I, unless otherwise noted.

<table>
<thead>
<tr>
<th>WORK ASSIGNMENT</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adapted Physical Education</td>
<td>A valid Illinois teaching certificate endorsed for physical education and an adapted physical education approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Administrator of a Special School</td>
<td>Must meet the requirements of Section 226.800(i) of this Part.</td>
</tr>
<tr>
<td>Art Therapist</td>
<td>Registration from American Art Therapy Association or a master's degree in art therapy awarded by a regionally accredited institution of higher education.</td>
</tr>
<tr>
<td>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
</tr>
<tr>
<td>-----------------------</td>
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</tr>
<tr>
<td>Assistant Director</td>
<td>Must hold a valid administrative certificate with a director of special education endorsement issued pursuant to 23 Ill. Adm. Code 25.365 and 23 Ill. Adm. Code 1.705 and meet the requirements of Section 226.800(g) of this Part.</td>
</tr>
<tr>
<td>Autism</td>
<td>A valid Illinois teaching certificate either with a categorical or cross-categorical special education endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Behavior Analyst</td>
<td>Board Certified Behavior Analyst (BCBA) as evidenced by a current valid certificate awarded by the Behavior Analyst Certification Board, Inc.</td>
</tr>
<tr>
<td>Cognitive Disability</td>
<td>A valid Illinois teaching certificate either with a cross-categorical special education endorsement or approval or mental retardation endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Cross-categorical</td>
<td>A valid Illinois teaching certificate with a cross-categorical special education endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Daily Living Skills Specialist</td>
<td>Certificate from the Academy for Certification of Vision Rehabilitation and Education Professionals or its predecessor organization.</td>
</tr>
<tr>
<td>Diagnostic</td>
<td>A valid Illinois prekindergarten-through-age-21 (PreK-21) teaching certificate either with a learning disability or cross-categorical special education endorsement or approval.</td>
</tr>
<tr>
<td>Early Childhood</td>
<td>A valid Illinois early childhood certificate either with an early childhood special education endorsement or early childhood special education approval or a PreK-21 certificate endorsed either for categorical or cross-categorical special education.</td>
</tr>
</tbody>
</table>
### NOTICE OF PROPOSED AMENDMENTS

**WORK ASSIGNMENT**

<table>
<thead>
<tr>
<th>Work Assignment</th>
<th>Required Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emotional Disability</td>
<td>A valid Illinois teaching certificate either with a cross-categorical special education or a social-emotional disorders endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Home/Hospital Instructor</td>
<td>A valid Illinois teaching certificate either with a cross-categorical special education endorsement or approval encompassing the area of student’s disability (i.e., mental retardation, physically handicapped or who have learning disabilities or social/emotional disorders), or a valid Illinois teaching certificate endorsed in the area of speech-language pathology, blind or visually impaired, or deaf or hard of hearing.</td>
</tr>
<tr>
<td>Infant/Toddler/Family Specialist</td>
<td>For federally funded programs serving infants and toddlers, birth through two years of age: Completion of a degree program with evidence of specific training in child development and family development specific for children ages birth to five years.</td>
</tr>
<tr>
<td>Inservice Coordinator</td>
<td>A valid Illinois teaching certificate endorsed either for categorical or cross-categorical special education or a valid Illinois school service personnel certificate (see 23 Ill. Adm. Code 25.Subpart D).</td>
</tr>
<tr>
<td>Medical Services Personnel</td>
<td>Registration with the Illinois Department of Financial and Professional Regulation.</td>
</tr>
<tr>
<td>(Diagnostics and Evaluation)</td>
<td></td>
</tr>
<tr>
<td>Music Therapist</td>
<td>Registration from the American Music Therapy Association or master's degree in music therapy from a regionally accredited institution of higher education.</td>
</tr>
<tr>
<td>Occupational Therapist</td>
<td>Licensed by the Illinois Department of Financial and Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].</td>
</tr>
<tr>
<td>Orientation and Mobility Specialist</td>
<td>Certificate from the Academy for Certification of Vision Rehabilitation and Education Professionals or its predecessor organization or the Association for the Education and Rehabilitation of the Blind and Visually Impaired.</td>
</tr>
</tbody>
</table>
WORK ASSIGNMENT | REQUIRED QUALIFICATIONS
--- | ---
Orthopedic Impairment | A valid Illinois teaching certificate either with a cross-categorical special education or physically handicapped endorsement or approval encompassing the grade levels and ages range of students served.
Physical Therapist | Licensed by the Illinois Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].
Recreational Therapist | Licensed by the National Council for Therapeutic Recreation or its predecessor organization.
Rehabilitation Counselor | Certificate from the Commission on Rehabilitation Counselor Certification (CRCC) or a master’s degree in rehabilitation counseling awarded by a regionally accredited institution of higher education.
School Counselor/Guidance Counselor | Meets the requirements of 23 Ill. Adm. Code 25.43 appropriate to the area of responsibility or holds a valid Illinois school service personnel certificate endorsed for school counseling.
School Nurse | Meets the requirements of Section 10-22.23 of the School Code [105 ILCS 5/10-22.23] and 23 Ill. Adm. Code 25.245.
School Nurse (Grandfathered) | Employed as a registered school nurse prior to July 1, 1976, and continuing in the same position with the same district or joint agreement.
School Nurse Intern | Meets the requirements of Section 226.820(b) of this Part. Reimbursement for this position shall not be for a period of time that exceeds four months.
School Psychologist | Meets the requirements of Section 14-1.09 of the School Code [105 ILCS 5/14-1.09] and 23 Ill. Adm. Code 25.235.
School Psychologist Intern | Meets the requirements of Section 226.820(b) of this Part.
School Social Worker | Meets the requirements of Section 14-1.09a of the School Code [105 ILCS 5/14-1.09a], and Section 226.820(b) of this Part and 23 Ill. Adm. Code 25.215, as applicable.
<table>
<thead>
<tr>
<th>WORK ASSIGNMENT</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Social Work Intern</td>
<td>Meets the requirements of Section 226.820(b) of this Part.</td>
</tr>
<tr>
<td>Specific Learning Disability</td>
<td>A valid Illinois teaching certificate either with a cross-categorical special education or learning disability endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Speech-Language</td>
<td>Non-teaching Position: Meets the requirements of Section 14-1.09b of the School Code [105 ILCS 5/14-1.09b] and 23 Ill. Adm. Code 25.252, as applicable, for speech-language pathologist.</td>
</tr>
<tr>
<td></td>
<td>Teaching Position: Holds a valid Illinois teaching certificate issued pursuant to 23 Ill. Adm. Code 25.43 and endorsed in speech-language pathology.</td>
</tr>
<tr>
<td>Speech-Language Pathologist Intern (Interim)</td>
<td>Meets the requirements of 23 Ill. Adm. Code 25.255 and Section 226.820(b).</td>
</tr>
<tr>
<td>State-Approved Director of Special Education (serving in a full-time capacity)</td>
<td>Meets the requirements of Section 23 Ill. Adm. Code 25.365 and Section 226.800(g) of this Part.</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Meets the requirements of Section 226.800(h) of this Part and 23 Ill. Adm. Code 1.705(h), as applicable.</td>
</tr>
<tr>
<td>Support Teacher</td>
<td>A valid Illinois teaching certificate either with a categorical or cross-categorical special education endorsement or approval encompassing the grade levels and age ranges of the students served.</td>
</tr>
<tr>
<td>Teacher Coordinator of Vocational Education</td>
<td>Meets the requirements of Section 226.800(d).</td>
</tr>
<tr>
<td>Vocational Coordinator</td>
<td>Meets the requirements set forth in Section 226.800(c) of this Part and 23 Ill. Adm. Code 1.737(c)(3).</td>
</tr>
<tr>
<td>Vocational Transition</td>
<td>Must hold a contract with the Division of Rehabilitation Services,</td>
</tr>
</tbody>
</table>
## Section 226.860 List of Noncertified Employees

The following table lists the work assignments and qualifications for noncertified employees for whom reimbursement may be requested under Section 14-13.01 of the School Code. In order to qualify for reimbursement, the noncertified employee shall provide direct services to students with IEPs. (Section 14-13.01(h) of the School Code; also see Section 226.800(k) of this Part.)

<table>
<thead>
<tr>
<th>WORK ASSIGNMENT</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing Screening Technician</td>
<td>Must hold a certificate from the Illinois Department of Public Health pursuant to 77 Ill. Adm. Code 675.</td>
</tr>
<tr>
<td>Individual Student Aide</td>
<td>Training specific to the needs of the students being served, as determined by the school district under Section 226.800(k) of this Part.</td>
</tr>
<tr>
<td>Interpreter for the Deaf or Cued Speech</td>
<td>Meets the requirements of 23 Ill. Adm. Code 25.550 for approval from the State Board of Education.</td>
</tr>
<tr>
<td>Noncertified Health Aide</td>
<td>Licensed by the Illinois Department of Financial and Professional Regulation pursuant either to Article 55 or 60 of the Nurse Practice Act [225 ILCS 65/Art. 55 or 60].</td>
</tr>
<tr>
<td>Paraprofessional/Teacher Aide</td>
<td>Meets the requirements of 23 Ill. Adm. Code 25.510 for approval from the State Board of Education.</td>
</tr>
</tbody>
</table>
| Speech/Language Assistant        | Licensed by the Illinois Department of Financial and Professional Rules Committee Packet - Page 30
<table>
<thead>
<tr>
<th>WORK ASSIGNMENT</th>
<th>REQUIRED QUALIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speech-Language Paraprofessional</td>
<td>Holds a bachelor’s degree in speech-language pathology and approval from the State Board of Education.</td>
</tr>
<tr>
<td>Vision Screening Technician</td>
<td>Must hold a certificate from the Illinois Department of Public Health pursuant to 77 Ill. Adm. Code 685.</td>
</tr>
</tbody>
</table>

(Source: Added at 35 Ill. Reg. _____, effective ____________)
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: Rules for Adoption - Part 30 (Programs for the Preparation of Principals in Illinois)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

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

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item links to Strategic Goal 2 in that the proposed rules set forth the requirements for programs established by institutions of higher education and other eligible entities designed to prepare principals to be highly effective school leaders.

Expected Outcome of Agenda Item
The Board will be asked to adopt rules for Part 30.

Background Information
Public Act 96-903, effective in July 1, 2010, added Section 21-7.6 to the School Code and charged the State Board with establishing standards and requirements for principal preparation programs developed by institutions of higher education and not-for-profit entities, and for approving such programs. The law directs each principal preparation program to determine criteria for admitting candidates; to require that candidates complete an internship and receive training in evaluation of staff; and to establish partnerships with one or more school districts or certain, recognized nonpublic schools. The public act authorizes the State Board to adopt rules necessary to implement and administer such programs.

The groundwork for revising principal preparation in Illinois began more than five years ago. Initially discussed and debated by the Commission on School Leader Preparation in Illinois Colleges and Universities, the Illinois School Leader Task Force later was established, under a General Assembly resolution, to continue the work. Further participation of interested parties occurred over the last two years with the participation of five design teams and various statewide meetings. Along the way, there have been numerous opportunities for both formal and informal participation, collaboration and feedback by all interested parties.

The proposed rules were published October 8, 2010, in the Illinois Register to elicit public comment; 141 were received. Given the range and complexity of the issues raised, the rules were discussed with the State Board at its December 2010 meeting. At that time several amendments to the rules were proposed in response to public comments. State Board members approved the changes, which are discussed in the enclosed materials.
Analysis and Implications for Policy, Budget, Legislative Action and Communications

Policy Implications: Five key issues raised through the public comment process are summarized below, with approved amendments to the rules included.

Curricular requirements

Commenters stated that the proposed rules impose excessive hourly requirements for the time that candidates must spend on activities related to providing instruction to students with disabilities and English language learners (ELLs). Section 30.40(a)(1)(A) and (B) requires that candidates must participate for a minimum of 20 hours in development of IEP meetings; a minimum of 40 hours working with special education teachers; and a minimum of 40 hours with teachers assigned to transitional bilingual education programs or transitional programs of instruction. The commenters described these requirements as ‘overkill’ and ‘virtually impossible’ to meet in several areas of the state with small or nonexistent populations of ELLs. Comments from representatives of nonpublic schools and their organizations also noted that the requirements for special education and bilingual education cannot be duplicated in nonpublic school settings. Other commenters advocated for flexibility in curricular requirements that recognized the demographic characteristics of the school district where a candidate is placed for his or her internship and the individual needs of candidates.

Staff believe that the commenters raise valid concerns in that specifying a set number of hours to any one of the six internship components outlined under Section 30.40(a)(1) could be counterproductive in shifting the focus of the internship to one or two specific areas at the expense of others that are equally important. Another avenue to emphasize the importance of the special education and bilingual education foci, therefore, is to identify specific skills and competencies that principals need in these areas and ensure that these areas are addressed in the internship and properly assessed at its conclusion.

In light of these comments, members of the State Board approved the suggested amendments to Sections 30.40, 30.45 and 30.80. Specific changes can be found on pages 3 - 6 of the summary and analysis.

Prior experience of building principals serving as mentors

The proposed rules require that building principals who serve as mentors to candidates during the internship have four years of successful experience as a building principal (See Section 30.40(b)(2).) Many commenters objected to both parts of this requirement (i.e., number of years and successful experience), calling the four-year requirement impractical and unrealistic, and voicing concerns that candidates from areas of the state with large numbers of at-risk student populations and high principal turnover could not be expected to show sufficient years of successful experience. It was feared that principals in schools not meeting Adequate Yearly progress (AYP) could not demonstrate ‘successful’ experience. Along this same line, some writers commented that university faculty who currently supervise principal candidates could not meet the requirement of showing four years of successful experience serving as a principal.

After reviewing these comments, staff recommended that Section 30.40(b)(2) be amended to require that the principal demonstrate three years of successful experience in order to serve as a mentor. (See pages 7 and 8 of the summary and analysis.) The requirement of three years of experience aligns with the criteria contained in the New Principal Mentoring Program (105 ILCS 5/2-3.53a), which requires “three or more years [of experience] and demonstrated success as
an instructional leader”. This proposed modification, which was accepted by the State Board, will make it easier for programs to recruit desirable mentors, especially from rural areas of the state, while still achieving the goals of the principal preparation program.

Prior experience of teachers entering principal preparation programs

Section 30.70 (Candidate Selection) requires that candidates have four years of teaching experience on a valid and current Illinois certificate or a teaching certificate from another state in order to enter a principal preparation program. The majority of commenters objected to this condition as impractical and discriminatory, noting that it would limit access to the program (especially for those residing in rural areas of Illinois) and would restrict from entering the program otherwise qualified candidates in education fields other than teaching or those with business backgrounds. One commenter noted that the issue of prior teaching experience had been debated for years during the work of the Task Force, with no consensus reached, and that the requirement for four years was a last-minute addition from the State Teacher Certification Board (STCB). Some writers stated that Section 21-7.1 of the School Code only requires candidates to have four years of teaching experience in order to receive the principal endorsement, rather than at the time candidates enter the preparation program, and that the law requires the State Board of Education to allow by rules for fewer than four years of experience based on meeting standards set forth in the rules. Most of these commenters stated that requiring two years of teaching experience would be sufficient for candidates, which was the standard before Section 21-7.1 was amended by Public Act 96-903.

Staff did not recommend any changes based on the public comment received on this issue. Staff have discussed this issue with stakeholders and with members of the State Teacher Certification Board and believe it is imperative that redesigned principal preparation programs require candidates to have four years of teaching experience before they can be considered for enrollment. For most educators new to teaching, the first two years are focused on learning the mechanics of the classroom, becoming familiar with students and with one’s teaching style, and mastering the skills involved in working within a school. Teachers must complete four years of teaching and be evaluated in order to be granted tenure in a district, as well as to progress from an initial teaching certificate to a standard teaching certificate. Moreover, a background of success in a business or other non-educational field is no guarantee that a candidate will automatically display strengths as an academic leader. Staff believe that it is essential all candidates have sufficient teaching experience before entering a principal preparation program to ensure that the curricula and internship experiences are informed by practices involving working to improve student achievement.

It is correct that Section 21-7.1 requires the State Board of Education to “allow by rule” the provision of a principal’s endorsement to candidates that lack four years of teaching experience based on a “review of performance evaluations and other evidence of demonstrated qualifications”. It is premature to address this requirement at this time, however, since the performance evaluation system has not yet been implemented. The State Board, under the Performance Evaluation Act of 2010 (P.A. 96-861, effective January 15, 2010), is charged with working with the Performance Evaluation Advisory Council to develop an evaluation system that will consider student growth as a “significant indicator” in rating the performance of teachers and principals, and that model will be set forth in a different set of rules. Once those rules are put in place, then staff will be able to use those criteria for the consideration of the admission of candidates who do not yet have four years of teaching experience, and Part 30 will then be amended accordingly.
Use of adjunct faculty by principal preparation programs

Many writers took issue with the statement that no more than one-third of coursework in a principal preparation program could be taught by adjunct faculty. Since part-time, or adjunct, faculty members typically are still practicing in the field or have recently retired, commenters noted that using them gives students exposure to successful practitioners with the most recent ties to classroom instruction in a given field. Such qualifications make their contributions to a university program extremely valuable, and institutions should not be subjected to ‘micromanagement’ from the State Board staff in how adjunct staff are assigned.

In reviewing these comments, State Board staff have considered current research on the strengths and limitations of instruction by adjunct faculty. Staff acknowledge institutions’ need to provide their students with the right blend of full-time faculty support and instruction from staff who are current practitioners and the rule should be modified accordingly. At the same time, research from two national associations that looked at adjunct instructors at the community college level acknowledged that funding concerns, insufficient professional development, isolation from peers, and little chance for tenure or job security can all adversely affect the quality of instruction provided. Staff recognize that the rules should not be too prescriptive and any percentage that they chose may appear arbitrary, yet it would be difficult to prescribe qualitative criteria that adequately convey the complexity of the quality control issues involved in faculty assignments.

Given the volume of comments received on this point, staff recommended that Section 30.60(c) be amended to require that no more than one-half of coursework in a program be taught by adjunct faculty, and that Section 80.(b) be amended to include the employment critiera for selection and evaluation of adjunct faculty as part of materials submitted with each program proposal. State Board members approved this amendment to the proposed rules. (See pages 9 - 12 of the summary and analysis.)

Funding Issues

Several writers stated that the proposed rules and the degree of specificity they impose on partnerships for curriculum, selection of candidates, required program content, staffing ratios, use of mentors’ time, and assessments of candidates’ progress amount to unfunded mandates on higher education institutions and the school partners that will work to create principal preparation programs. On a related topic, some commenters questioned how the fees programs may charge to candidates to provide reimbursement for substitute teachers, and any monetary stipends given to candidates (Section 30.40(e),(f)), could be included in these rules without a state-provided funding source.

Staff did not recommend any changes based on the public comment received on this issue. Establishment of principal preparation programs that conform to Section 21-7.6 of the School Code and any resulting rules is a choice on the part of higher education institutions and not-for-profit entities and their partnering districts and nonpublic school partners. Institutions and entities that choose to establish these programs acknowledge the costs inherent in implementing high-quality programs that prepare effective school leaders. For this reason, the proposed regulatory requirements should not be considered ‘mandates’. The design of programs to train these instructional leaders will, in all probability, require partners to expend additional resources.
Other public comments received

For a discussion of all other public comments received, please see the attached Summary and Analysis of Public Comment.

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:

Programs for the Preparation of Principals in Illinois (23 Illinois Administrative Code 30).

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps
Notice of the adopted rules will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.
Summary and Analysis of Public Comment
23 Ill. Adm. Code 30
(Programs for the Preparation of Principals in Illinois)

General Comments

Of the 141 public comments received on these rules, 46 percent came from Illinois colleges currently offering programs for principal preparation; 21 percent came from current or retired public school district administrators and teachers; and 13.6 percent were received from Illinois education associations and groups representing children’s needs. Seven percent of comments came from Illinois non-public schools, and the remaining comments came from Illinois state agencies, other states, nationally-based education programs, and writers giving no affiliation.

Comments in Support

Several commenters praised the shift in emphasis inherent in these proposed rules to preparing principals to be leaders held responsible for student achievement and possessing a deep knowledge of instruction. Similarly, writers expressed hopes that a redesigned program for principals would lead to increased academic success for each child in school, thereby working to eliminate achievement gaps. Commenters commended the rules’ emphasis on partnerships, the broadening of endorsements to cover prekindergarten through grade 12, and the requirement for candidates to incorporate work with teachers of English language learners (ELLs) and students with disabilities.

Comments in Opposition

Many writers described the proposed rules as being overly prescriptive, as micromanaging on the part of the State Board, as mandating expenditures at the university and school levels, and showing programmatic biases against candidates in some parts of the state. These commenters believed that the rules will negatively affect the right of educators to job advancement, to future employability, and to personal and professional growth. One writer stated that the rules will shrink the pool of applicants for the principalship to such an extent that small districts will have little or no chance to hire one, and he predicated school district consolidation and skyrocketing of principal salaries as consequences if the rules are enacted. A few writers stated what seems implied in several other comments - that ‘genuine collaboration’ from universities and school districts was lacking in the drafting of these rules.

While the above comments pertain to the rules as a whole, related criticisms were also directed to several aspects of the rules, and these are discussed in the sections that follow “General Comments”.

Analysis

Public Act 96-903, effective in July 1, 2010, added Section 21-7.6 to the School Code and charged the State Board with establishing standards and requirements for principal preparation programs developed by institutions of higher education and not-for-profit entities, and for approving such programs. The law directs each principal preparation program to determine criteria for admitting candidates; to require that candidates complete an internship and receive training in evaluation of staff; and to establish partnerships with one or more school districts or
certain, recognized nonpublic schools. The public act authorizes the State Board to adopt rules necessary to implement and administer such programs.

The groundwork for revising principal preparation in Illinois began more than five years ago. Initially discussed and debated by the Commission on School Leader Preparation in Illinois Colleges and Universities, the Illinois School Leader Task Force later was established, under a General Assembly resolution, to continue the work. Further participation of interested parties occurred over the last two years with the participation of five design teams and various statewide meetings. Along the way, there have been numerous opportunities for both formal and informal participation, collaboration and feedback by all interested parties.

Funding Issues

Comment

Several writers stated that the proposed rules and the degree of specificity they impose on partnerships for curriculum, selection of candidates, required program content, staffing ratios, use of mentors' time, and assessments of candidates' progress amount to unfunded mandates on higher education institutions and the school partners that will work to create principal preparation programs. On a related topic, some commenters questioned how the fees programs may charge to candidates to provide reimbursement for substitute teachers, and any monetary stipends given to candidates (Section 30.40(e),(f)), could be included in these rules without a state-provided funding source.

Analysis

Establishment of principal preparation programs that conform to Section 21-7.6 of the School Code and any resulting rules is a choice on the part of higher education institutions and not-for-profit entities and their partnering school partners. Institutions and entities that choose to establish these programs acknowledge the costs inherent in implementing high-quality programs that prepare effective school leaders. For this reason, the proposed regulatory requirements should not be considered ‘mandates’. Moreover, the considerable history behind identifying criteria for high-quality principal preparation programs and the planning that occurred is an acknowledgment from the field that Illinois must revise its training to ensure that building administrators are well-equipped to educate an increasingly diverse student body. The design of programs to train these instructional leaders will, in all probability, require partners to expend additional resources.

Recommendation

No changes are recommended in response to these comments.

Standards used in program design

Comment

A handful of comments were received about the requirement in Section 30.30(b) that development of a training program be based on the critical success factors and associated competencies outlined in document titled, “The Principal Internship: How Can We Get It Right?”, produced by the Southern Regional Education Board (SREB) in 2005. These writers asserted that the document does not represent nationally validated standards and had not been
recommended for use by the Task Force. Instead, the 2008 Interstate School Leaders Licensure Consortium (ISLLC) standards promulgated by the National Policy Board for Educational Administration were to have been used in this context.

Another commenter questioned why the 13 critical success factors listed in Section 30.30(a)(3) could not be listed in the proposed rules, with the reference to the website eliminated.

**Analysis**

The SREB document is specific to the internship, which is only one component required of principal preparation programs. The primary purpose of the document is to rate the success of a candidate – as a result of his or her internship – in acquiring the leadership skills in the areas identified as essential (see Section 30.45(b)) for highly successful principals. The reference to the document under “General Program Requirements” is to alert potential programs of their obligations to ensure, via training, that mentoring principals and faculty supervisors are sufficiently familiar with the requirements so that they may adequately assess a candidate’s competency in each during and at the end of the internship. Staff members note that the Task Force discussed various ways in which to assess candidates’ performance during the internship, and further work conducted by the design teams is reflected in Section 30.45(a). Section 30.45(b), however, presents other research-based competencies that are measurable and can be duplicated among programs offering principal preparation programs. As such, they flesh out and complement the assessments related to the competencies the design teams identified.

The proposed rules do require that all principal preparation programs meet the 2008 ISLLC standards (see Section 30.30(c)). Recognition of these standards must be infused throughout each component of the program (i.e., curriculum, field experiences, internship).

Finally, given the length and specificity of the critical success factors cited in the document, State Board staff believed inclusion of a link to the website where the complete primary report can be found would be more useful for participating programs and preserve the accuracy of the document than staff’s attempting to summarize the content in the rules.

**Recommendation**

No changes are recommended in response to these comments.

**Curricular requirements**

**Comment**

Many commenters stated that the proposed rules impose excessive hourly requirements for the time that candidates must spend on activities related to providing instruction to students with disabilities and English language learners (ELLs). Section 30.40(a)(1)(A) and (B) require that candidates must participate for a minimum of 20 hours in development of IEP meetings; a minimum of 40 hours working with special education teachers; and a minimum of 40 hours with teachers assigned to transitional bilingual education programs or transitional programs of instruction. The commenters described these requirements as ‘overkill’ and ‘virtually impossible’ to meet in several areas of the state with small or nonexistent populations of ELLs. Comments from representatives of nonpublic schools and their organizations also noted that the requirements for special education and bilingual education cannot be duplicated in nonpublic
school settings. Nonpublic schools employ individual family service plans in place of IEP’s and are not subject to the requirements for the provision of bilingual education found in Article 14C of the School Code.

Additionally, one writer noted that separating time spent on IEP development from time spent on more general special education issues was counterproductive to research on Response to Intervention. Another wrote that some candidates entering the internship may already have acquired extensive experience in these two areas for which credit could be assigned. Several advocated for flexibility in curricular requirements that recognized the demographic characteristics of the school district where a candidate is placed for his or her internship and the individual needs of candidates.

Analysis

In setting these requirements, State Board staff considered the need for principals to understand the instructional needs of all students in order to improve achievement for the school population. The role and responsibilities of the principal differ in several significant ways than that of a special education or bilingual education teacher, so explicit exposure is needed so candidates are equipped to respond to the statutory and regulatory duties of a school in these areas, as well as to address achievement of these populations as part of the overall school improvement process.

Programs that are currently approved for principal preparation have lacked in-depth exposure to these populations. Most school districts in the state serve at least one student with disabilities, as well as one ELL. For this reason, a candidate’s lack of access to the populations, as perceived by some of the commenters, may not be a major issue. For instance, schools with even one student with disabilities or an ELL must provide services to assist that student to progress academically, in accordance with federal and state law and regulations.

State Board staff acknowledge these concerns. In the event that the participating school does not serve any students with disabilities or ELLs, then the candidate would work with her or his preparation program to be assigned to another school to complete this aspect of the internship.

Commenters did raise valid concerns, however, that specifying a set number of hours to any one of the six internship components outlined under Section 30.40(a)(1) could be counterproductive in shifting the focus of the internship to one or two specific areas at the expense of others that are equally important. Another avenue to emphasize the importance of the special education and bilingual education foci, therefore, is to identify specific skills and competencies that principals need in these areas and ensure that these areas are addressed in the internship and properly assessed at its conclusion.

Recommendation

It is recommended that the following changes be made in Sections 30.40, 30.45 and 30.80.

Section 30.40(a)(1) The internship shall consist of the following components:

A) A minimum of 40 hours of participation in meetings to develop individualized education programs pursuant to 23 Ill. Adm. Code 226 Subpart C (The Individualized
B) A minimum of 40 hours of activities with special education teachers to address curricular needs of students with disabilities, which shall not include any time spent in meetings held to develop or modify IEPs or Section 504 plans;

C) A minimum of 40 hours of activities with teachers assigned to programs established under 23 Ill. Adm. Code 228 (Transitional Bilingual Education) to address the curricular needs of English language learners;

D) Engagement in instructional activities that involve teachers at all grade levels (i.e., preschool through grade 12), including teachers in both general education and special education, bilingual education and gifted education settings;

B)\(\)\(E\) Observation of the hiring, supervision and evaluation of teachers and development of a professional development plan for teachers; and

C)\(\)\(F\) Participating in leadership opportunities to demonstrate that the candidate meets required competencies.

Section 30.45(a) The principal preparation program shall rate each candidate’s level of knowledge and abilities gained and dispositions demonstrated as a result of the candidate’s participation in the internship required under Section 30.40 of this Part. The candidate shall demonstrate competencies listed in subsections (1) through (4) (3) of this Section by the completion during the course of the internship of the tasks specified.

Section 30.45(a)(4) The candidate demonstrates a thorough understanding of the requirements for and development of individualized education programs pursuant to 23 Ill. Adm. Code 226. Subpart C (The Individualized Education Program (IEP)), individual family service plans (IFSP) pursuant to 23 Ill. Adm. Code 226 and 34 CFR 300.24 (2006), and plans under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), including the ability to disaggregate student data, as well as employ other methods for assisting teachers in addressing the curricular needs of students with disabilities. The candidate can work with school personnel to identify English language learners and administer the appropriate program and services, as specified under Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) to address the curricular and academic needs of English language learners (ELLs). As evidence of meeting this competency, the candidate shall:
A) use student data to work collaboratively with teachers to modify curriculum and instructional strategies to meet the needs of each student, including ELLs and students with disabilities, and to incorporate the data into the School Improvement Plan;

B) evaluate a school to ensure the use of 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, students with disabilities, and struggling and advanced readers);

C) in conjunction with special education and bilingual education teachers, identify and select assessment strategies and devices that are nondiscriminatory to be used by the school, and take into consideration the impact of disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students leading to school improvement;

D) work with teachers to develop a plan which focuses on the needs of the school to support services required to meet individualized instruction for students with special needs (i.e., students with IEPs, IFSPs, or Section 504 plans, ELLs, and students identified as gifted);

E) proactively serve all students and their families with equity and honor and advocate on their behalf, ensuring an opportunity to learn and the well-being of each child in the classroom;

F) analyze and use student information to design instruction that meets the diverse needs of students and leads to ongoing growth and development of all students; and

G) recognize the individual needs of students and work with special education and bilingual education teachers to develop school support systems so that teachers can differentiate 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.

5) A principal preparation program shall rate a candidate’s demonstration of having achieved the competencies listed in this subsection (a) as “meets the standards” or “does not meet the standards” in accordance with a rubric that will be posted no later than January 1, 2011 on the State Board of Education’s website. Should the rubric be modified, the State Superintendent shall inform the approved programs of the changes no later than January 1 and modify the website accordingly.
Prior experience

Comment

The proposed rules require that building principals who serve as mentors to candidates during the internship have four years of successful experience as a building principal (See Section 30.40(b)(2).) Many commenters objected to both parts of this requirement (i.e., number of years and successful experience), calling the four-year requirement impractical and unrealistic, and voicing concerns that candidates from areas of the state with large numbers of at-risk student populations and high principal turnover could not be expected to show sufficient years of successful experience. It was feared that principals in schools not meeting Adequate Yearly progress (AYP) could not demonstrate ‘successful’ experience.

Along this same line, some writers commented that university faculty who currently supervise principal candidates could not meet the requirement of showing four years of successful experience serving as a principal.

Analysis

The requirement that mentors and faculty supervisors have four years of successful experience as a principal is based on the underlying goal of redesigning preparation programs to stress instructional leadership. Some commenters indicated it would be difficult to partner with schools that have principals who have been employed for at least four years. FY 2010 data from the Teacher Service Record, however, show that 50 percent or more of the principals employed in schools located in all but one educational service region have been employed for four or more years.

As to “successful experience”, this requirement does not and was not meant to rule out principals teaching in schools not meeting AYP, many of whom nonetheless have had success under their leadership. Moreover, evidence of student growth, which is used, in part, to calculate AYP, was originally required for only two of the previous five years. Preparation programs may determine what data are relevant to support successful prior experience for mentors as they recruit schools with which to partner.

Given the volume of comments received on this point, staff recommend that the rules be amended to require that the principal demonstrate three years of successful experience in order to serve as a mentor. The requirement of three years of experience aligns with the criteria contained in the New Principal Mentoring Program (105 ILCS 5/2-3.53a), which requires “three or more years [of experience] and demonstrated success as an instructional leader”. This proposed modification will make it easier for programs to recruit desirable mentors, especially from rural areas of the state, while still achieving the goals of the principal preparation program.

Recommendation

It is recommended that the following changes be made in Section 30.40(b)(2).

b) A public or nonpublic school may serve as an internship site if the principal of the school:
1) holds a current and valid administrative certificate endorsed for general administrative or principal pursuant either to 23 Ill. Adm. Code 25.335 or 23 Ill. Adm. Code 25.337; and

2) has three four years of successful experience as a building principal as evidenced by relevant data, including data supporting student growth in two of the principal's previous five years, and formal evaluations or letters of recommendation from former supervisors.

Prior experience of teachers entering principal preparation programs

Comment

Section 30.70 (Candidate Selection) requires that candidates have four years of teaching experience on a valid and current Illinois certificate or a teaching certificate from another state in order to enter a principal preparation program. One writer stated that the requirement is absurdly low and advocated for a minimum of 15 years of classroom experience. However, the majority of commenters objected to this condition as impractical and discriminatory, noting that it would limit access to the program (especially for those residing in rural areas of Illinois) and would restrict from entering the program otherwise qualified candidates in education fields other than teaching or those with business backgrounds. More specifically, another writer stated that the proposal would prevent individuals with Type 73 certificates (School Service Personnel) who are working as school counselors, social workers, and speech therapists from entering the program, although such individuals often have four years of background and skills and have worked closely with school administrators.

One commenter noted that the issue of prior teaching experience had been debated for years during the work of the Task Force, with no consensus reached, and that the requirement for four years was a last-minute addition from the State Teacher Certification Board (STCB). Some writers stated that Section 21-7.1 of the School Code only requires candidates to have four years of teaching experience in order to receive the principal endorsement, rather than at the time candidates enter the preparation program, and that the law requires the State Board of Education to allow by rules for fewer than four years of experience based on meeting standards set forth in the rules. Most of these commenters stated that requiring two years of teaching experience would be sufficient for candidates, which was the standard for receiving the endorsement before Section 21-7.1 was amended by Public Act 96-903.

Analysis

State Board staff have discussed this issue with stakeholders and with members of the State Teacher Certification Board and believe it is imperative that redesigned principal preparation programs require candidates to have four years of teaching experience before they can be considered for enrollment. For most educators new to teaching, the first two years are focused on learning the mechanics of the classroom, becoming familiar with students and with one’s teaching style, and mastering the skills involved in working within a school. In the majority of cases, the third year of teaching is the first in which the new teacher is knowledgeable and comfortable enough to make progress as an instructional leader in his or her classroom. Teachers must complete four years of teaching and be evaluated in order to be granted tenure in a district, as well as to progress from an initial teaching certificate to a standard teaching certificate. Allowing a teacher with only two years of classroom experience to enter a rigorous graduate program that encompasses identification and remediation of individual and systemic
problems is counterintuitive. Requiring novice teachers without tenure to supervise tenured faculty is unreasonable.

Moreover, a background of success in a business or other non-educational field is no guarantee that a candidate will automatically display strengths as an academic leader. Also, Section 21-7.1 of the School Code prohibits an individual from obtaining a principal’s endorsement unless he or she has four years of teaching experience (although an individual with two years of experience on a school service personnel certificate would qualify for a general administrative endorsement, the predecessor to the principal endorsement). Staff believe that it is essential all candidates have sufficient teaching experience before entering a principal preparation program to ensure that the curricula and internship experiences are informed by practices that involve working to improve student achievement.

It is correct that Section 21-7.1 requires the State Board of Education to “allow by rule” the provision of a principal’s endorsement to candidates that lack four years of teaching experience based on a “review of performance evaluations and other evidence of demonstrated qualifications”. It is premature to address this requirement at this time, however, since the performance evaluation system has not yet been implemented. The State Board, under the Performance Evaluation Act of 2010 (P.A. 96-861, effective January 15, 2010), is charged with working with the Performance Evaluation Advisory Council to develop an evaluation system that will consider student growth as a “significant indicator” in rating the performance of teachers and principals, and that model will be set forth in a different set of rules. Once those rules are put in place, then staff will be able to use those criteria for the consideration of the admission of candidates who do not yet have four years of teaching experience, and Part 30 will then be amended accordingly.

Comment

No changes are recommended in response to these comments.

Staffing issues

Comment

Some commenters expressed strong support of Section 30.60 of the proposed rules regarding minimum staffing requirements. These writers noted their expectation that institutions with existing programs for principal preparation would object vociferously to the staffing limits imposed.

The majority of comments received on Section 30.60, however, were critical. Several writers took issue with the statement that no more than one-third of coursework in a principal preparation program could be taught by adjunct faculty. Since part-time, or adjunct, faculty members typically are still practicing in the field or have recently retired, commenters noted that using them gives students exposure to successful practitioners with the most recent ties to classroom instruction in a given field. Such qualifications make their contributions to a university program extremely valuable, and institutions should not be subjected to ‘micromanagement’ from the State Board staff in how adjunct staff are assigned.

Commenters also objected to the provision that no mentor should have more than two candidates assigned to him or her at any one period during the internship (an exception is provided for a third candidate when cause can be shown). It was pointed out that large school
districts currently participate in programs offered by up to seven universities and smaller colleges under the current requirements, which have no mentor-candidate restrictions. The limit of two candidates was characterized as prescriptive, insensitive to the needs of schools with large enrollments as well as smaller rural districts, and as assigning all responsibilities for the selection of candidates to the mentor with the inherent risks of bias in that process.

Analysis

The limit of no more than two candidates for a given mentor was set in acknowledgment of the essential competencies that a candidate should gain in the internship component of the principal preparation program. In order to achieve the level of competency expected, the building principal, or mentor, must work closely with each candidate during the internship. Agency staff do not believe it is reasonable to expect a principal to perform her or his regular duties to the school and still meet the extensive time requirements that will be necessary for multiple candidates to get the most benefit from these redesigned programs.

Nothing in these rules states that the role of a principal serving as a mentor encompasses sole control over candidates selected for her or his school. Rather, the proposed rules set forth only selection criteria for placement in the program generally (see Section 30.70). It is assumed that the entity offering the preparation program will work with the school districts with which it has partnered to appropriately place candidates in participating schools. Programs are free to set additional requirements to ensure that no bias in candidate selection will occur.

On the issue of the use of adjunct faculty, State Board staff have considered comments and current research on the strengths and limitations of instruction by adjunct faculty. Staff acknowledge institutions’ need to provide their students with the right blend of full-time faculty support and instruction from staff who are current practitioners and the rule should be modified accordingly. At the same time, research from two national associations that looked at adjunct instructors at the community college level acknowledged that funding concerns, insufficient professional development, isolation from peers, and little chance for tenure or job security can all adversely affect the quality of instruction provided. Staff recognize that the rules should not be too prescriptive and any percentage that they chose may appear arbitrary, yet it would be difficult to prescribe qualitative criteria that adequately convey the complexity of the quality control issues involved in faculty assignments.

Recommendation

It is recommended that the following changes be made in Sections 30.60(c) and 30.80(b).

<table>
<thead>
<tr>
<th>Section 30.60(c)</th>
<th>No more than one-half one-third of the coursework in a program shall be taught by adjunct faculty. For each adjunct faculty member employed, the program shall maintain evidence that the individual has demonstrated expertise in the area of his or her assignment.</th>
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<tr>
<td>Section 30.80(b)</td>
<td>In addition to meeting the requirements of 23 Ill. Adm. Code 25.145, the program proposal required to be submitted as part of the request for approval shall specify how the program will meet the requirements set forth in this Part, as well as address each of the following:</td>
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1) The guidance to be developed to ensure that faculty supervisors effectively assist candidates to optimize their experiences during the internship;

2) The roles and responsibilities of candidates and faculty supervisors;

3) Employment criteria used in selecting and evaluating adjunct faculty;

4) The process the institution or not-for-profit entity will use to communicate with the faculty supervisor and candidate;

5) Any additional requirements for admission to the program that the institution or not-for-profit entity will impose;

6) A description of the rubric the program will use to assess and evaluate the quality of a candidate’s portfolio required under Section 30.70;

7) The competencies, to include those specified in Section 30.45(a) of this Part, expected of candidates who complete the program and how those expectations will be communicated to the candidate upon his or her admittance to the program;

8) The activities to meet the expectations embedded in the critical success factors specified in Section 30.45(b) of this Part that will be required of candidates for completion of the program and how these activities and expectations will be communicated to the candidate upon his or her admittance to the program;

9) A copy of the partnership agreement or agreements and a description of the partners’ involvement in the development of the program, a description of the roles each partner will have, and information on how the partnership will continue to operate and how it will be evaluated;

10) A copy of any agreements with school districts or nonpublic schools (other than those participating in the partnership) that will serve as sites for the internship or field experiences;

11) A description of each course proposed and the internship, to include:

A) a course syllabus;

B) how progress will be measured and successful completion will be determined;
C) a data table that demonstrates each course’s, and the internship’s, alignment to the ISLLC 2008 standards (see Section 30.30(c) of this Part); and

D) for individual courses, a detailed description of any field experiences required for course completion.

12) Copies of assessments and rubrics to be used in the program, including but not limited to samples of scenarios to which a candidate must provide a written response and interview questions for selection in the program and any additional assessments to be used for the internship beyond what is required under Section 30.45 of this Part;

13) A description of the coursework for candidates and training to be provided for faculty members relative to the evaluation of certified staff under Article 24A of the School Code [105 ILCS 5/Art. 24A];

14) A letter signed by the chief administrator of the institution and/or the not-for-profit entity, stating its commitment to hiring additional full-time faculty if enrollment in the program increases; and

15) A complete description of how data on the program will be collected, analyzed, and used for program improvement, and how these data will be shared with the educational unit or not-for-profit entity and the partnering school district or nonpublic school.

Candidate selection

Comment

Several writers expressed concerns about the requirement in Section 30.70(d) that candidates submit a portfolio as part of the selection process. The commenters noted that the creation of a portfolio was overly burdensome; that its breadth would be better suited to candidates leaving the program; and that no research was cited for inclusion of the portfolio, or for a rubric by which to assess portfolio contents. Similar comments were received on the requirement in Section 30.70(f) that each applicant must interview with at least two of the program’s full-time faculty members. Writers criticized this requirement as another mandated strain on resources and as representing bureaucratic interference into the academic independence of institutions.

In addition, comments were received on candidates’ needing to submit evaluations of their teaching abilities from supervisors, noting that release of such information from a school district could be hampered or prevented by fear of violating personnel privacy laws and laws pertaining to students’ individual records.

Analysis
These requirements for candidate selection were part of the Task Force’s recommendations and staff believe that they are necessary and valid. Candidates are being asked to demonstrate evidence of their success in furthering students’ academic achievement and the factors and dispositions that accompany such accomplishments; how this success is measured is left to the discretion of each principal preparation program to determine. There is no requirement that school districts furnish evaluations of candidates. It is expected that most candidates would have much of this evidence at-hand and would be free to release such information.

The need for candidates to be interviewed in person by full-time faculty members is necessary to ensure that programs know candidates in advance and can select the best candidates for the program. There is great inconsistency among selection processes employed in current programs. It is common to find candidates who are not interviewed in person and who, in fact, do not know most, if not all, of the faculty supervising their programs.

Recommendation

No changes are recommended in response to these comments.

Program review process

Comment

Critique received on Section 30.80 (Program Approval and Review) centered on three topics.
1. The process was described as overly detailed, overly regulated and in need of streamlining.
2. Writers stated that the review panel was redundant and open to favoritism; such responsibilities should instead be shared between the STCB and the Illinois Board of Higher Education (BHE).
3. Some writers perceived a lack of an appeal process for programs recommended for denial by the State Teacher Certification Board following a recommendation for denial from the Principal Preparation Review Panel.

Analysis

State Board staff view the review process as critical and the creation of a review panel with diverse representation as the best way to ensure impartial analysis of each program, particularly since the review panel can make recommendations only.

Further, Section 30.80(f) refers applicants for approval of principal preparation programs to Section 25.160 of rules governing Certification. In particular, an applicant that receives a negative recommendation about its program from the STCB has an opportunity to object to the recommendation in writing and to provide additional supporting documentation as to why the program should be approved or to withdraw its application from consideration. Any additional information that the applicant submits is provided to the State Board of Education, along with the STCB recommendation. It is up to the State Board of Education to accept, modify or reject the STCB’s recommendation.

Recommendation

No changes are recommended in response to these comments.
Comment

Writers from nonpublic schools asked for assurances that the fees programs may charge candidates, as well as any monetary stipends programs may provide, are available to their schools as well (Section 30.40(e),(f)).

Analysis

Since both sections describe such fees and allocations as discretionary, they are available to any principal preparation programs choosing to use them.

Recommendation

No changes are recommended in response to these comments.

Comment

Commenters objected to the inclusion of “State assessment results” in Section 30.45(a)(1)(A) for the activities expected of a candidate during the internship component, noting that such test results are not available to nonpublic schools.

Analysis

These writers are correct in that students in nonpublic schools are not administered the Illinois Standards Achievement Test or the Prairie State Achievement Examination, and the section of the rules should be modified.

Recommendation

It is recommended that the following change be made in Section 30.45(a)(1)(A).

Section 30.45(a)(1)(A) The candidate conveys an understanding of how the school’s mission and vision affect the work of the staff in enhancing student achievement. He or she understands and is able to perform activities related to data analysis and can use the results of that analysis to formulate a plan for improving teaching and learning. As evidence of meeting this competency, the candidate shall:

A) review school-level data, including, but not limited to, State assessment results or, for nonpublic schools, other standardized assessment results; use of interventions, and identification of improvement based on those results;

Comment

Finally, commenters objected to the lack of representation from nonpublic schools on the Principal Preparation Review Panel (Section 30.80(c)), noting that a presence was required to
ensure that the implementation and conduct of the new programs would include consideration of
the needs and contributions of nonpublic schools.

Analysis

Under Article 21 of the School Code, the State Board of Education is charged with setting forth
requirements for the certification of teachers and administrators who work in the public schools.
Unlike for public schools, Article 21 does not require that nonpublic schools employ only
individuals who are appropriately certified. Additionally, while the agency in 2009 promulgated
administrative rules that govern the registration and recognition of nonpublic schools, staff did
not specify in those rules that teaching staff hold more than just a bachelor’s degree (beginning
in the 2011-12 school year).

As noted above, staff employed in nonpublic schools in Illinois are not subject to any
certification requirements. Many nonpublic schools in the state do require that certain staff be
certified, but doing so is optional. For this reason, the agency and its partners have not
specifically worked to design principal preparation programs that consider the needs and
contributions of schools that are not required to have certified staff. Further, Article 21 does not
require representation of nonpublic schools on the State Teacher Certification Board, so agency
staff see no reason to extend membership to nonpublic schools on a panel that reviews and
makes recommendations that are advisory to the STCB.

Finally, participation in principal preparation programs is voluntary for all higher education
institutions and approved not-for-profit entities, and each may choose the type of schools with
which they wish to partner. Those schools are then obligated to work within the criteria and
requirements as set forth in the law and any rules subsequently promulgated to implement the
program.

Recommendation

No changes are recommended in response to this comment.

Concerns of on-line programs

Comment

One comment was received from an on-line graduate school of education regionally accredited
to operate in Illinois. The two writers objected in general to the ‘assumption’ made in these
rules that online learning is less effective than instruction received in traditional programs and
object in particular to the requirements in Section 30.50(c) that pertain to programs providing 50
percent or more of coursework via distance learning. Section 30.50(c) states that such distance
learning programs must provide for minimum periods of candidate observation by full-time
faculty members providing instruction in the principal preparation program, and that candidates
enrolled in such programs must spend at least one day per semester (outside of internship
periods) meeting in person with full-time faculty at the program’s Illinois facility. The writers
describe these requirements as onerous, costly and punitive in nature, and note that by this
action the state is ‘turning down proven technology’ in favor of a more traditional system of
instruction ‘that has yet to prove itself as effective as online instruction.’ The writers
characterize this section of the rules as arbitrary and ask for its removal.

Analysis
State Board staff do not dispute either the value of formal coursework delivered via distance learning institutions, or the importance of high-quality courses taught by experienced faculty, assets available in on-line as well as traditional programs for preparing principals. However, another essential component informing these rules is that full-time and supervising faculty come to know candidates extremely well, through sustained observation and interaction in a variety of settings. This process begins with the rigorous interview requirements and continues through every phase of the program. The rules are designed to give faculty supervisors and mentors multiple opportunities to watch prospective principals interact with all those whose lives they will affect in and out of the classroom, to build enduring relationships, and to observe their abilities as collaborators and leaders. State Board staff do not believe that faculty members who interact with their students only through the scheduled conferences available to on-line programs (including Skype and similar software) will have adequate and sustained opportunities to see their candidates working with students, teachers, staff members, and the community during the course of their training. Staff have no data to support the contention that distance learning programs allow faculty to gather such vital information on their candidates.

**Recommendation**

No changes are recommended in response to these comments.

**Miscellaneous comments**

**Comment**

One writer asked if individuals holding out-of-state administrative certification would be eligible for continued employment in Illinois schools after these rules take effect. Others stated that the issue of reciprocity of program requirements between Illinois institutions of higher education and those in other states had not been addressed by these rules.

**Analysis**

Requirements for receipt of a principal endorsement can be found in Section 21-7.1 of the School Code and proposed Section 25.337 of rules governing Certification (see Part 25 proposal in the December Board packet). As stated in those proposed amendments to Part 25, starting in 2011, an individual may seek a principal endorsement provided he or she meets all of the requirements contained in Part 30. Until June 30, 2014, the general administrative endorsement also will continue to be issued; requirements for that endorsement can be found in Section 25.335 of rules governing Certification.

Individuals holding administrative certification from other states will need to obtain the principal endorsement in order to work in Illinois districts, starting July 1, 2014. They will have to meet all the same criteria as candidates from Illinois or show that the requirements for receipt of the administrative certificate from their state are comparable to the criteria set forth in Part 30, or depending on the time in which they apply for certification, Section 25.335. A clarification of this fact has been recommended for placement in Section 30.40(b) (see page 21 of this analysis).

**Recommendation**

No changes are recommended in response to these comments.
Comment

One writer, noting that by definition an internship could last no more than 24 months, asked whether allowances would be made for candidates who required a leave of absence during the period of the internship for unforeseen circumstances such as a medical or family emergency.

Analysis

The rules provide (Section 30.30(a)(2)) that programs address the establishment of the internship in the written agreement signed by each partner. Programs may wish to make allowances for candidates having to interrupt the internship for circumstances beyond their control and to allow credit to be carried over for coursework already completed when the candidate returns to the program, depending on the specific situation, such as how long someone has been out of the program and the reason the person had to discontinue the internship.

Recommendation

It is recommended that Sections 30.10 and 30.40(g) be amended as follows.

Section 30.10

"Internship" means a candidate’s placement in public or nonpublic schools for a sustained, continuous, structured and supervised experience lasting no more than 24 months during which the candidate engages in experiences and leadership opportunities to demonstrate proficiencies in required competencies expected of a principal. (Also see Section 30.40(g) of this Part.)

Section 30.40(g)

A program may extend the length of an internship beyond 24 months for any candidate who has to discontinue the internship portion of the program due to unforeseen circumstances, such as a medical or family emergency, provided that the program adopts procedures for requesting an exemption, the specific reasons under which the exemption would be granted, and the length of time within which a candidate must resume the internship. A copy of the policy shall be provided to each candidate who enrolls in the program.

Comment

One commenter asked if the rules could be amended to allow part-time faculty to serve as faculty supervisors working with candidates during the internship period. The writer noted that the Task Force had recommended that clinical supervisors, who are not necessarily full-time faculty members, be allowed to serve in such roles.

Analysis

State Board staff agree with this comment and will suggest an amendment to the rules.

Recommendation
It is recommended that Section 30.10 (Definitions) and Section 30.60(f) be amended as follows:

“Faculty Supervisor” means a faculty member employed on a full-time or part-time basis in a principal preparation program who supervises candidates during the internship period.

Section 30.60(f) Each full-time faculty member in the program and each faculty supervisor shall participate in the training required for evaluation of certified personnel under Section 24A-3 of the School Code.

Comment

Five commenters suggested that Social and Emotional Learning (SEL) Standards be added to the education requirements for principals. As rationale for including these standards writers noted that the Illinois Children’s Mental Health Act of 2003 required the State Board to write such standards, which were completed in 2004; that the standards are embedded in the ISLLC standards and those of other national professions; that social and emotional learning was closely linked to school climate and student achievement; that effective school leaders demonstrate high degrees of emotional intelligence; and that there was evidence for students who participated in SEL programs showing improvements in classroom behavior.

Analysis

While State Board staff agree that the goals of the Social and Emotional Learning Standards are essential and that principal preparation programs should be encouraged to incorporate them, school districts are not required to include SEL standards in the curriculum. Requiring programs to use them would in effect impose an unfunded mandate, at a time of state fiscal crisis and in conjunction with districts adjusting to inclusion of the Common Core State Standards.

Recommendation

No changes are recommended in response to these comments.

Comment

One writer advocated that Regional Offices of Education (ROEs) be given specific responsibilities to assist partnerships, such as evaluation of interns’ assessments, working with school districts on memoranda of understanding, conducting awareness sessions for school districts on the new programs, and appointment of a lead ROE in each of six areas to serve as an administrative agent.

Analysis

The involvement of ROEs could certainly prove valuable to program participants. However, its inclusion in the rules at this juncture would create a mandate on the regional offices before they had an opportunity to comment on these extra burdens. Failure of the agency to mandate participation of ROEs by rule does not preclude programs from establishing partnerships with entities beyond school districts or nonpublic schools, which could include ROEs.

Recommendation
No changes are recommended in response to this comment.

Comment

One writer advocated for school districts being consultants only, rather than partners, in the new programs for principal preparation. Citing the need to show sensitivity to economic conditions in Illinois schools, and the lack of sufficient personnel to administer such programs, the writer stated that even requiring the formality of a written agreement would reduce the pool of possible school partners. Allowing schools to act as consultants to universities would still provide sufficient input to prevent institutions of higher education from operating in isolation.

Analysis

Co-design of the programs was a formal recommendation from the Task Force. Districts are not being asked to administer programs but to work in collaboration with institutions of higher education. Districts or nonpublic schools with concerns over staffing or monetary issues may choose not to participate in the program.

Recommendation

No changes are recommended in response to this comment.

Comment

One comment was received about the requirement in Section 30.30(d)(1), that coursework must focus on all grade levels (i.e., preschool through grade 12). The writer asked if a coursework activity that covered all grades but one would be considered insufficient.

Analysis

The intent of Section 30.30(d)(1) is that the totality of coursework covered by a program is comprehensive and addresses all grade levels, not that each instructional activity offered must cover every single grade.

Recommendation

No changes are recommended in response to this comment.

Comment

A few writers asked that the rules acknowledge the importance of meeting the needs of children from birth to age 3 by including that population in these rules.

Analysis

Most public schools do not address families with children under the age of 3. Programs that address the early learning needs of young children (such as Prevention Initiative) are often run by community organizations, not by the school district itself. Expanding the scope of the population to be served by principal preparation programs would in effect expand the role of Illinois public schools, an undertaking that would require passage of legislation.
Recommendation

No changes are recommended in response to these comments.

Comment

One commenter stated that the requirement for interns to observe the hiring, supervision and evaluation of teachers (Section 30.40(a)(1)(E)) could probably not be met by candidates participating in the internship during the summer and fall months, since districts’ hiring cycles usually begin in the spring.

Analysis

Many school districts hire during the summer and fall months. Since the rules do not limit the times of the year when candidates are to begin their internship, State Board staff expect that all candidates should be able to complete this requirement without changing the rules.

Recommendation

No changes are recommended in response to this comment.

Comment

Several writers objected to the exclusion from the internship of activities not directly related to the provision of instruction (Section 30.40(a)(2)). Supervision of students and their activities was described as an essential task in any school. It was noted that ISLLC Standards 2 and 3 both include supervision as a performance indicator for competent principals and that supervision and associated management activities are commonly stressed in coursework and in textbooks for principals.

Analysis

The intent of Section 21-7.6 of the School Code and the proposed rules is to design principal preparation programs that shift the focus of the position to proficiency as an instructional leader. However, the rules as written would not disallow managerial and administrative tasks from the internship. On the contrary, the rules focus activities around instructional concerns, which are linked to the school’s ‘systems’ outlined in Section 30.45(a)(3) and the administration of same.

Recommendation

No changes are recommended in response to these comments.

Comment

One writer asked if the requirement that a mentor principal hold a current and valid administrative certificate (Section 30.40(b)(2)) would eliminate the ‘longstanding practice’ of institutions placing candidates in out-of-state schools for internships, since such principals would not hold Illinois certification. The writer advocated for allowing principals certified in other states to be eligible to serve as mentors. Otherwise, taxpaying Illinois residents who work in border states and would wish to participate in internships in those states will no longer be permitted to receive principal training in their local Illinois universities.
Commenters from the nonpublic school community also were concerned with the requirement that principals who are serving as mentors must hold a current and valid administrative certificate endorsed for general administrative or principal (Section 30.40(b)(1)), noting that principals in nonpublic schools commonly hold a 'valid and exempt' certificate. The requirement for a current and valid certificate was characterized as discriminatory to administrators in nonpublic schools.

**Analysis**

Principals in other states who meet the qualifications set forth in this Section are eligible to act as mentors if their schools or districts are partnered with an Illinois institution or not-for-profit entity and can meet all other requirements set forth in the rules.

'Valid and exempt' certificates simply acknowledge that the holder is not currently teaching in a public school. Amendments will be suggested to make this point more clear.

**Recommendation**

It is recommended that Section 30.40(b)(1) be amended as follows.

b) A public or nonpublic school may serve as an internship site if the principal of the school:

1) holds a valid and current administrative certificate endorsed for general administrative or principal pursuant either to 23 Ill. Adm. Code 25.335 or 23 Ill. Adm. Code 25.337; or

2) if the internship site is located in another state, a valid and current administrative certificate that is comparable to the required Illinois administrative certificate issued by the state in which the internship site is located; or

3) in the case of a nonpublic school, either holds a valid and exempt Illinois administrative certificate that is registered and endorsed for general administrative or principal or meets the requirements of subsection (b)(1) of this Section.

4) In all cases, the principal shall have three or four years of successful experience as a building principal as evidenced by relevant data, including data supporting student growth in two of the principal’s previous five years, and formal evaluations or letters of recommendation from former supervisors.

**Comment**

Four comments were received about the provision in Section 30.40(c)(1) that faculty supervisors conduct at least four face-to-face meetings with the mentor at the internship site of each candidate. One writer stated that it would be possible under this Section for the faculty supervisor to have to conduct more than 190 visits. A minimum of two on-site visits was suggested as more reasonable and allowing faculty time to attend to other responsibilities.
Analysis

It should be noted that the four required visits can be spread out over the length of the internship. For an internship lasting 12 months, two visits each semester would be required; internships lasting up to 24 months would require only one visit each semester. This number seems more than reasonable, given the importance of collaboration between the faculty supervisor and the mentor in furthering candidates’ success in the program.

Recommendation

No changes are recommended in response to these comments.

Comment

A few writers objected that requiring candidates to complete the inservice training required for evaluation of certified staff (105 ILCS 5/24A-3) before commencing the internship was unrealistic since it would be difficult for a classroom teacher to complete the training. Associated costs were also cited as a negative.

Analysis

Under current rules, a person can complete all requirements for a certificate endorsed for general administrative without meeting eligibility requirements to evaluate staff. The need for principal candidates to have such training was a concern of the Illinois School Leader Task Force. Additionally, Section 30.45(a) requires that candidates be assessed relative to the conduct of an evaluation. It is important that the candidate have this training prior to beginning the internship so that he or she will have the knowledge required to demonstrate competencies in this area.

Recommendation

No changes are recommended in response to these comments.

Comment

Three writers commented that requiring candidates to observe teachers as part of an evaluation process (Section 30.45(2)(B)) could violate the collective bargaining agreement between the district and its teachers. Writers also voiced concerns over the potential release of information on individual teacher performance to universities.

Analysis

Given the importance of candidates acquiring first-hand knowledge of staff evaluation, candidates who are prevented from observing a teacher at work in the classroom will have to visit a school where such observation is permitted. State Board staff do not expect programs to allow candidates to participate in any official evaluation of any one teacher. The use of the word ‘model’ in this Section was designed to convey that distinction but the language can be made more explicit.

Recommendation
It is recommended that Section 30.45(a)(2)(B) be amended as follows:

(a)(2) The candidate demonstrates a comprehensive understanding of the process used for hiring staff who will meet the learning needs of the students. The candidate presents knowledge and skills associated with clinical supervision and teacher evaluation, including strong communication, interpersonal and ethics skills. The candidate can apply the National Staff Development Council’s Standards for Staff Development (2001) posted at http://www.nsdc.org/standards/index.cfm. No later amendments to or editions of these standards are incorporated by this Section. As evidence of meeting this competency, the candidate shall:

A) create a job description, including development of interview questions and an assessment rubric, participate in interviews of candidates, make recommendations for hiring (i.e., rationale for action and supporting data), and prepare letters for candidates not selected;

B) participate in a model evaluation of a teacher, to include at least notes, observations, student achievement data, and examples of interventions and support, as applicable, based on the evaluation results, with the understanding that no candidate will participate in the official evaluation process for any particular teacher; and

Comment

One commenter stated that the State Board should not require coursework on current ‘hot topics’, such as bullying (Section 30.50(a)(7)), but should instead require universities to cover a broad range of human and social issues.

Analysis

State Board staff believe that bullying is a long-standing problem in schools and that the widespread use of electronic media by students has only increased the extent of the problem in the last several years. Beginning principals need the training that will help them recognize bullying attempts promptly and take appropriate actions to stop it.

Recommendation

No changes are recommended in response to this comment.

Comment

Three writers disagreed with the provision in Section 30.60(f) that full-time faculty members in the principal preparation program participate in the training required for evaluation of certified staff required under Section 24A-3 of the School Code. Two commenters asked that those faculty who had already completed such training not be required to repeat it, while a third would restrict this requirement to faculty members teaching certain courses only.
Analysis

As noted, Section 24A-3 of the School Code requires that any evaluator undertaking an evaluation after September 1, 2012, must first complete a training program approved by the State Board. This program has not yet been established so no one has completed the training. Once training is available, State Board staff would agree that full-time faculty members would not have had the new training and therefore, they would need to complete this just as current administrators will be required to complete it.

Recommendation

No change is recommended at this time in response to these comments.
PART 30
PROGRAMS FOR THE PREPARATION OF PRINCIPALS IN ILLINOIS

Section
30.10 Definitions
30.20 Purpose and Applicability
30.30 General Program Requirements
30.40 Internship Requirements
30.45 Assessment of the Internship
30.50 Coursework Requirements
30.60 Staffing Requirements
30.70 Candidate Selection
30.80 Program Approval and Review

AUTHORITY: Implementing and authorized by Section 21-7.6 of the School Code [105 ILCS 5/21-7.6].

SOURCE: Adopted at 35 Ill. Reg. _____, effective _____________

Section 30.10 Definitions

As used in this Part:

“Adjunct faculty” means part-time faculty who are not full-time employees of the institution.

“Dispositions” means professional attitudes, values and beliefs demonstrated through both verbal and nonverbal behaviors as educators interact with students, families, colleagues and communities.

“Educational unit” means the college, school, department, or division of an institution or not-for-profit entity that is primarily responsible for the initial and continuing preparation of teachers and other education professionals.
“Faculty” means either professional education staff employed at an institution or staff members employed by not-for-profit entities in principal preparation programs who provide instruction to candidates.

“Faculty Supervisor” means a faculty member employed on a full-time or part-time basis in a principal preparation program who supervises candidates during the internship period.

"Internship" means a candidate’s placement in public or nonpublic schools for a sustained, continuous, structured and supervised experience lasting no more than 24 months, during which the candidate engages in experiences and leadership opportunities to demonstrate proficiencies in required competencies expected of a principal. (Also see Section 30.40(g) of this Part.)

“Institution” means a regionally accredited institution of higher learning as specified in Section 21-21 of the School Code [105 ILCS 5/21-21]. (Also see 23 Ill. Adm. Code 25.10 (Accredited Institution).)

“Mentor” means the principal of the public or nonpublic school in which a candidate is placed who works directly with the candidate on the day-to-day activities associated with the principal’s role as the school leader.

“Nonpublic school” means a school recognized in accordance with 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools) and meeting the staffing requirements set forth in 23 Ill. Adm. Code 25.65(b) (Alternative Certification).

“Not-for-profit entity” means an entity that is subject to the General Not For Profit Corporation Act of 1986 [805 ILCS 105] or incorporated as a not-for-profit entity in another state but registered to do business in the State of Illinois pursuant to the Business Corporation Act of 1983 [805 ILCS 5] and that is recognized to provide an educator preparation program in the State of Illinois pursuant to 23 Ill. Adm. Code 25.Subpart C (Approving Programs that Prepare Professional Educators in the State of Illinois).

“Partner” means one or more institutions, not-for-profit entities, school districts or nonpublic schools that jointly design, implement and administer the principal preparation program. For the purposes of this Part, “partners” do not include school districts and their schools or nonpublic schools that serve only as sites for candidates to complete internship requirements or field experiences.
“Program completers” means persons who have met all the requirements of a State-approved principal preparation program established pursuant to Section 21-7.6 of the School Code [105 ILCS 5/21-7.6] and this Part and who have fulfilled the requirements for receipt of a principal endorsement set forth in Section 21-7.1 of the School Code [105 ILCS 5/21-7.1] and 23 Ill. Adm. Code 25.337 (Principal Endorsement (2011)).

Section 30.20 Purpose and Applicability

a) This Part sets forth the requirements for the approval of programs to prepare individuals to be highly effective in leadership roles to improve teaching and learning and increase academic achievement and the development of all students [105 ILCS 5/21-7.6].

b) Requirements of this Part are in addition to the requirements for the approval of new educator preparation programs set forth in 23 Ill. Adm. Code 25.Subpart C. Any program offered in whole or in part by a not-for-profit entity also must be approved by the Board of Higher Education [105 ILCS 5/21-7.1].

c) Candidates successfully completing a principal preparation program shall obtain a principal endorsement on an administrative certificate and are eligible to work as a principal, assistant principal, assistant or associate superintendent, and junior college dean (Section 21-7.1 of the School Code; also see 23 Ill. Adm. Code 25.337).

d) No later than July 1, 2014, all programs for the preparation of principals shall meet the requirements set forth in this Part.

e) Beginning September 1, 2012, institutions or not-for-profit entities may admit new candidates only to principal preparation programs that have been approved under this Part.

Section 30.30 General Program Requirements

a) The program shall be jointly established by one or more institutions or not-for-profit entities and one or more public school districts or nonpublic schools.

b) The responsibility and roles of each partner in the design, implementation and administration of the program shall be set forth in a written agreement signed by each partner. The written agreement shall address at least the following:
ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

1) the process and responsibilities of each partner for the selection and assessment of candidates;

2) the establishment of the internship and any field experiences, and the specific roles of each partner in providing those experiences, as applicable;

3) the development and implementation of a training program for mentors and faculty supervisors that supports candidates’ progress during their internships in observing, participating, and demonstrating leadership to meet the 13 critical success factors and 36 associated competencies outlined in “The Principal Internship: How Can We Get It Right?” (Southern Regional Education Board, 2005; http://publications.sreb.org/2005/05V02_Principal_Internship.pdf). No later amendments to or edition of this document are incorporated by this Part;

4) names and locations of non-partnering school districts and nonpublic schools where the internship and any field experiences may occur; and

5) the process to evaluate the program, including the partnership, and the role of each partner in making improvements based on the results of the evaluation.

c) Each program shall meet the Educational Leadership Policy Standards: ISLLC 2008, adopted by the National Policy Board for Educational Administration and posted at http://www.npbea.org/projects.php. No later amendments to or editions of these standards are incorporated by this Part.

d) Each program shall offer curricula that address student learning and school improvement and focus on:

1) all grade levels (i.e., preschool through grade 12);

2) the role of instruction (with an emphasis on literacy and numeracy), curriculum, assessment and needs of the school or district in improving learning;
3) the Illinois Professional Teaching Standards (23 Ill. Adm. Code 24 (Standards for All Illinois Teachers));

4) all students, with specific attention on students with special needs (e.g., students with disabilities, English language learners, gifted students, students in early childhood programs); and

5) collaborative relationships with all members of the school community (e.g., parents, school board members, local school councils or other governing councils, community partners).

Section 30.40 Internship Requirements

a) The internship portion of the program shall be conducted at one or more public or nonpublic schools so as to enable the candidate to be exposed to and to participate in a variety of school leadership situations in settings that represent diverse economic and cultural conditions and involve interaction with various members of the school community (e.g., parents, school board members, local school councils or other governing councils, community partners).

1) The internship shall consist of the following components:

A) Engagement in instructional activities that involve teachers at all grade levels (i.e., preschool through grade 12), including teachers in both general education, special education, bilingual education and gifted education settings;

B) Observation of the hiring, supervision and evaluation of teachers, other certified staff, and noncertified staff, and development of a professional development plan for teachers; and

C) Participating in leadership opportunities to demonstrate that the candidate meets the required competencies described in Section 30.45 of this Part.

2) The internship shall not include activities that are not directly related to the provision of instruction at the school (e.g., supervision of students during lunch or recess periods, completion of program coursework).
3) The internship shall require the candidate to work directly with the mentor observing, participating in, and taking the lead in specific tasks related to meeting the critical success factors and essential competencies referenced in Section 30.30(b)(3) of this Part.

b) A public or nonpublic school may serve as an internship site if the principal of the school:

1) holds a valid and current administrative certificate endorsed for general administrative or principal pursuant either to 23 Ill. Adm. Code 25.335 or 23 Ill. Adm. Code 25.337; or

2) if the internship site is located in another state, a valid and current administrative certificate that is comparable to the required Illinois administrative certificate issued by the state in which the internship site is located; or

3) in the case of a nonpublic school, either holds a valid and exempt Illinois administrative certificate that is registered and endorsed for general administrative or principal or meets the requirements of subsection (b)(1) of this Section.

4) In all cases, the principal shall have three years of successful experience as a building principal as evidenced by relevant data, including data supporting student growth in two of the principal’s previous five years, and formal evaluations or letters of recommendation from former supervisors.

c) Each program shall assign a faculty member to serve as faculty supervisor for the internship portion of the program, provided that the individual assigned meets the requirements of subsection (b) of this Section. Faculty supervisors shall:

1) conduct at least four face-to-face meetings with the mentor at the internship site of each candidate;

2) observe, evaluate and provide feedback at least four times a year to each candidate about the candidate’s performance;
3) host three seminars each year for candidates to discuss issues related to student learning and school improvement arising from the internship; and

4) work in collaboration with site mentors to complete the assessment of the candidate’s performance during the internship as required pursuant to Section 30.45 of this Part.

d) Programs shall ensure that each candidate:

1) successfully completes the training required under Section 24A-3 of the School Code [105 ILCS 5/24A-3] before beginning his or her internship; and

2) passes the applicable content-area test (see 23. Ill. Adm. Code 25.710 (Definitions)) before completion of the internship.

e) Programs may charge fees of candidates, in addition to tuition, to be used to reimburse schools for the costs of employing substitute teachers for candidates who are full-time teachers and must be absent from their classrooms in order to complete internship activities.

f) Programs may provide monetary stipends for candidates while they are participating in their internship.

g) A program may extend the length of an internship beyond 24 months for any candidate who has to discontinue the internship portion of the program due to unforeseen circumstances, such as a medical or family emergency, provided that the program adopts procedures for requesting the exemption, the specific reasons under which the exemption would be granted, and the length of time within which a candidate must resume the internship. A copy of the policy shall be provided to each candidate who enrolls in the program.

**Section 30.45 Assessment of the Internship**

a) The principal preparation program shall rate each candidate’s level of knowledge and abilities gained and dispositions demonstrated as a result of the candidate’s participation in the internship required under Section 30.40 of this Part. The candidate shall demonstrate competencies listed in subsections (a)(1) through (4)
of this Section by the completion during the course of the internship of the tasks specified.

1) The candidate conveys an understanding of how the school’s mission and vision affect the work of the staff in enhancing student achievement. He or she understands and is able to perform activities related to data analysis and can use the results of that analysis to formulate a plan for improving teaching and learning. As evidence of meeting this competency, the candidate shall:

A) review school-level data, including, but not limited to, State assessment results or, for nonpublic schools, other standardized assessment results; use of interventions; and identification of improvement based on those results;

B) participate in a school improvement planning (SIP) process, including a presentation to the school community explaining the SIP and its relationship to the school’s goals; and

C) present a plan for communicating the results of the SIP process and implementing the school improvement plan.

2) The candidate demonstrates a comprehensive understanding of the process used for hiring staff who will meet the learning needs of the students. The candidate presents knowledge and skills associated with clinical supervision and teacher evaluation, including strong communication, interpersonal and ethics skills. The candidate can apply the National Staff Development Council’s Standards for Staff Development (2001) posted at http://www.nsdc.org/standards/index.cfm. No later amendments to or editions of these standards are incorporated by this Section. As evidence of meeting this competency, the candidate shall:

A) create a job description, including development of interview questions and an assessment rubric, participate in interviews of candidates, make recommendations for hiring (i.e., rationale for action and supporting data), and prepare letters for candidates not selected;
PART B) participate in a model evaluation of a teacher, to include at least notes, observations, student achievement data, and examples of interventions and support, as applicable, based on the evaluation results, with the understanding that no candidate will participate in the official evaluation process for any particular teacher; and

C) create a professional development plan for the school to include the data used to develop the plan, the rationale for the activities chosen, options for participants, reasons why the plan will lead to higher student achievement, and a method for evaluating the effect of the professional development on staff.

3) The candidate demonstrates the ability to understand and manage personnel, resources and systems on a schoolwide basis to ensure adequacy and equity, including contributions of the learning environment to a culture of collaboration, trust, learning and high expectations; the impact of the budget and other resources on special-needs students, as well as the school as a whole; and management of various systems (e.g., curriculum, assessment, technology, discipline, attendance, transportation) in furthering the school’s mission. As evidence of meeting this competency, the candidate shall:

A) investigate two areas of the school’s learning environment (i.e., professional learning community, school improvement process, professional development, teacher leadership, school leadership teams, cultural proficiency, curriculum, and school climate), to include showing connections among areas of the learning environment, identification of factors contributing to the environment’s strengths and weaknesses, and recommendations for improvement of areas determined to be ineffective;

B) analyze the school’s budget, to include a discussion of how resources are used and evaluated for adequacy and effectiveness; recommendations for improvement; and the impact of budget choices, particularly on low-income students, students with disabilities, and English language learners; and

C) review the mission statement for the school, to include an analysis of the relationship among systems that fulfill the school’s mission,
STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

a description of two of these systems (i.e., curriculum, instruction, assessment, discipline, attendance, maintenance, and transportation) and creation of a rating tool for the systems, and recommendations for system improvement to be discussed with the school’s principal.

4) The candidate demonstrates a thorough understanding of the requirements for and development of individualized education programs pursuant to 23 Ill. Adm. Code 226.Subpart C (The Individualized Education Program (IEP)), individual family service plans (IFSP) pursuant to 23 Ill. Adm. Code 226 and 34 CFR 300.24 (2006), and plans under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), including the ability to disaggregate student data, as well as employ other methods for assisting teachers in addressing the curricular needs of students with disabilities. The candidate can work with school personnel to identify English language learners and administer the appropriate program and services, as specified under Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) to address the curricular and academic needs of English language learners (ELLs). As evidence of meeting this competency, the candidate shall:

A) use student data to work collaboratively with teachers to modify curriculum and instructional strategies to meet the needs of each student, including ELLs and students with disabilities, and to incorporate the data into the School Improvement Plan;

B) evaluate a school to ensure the use of 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, students with disabilities, and struggling and advanced readers);

C) in conjunction with special education and bilingual education teachers, identify and select assessment strategies and devices that are nondiscriminatory to be used by the school, and take into consideration the impact of disabilities, methods of communication, cultural background, and primary language on measuring knowledge and performance of students leading to school improvement;
D) work with teachers to develop a plan which focuses on the needs of the school to support services required to meet individualized instruction for students with special needs (i.e., students with IEPs, IFSPs, or Section 504 plans, ELLs, and students identified as gifted);

E) proactively serve all students and their families with equity and honor and advocate on their behalf, ensuring an opportunity to learn and the well-being of each child in the classroom;

F) analyze and use student information to design instruction that meets the diverse needs of students and leads to ongoing growth and development of all students; and

G) recognize the individual needs of students and work with special education and bilingual education teachers to develop school support systems so that teachers can differentiate 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.

5) A principal preparation program shall rate a candidate’s demonstration of having achieved the competencies listed in this subsection (a)(1-3) as “meets the standards” or “does not meet the standards” in accordance with a rubric that will be posted no later than January 1, 2011 on the State Board of Education’s website. Should the rubric be modified, the State Superintendent shall inform the approved programs of the changes no later than January 1 and modify the website accordingly.

A) A candidate must achieve a “meets the standards” on each competency in order to successfully complete the internship.

B) A candidate who fails to achieve a “meets the standards” on any of the three areas of competency may repeat the tasks associated with the failed competency at the discretion of the principal preparation program.
b) Each candidate shall participate in, and demonstrate mastery of, the 36 activities listed in Appendix 3 of the document referenced in Section 30.30(b)(3) of this Part. The principal preparation program shall implement a process to assess both the candidate’s understanding of school practices that foster student achievement and his or her ability to provide effective leadership. The assessment process and any rubrics to be used shall be submitted as part of the program’s application for approval under Section 30.80 of this Part.

1) Programs shall ensure that each candidate demonstrates the participation level in 100 percent of the activities associated with the critical success factors described and defined in Section 30.30(b)(3) of this Part.

2) The assessment shall at least determine at what point a candidate demonstrates leadership in conducting the activities. Each candidate must demonstrate leadership in at least 80 percent of the activities associated with the critical success factors described and defined in Section 30.30(b)(3) of this Part in order to successfully complete the internship.

Section 30.50 Coursework Requirements

a) The coursework required by the preparation program of its candidates must cover each of the following areas:

1) State and federal laws, regulations and case law affecting Illinois public schools;

2) State and federal laws, regulations and case law regarding programs for students with disabilities and English language learners;

3) use of technology for effective teaching and learning and administrative needs;

4) use of a process that determines how a child responds to scientific, research-based interventions that are designed to screen students who may be at risk of academic failure; monitor the effectiveness of instruction proposed for students identified as at risk; and modify instruction as needed to meet the needs of each student;
5) understanding literacy skills required for student learning that are developmentally appropriate (early literacy through adolescent literacy), including assessment for literacy, developing strategies to address reading problems, understanding reading in the content areas, and scientific literacy;

6) understanding numeracy skills and working collaboratively across content areas to improve problem-solving and number sense at all grade levels;

7) identification of bullying; understanding the different types of bullying behavior and its harm to individual students and the school; and the importance of teaching, promoting and rewarding a peaceful and productive school climate; and

8) the process to be used to evaluate certified staff in accordance with the provisions of Section 24A-3 of the School Code [105 ILCS 5/24A-3].

b) A portion of the required coursework shall include “field experiences”, i.e., multiple experiences that are embedded in a school setting and relate directly to the core subject matter of the course. The principal preparation program shall determine the courses for which completion of field experiences will be required and the time allotted to field experiences across all courses in the curriculum.

c) In addition to meeting the requirements in subsections (a) and (b) of this Section, programs providing 50 percent or more of coursework via distance learning or video-conferencing technology shall be approved only if they meet the following conditions.

1) Candidates must be observed by a full-time tenure track faculty member who provides instruction in the principal preparation program. The observations, which must take place in person, shall be for a minimum of two full days each semester, and for a minimum of 20 days throughout the length of the program. The observations must include time spent interacting and working with the candidate in a variety of settings (i.e., observing the candidate’s teaching, attending meetings with the candidate, observing the candidate during the internship portion of the program).

2) Each candidate shall be required to spend a minimum of one day per semester, exclusive of internship periods, at the program’s Illinois facility
in order to meet with the program’s full-time faculty, to present and reflect on projects and research for coursework recently completed, and to discuss the candidate’s progress in the program.

3) Each candidate shall be required to attend in person the meetings outlined in Section 30.40(c) of this Part.

Section 30.60 Staffing Requirements

a) At a minimum, each program shall allocate two faculty members on a full-time basis to the program if 100 candidates or fewer are enrolled on a part-time or a full-time basis, and one additional faculty member shall be allocated on a full-time basis for each increment of 50 or fewer candidates enrolled on a part-time or a full-time basis.

1) For the purposes of this subsection (a), “enrolled” means enrollment in one or more courses required for completion of the program.

2) A faculty member may include time spent teaching in other educational leadership programs (e.g., superintendent, chief school business official) offered by the institution when determining “full-time basis”.

b) No candidate shall receive more than one-third of his or her coursework from the same instructor.

c) No more than one-half of the coursework in a program shall be taught by adjunct faculty. For each adjunct faculty member employed, the program shall maintain evidence that the individual has demonstrated expertise in the area of his or her assignment.

d) A faculty supervisor shall have no more than 36 candidates assigned to him or her during any one 12-month period of an internship. However, when a university requires faculty to supervise at least 48 candidates in order to have a full course load, these faculty shall have no more than 48 candidates assigned to them.

e) No mentor shall have more than two candidates assigned to him or her at any period during the internship, except that the State Teacher Certification Board (STCB) may make an exception for a third candidate if the STCB finds the explanation and accompanying documentation submitted by the program supports
granting of the exception (i.e., there is only one qualified mentor available in sparsely populated areas of the State).

f) Each full-time faculty member in the program and each faculty supervisor shall participate in the training required for evaluation of certified personnel under Section 24A-3 of the School Code.

Section 30.70 Candidate Selection

Candidates admitted to a program for principal preparation shall be selected through an in-person interview process. Each candidate must meet the following minimum requirements.

a) A valid and current Illinois teaching certificate (i.e., early childhood, elementary, secondary, special K-12, or special preschool-age 21 certificate).

b) Four years of teaching experience either on a valid and current Illinois teaching certificate or in another state on a valid and current teaching certificate for that state.

c) Passage of the test of basic skills if the candidate had not been required to take the test for receipt of his or her Illinois teaching certificate (see 23 Ill. Adm. Code 25.720(b)).

d) Submission of a portfolio that presents evidence of a candidate’s proficiency in each of the following categories:

1) Support of all students achieving high standards of learning;

2) Accomplished classroom instruction, which shall include data providing evidence of two years of student growth and learning within the last five years;

3) Significant leadership roles in past positions;

4) Strong oral and written communication skills;

5) Analytic abilities needed to collect and analyze data for student improvement;
6) Demonstrated respect for family and community;

7) Strong interpersonal skills; and

8) Knowledge of curriculum and instructional practices.

e) For purposes of subsection (b) of this Section, “evidence” includes, but is not limited to:

1) Evaluations of the candidate’s teaching abilities from supervisors that attest to students’ academic growth;

2) Evidence of leadership roles held and descriptions of the impact the candidate has had on the classroom, school or district, or the constituents served;

3) An analysis of classroom data (student scores) that describes how the data were used to inform instructional planning and implementation, including an explanation of what standards were addressed, the instructional outcomes, and steps taken when expected outcomes did not occur;

4) Information on the candidate’s work with families and/or community groups and a description of how this work affected instruction or class activities;

5) Examples of the candidate’s analytical abilities as evidenced by a description of how he or she used the results from student assessments to improve student learning; and

6) Evidence of curriculum development, student assessments, or other initiatives that resulted from the candidate’s involvement on school committees.

f) Each applicant shall interview with no fewer than two of the program’s full-time faculty members and shall, at a minimum, discuss the contents of his or her portfolio and complete on site a written response to a scenario presented by the interviewers.

Section 30.80 Program Approval and Review
a) A program seeking approval shall follow the procedures set forth in 23 Ill. Adm. Code 25.145 (Approval of New Programs within Recognized Institutions).

b) In addition to meeting the requirements of 23 Ill. Adm. Code 25.145, the program proposal required to be submitted as part of the request for approval shall specify how the program will meet the requirements set forth in this Part, as well as address each of the following:

1) The guidance to be developed to ensure that faculty supervisors effectively assist candidates to optimize their experiences during the internship;

2) The roles and responsibilities of candidates and faculty supervisors;

3) Employment criteria used in selecting and evaluating adjunct faculty;

4) The process the institution or not-for-profit entity will use to communicate with the faculty supervisor and candidate;

5) Any additional requirements for admission to the program that the institution or not-for-profit entity will impose;

6) A description of the rubric the program will use to assess and evaluate the quality of a candidate’s portfolio required under Section 30.70;

7) The competencies, to include those specified in Section 30.45(a) of this Part, expected of candidates who complete the program and how those expectations will be communicated to the candidate upon his or her admittance to the program;

8) The activities to meet the expectations embedded in the critical success factors specified in Section 30.45(b) of this Part that will be required of candidates for completion of the program and how these activities and expectations will be communicated to the candidate upon his or her admittance to the program;

9) A copy of the partnership agreement or agreements and a description of the partners’ involvement in the development of the program, a
description of the roles each partner will have, and information on how the partnership will continue to operate and how it will be evaluated;

10) A copy of any agreements with school districts or nonpublic schools (other than those participating in the partnership) that will serve as sites for the internship or field experiences;

11) A description of each course proposed and the internship, to include:
   
   A) a course syllabus;
   
   B) how progress will be measured and successful completion will be determined;
   
   C) a data table that demonstrates each course’s, and the internship’s, alignment to the ISLLC 2008 standards (see Section 30.30(c) of this Part); and
   
   D) for individual courses, a detailed description of any field experiences required for course completion.

12) Copies of assessments and rubrics to be used in the program, including but not limited to samples of scenarios to which a candidate must provide a written response and interview questions for selection in the program and any additional assessments to be used for the internship beyond what is required under Section 30.45 of this Part;

13) A description of the coursework for candidates and training to be provided for faculty members relative to the evaluation of certified staff under Article 24A of the School Code [105 ILCS 5/Art. 24A];

14) A letter signed by the chief administrator of the institution and/or the not-for-profit entity, stating its commitment to hiring additional full-time faculty if enrollment in the program increases; and

15) A complete description of how data on the program will be collected, analyzed, and used for program improvement, and how these data will be shared with the educational unit or not-for-profit entity and the partnering school district or nonpublic school.
A request for program approval shall be submitted to the State Superintendent for consideration (see 23 Ill. Adm. Code 25.145(b)). The State Superintendent shall provide a complete request to the Principal Preparation Review Panel for its review and recommendation as to whether the program should be approved. The panel, to be appointed by the State Superintendent, shall consist of:

1) two individuals holding current and valid Illinois teaching certificates and currently employed in Illinois public schools;

2) two individuals holding current and valid administrative certificates endorsed for “general administrative” pursuant to 23 Ill. Adm. Code 25.335 or “principal” pursuant to 23 Ill. Adm. Code 25.337, and currently employed as principals in Illinois public schools;

3) two individuals holding current and valid administrative certificates endorsed for “superintendent” pursuant to 23 Ill. Code 25.360 and currently employed as superintendents in Illinois public schools;

4) two individuals from institutions of higher education in Illinois that have a recognized educational unit approved for the provision of educator preparation programs pursuant to 23 Ill. Adm. Code 25. Subpart C;

5) one certified staff member currently employed in a school district in any city in Illinois having a population exceeding 500,000;

6) two individuals working in the field of education outside of Illinois and living outside of Illinois; and

7) one individual representing the Illinois business community.

d) The Principal Preparation Review Panel shall acknowledge receipt of the request for approval within 30 days of receipt. Based upon its review, the Panel may:

1) issue a recommendation to the State Teacher Certification Board (STCB) that the principal preparation program be approved; a copy of that recommendation and notification of the STCB’s meeting to consider the Panel’s recommendation shall be provided to the applicant; or
2) issue a recommendation to the STCB that the principal preparation program be denied, including the reasons for the recommended denial; a copy of that recommendation and notification of the STCB’s meeting to consider the Panel’s recommendation shall be provided to the applicant.

e) An institution or not-for-profit entity may withdraw its request for approval by notifying the State Superintendent of Education of its intent to withdraw no later than 15 days after it receives notification of the Principal Preparation Review Panel’s recommendation.

f) Actions following upon the recommendation of the STCB shall be as described in 23 Ill. Adm. Code 25.160 (Notification of Recommendations; Decisions by State Board of Education).

g) An approved principal preparation program shall be subject to the review process set forth in 23 Ill. Adm. Code 25.Subpart C.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Don Evans, Director of Human Resources
      Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Action Item: Amendment for Adoption – Part 228 (Transitional Bilingual Education)

Materials: Recommended Amendment

Staff Contact(s): Robin M. Lisboa, Division Administrator

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

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item does not relate specifically to the Strategic Plan Goals, as they set forth in rule a definition of instructional costs for the purposes of funding received for transitional bilingual education programs.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt the amendment to Part 228.

Background Information
P.A. 96-1170, effective January 1, 2011, requires that school districts seeking reimbursement for bilingual education services under Article 14C of the School Code [105 ILCS 5/Art. 14C] and Part 228 (Transitional Bilingual Education) devote at least 60 percent of the funding received to “instructional costs”. Currently, Part 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) defines “instructional costs” and lists the expenditure codes for school districts to use to account for the funds used for this purpose. Reference to Table D of those rules is needed in Part 228 to ensure the uniform application of those expenditure codes when districts are budgeting, reporting, accounting for, and auditing the use of State bilingual funding.

The proposed amendment was published November 12, 2010, in the Illinois Register to elicit public comment; none was received. The version for adoption is identical to the version that the Board considered in October.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: See “Background” above.
Budget Implications: None.
Legislative Action: None.
Communication. See “Next Steps” below.

Pros and Cons of Various Actions
The proposed amendment sets a common standard for districts receiving funding under the transitional bilingual program to use when determining instructional costs. Failure to promulgate the amendment could result in districts using different standards that may be contrary to the agency’s well-established definition of expenditures that are “instructional” in nature.

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:

Transitional Bilingual Education (23 Illinois Administrative Code 228).

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps
Notices of the adopted amendment will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the amendment will be filed with the Secretary of State and disseminated as appropriate.
Section 228.50  Program Plan Approval and Reimbursement Procedures

a)  Reimbursement for programs provided by school districts pursuant to the provisions of Article 14C of the School Code and this Part is contingent upon the submission and approval of a program plan and request for reimbursement in accordance with the requirements of Section 14C-12 of the School Code and this Section.
b) Program Plan Submission and Approval

1) Applications for program approval shall be submitted, on forms provided by the State Superintendent of Education, at least 60 calendar days prior to the start of the proposed initial or continuing program.

2) The State Superintendent of Education will waive the requirement in subsection (b)(1) of this Section only when an application is accompanied by a statement of facts showing that the waiver will enable the district to begin serving a student or students sooner than would otherwise be the case.

3) School districts shall be granted at least 45 calendar days to complete and submit applications to the State Superintendent of Education. A district's failure to submit a completed application by the date specified on the form will delay its receipt of reimbursement pursuant to subsection (c) of this Section.

4) Applications for a Transitional Bilingual Education Program and/or a Transitional Program of Instruction must contain at least the following information:

A) The number of students to be served by grade or grade equivalent and language group in a full-time or part-time program.

B) A summary description of the number and types of personnel who will provide services in the program.

C) A description of the full-time and/or part-time program to be provided to the students identified pursuant to subsection (b)(4)(A) of this Section in relation to the applicable program standards set forth in Section 228.30 of this Part.

D) Additional requirements for programs offering instruction in Spanish language arts in kindergarten and any of grades 1 through 12:
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NOTICE OF ADOPTED AMENDMENT

i) For the 2011-12 school year only, a description of the steps the district will take to align its curriculum in the Spanish language arts with the standards required under Section 228.30(b)(4) this Part; and

ii) For 2012-13 and each subsequent school year, a description of the methods by which the district will measure and monitor its students’ progress with respect to the standards required under Section 228.30(b)(4) of this Part.

E) A budget summary containing a projection of the program expenditures (e.g., instruction, support services, administration and transportation) and offsetting revenues for the upcoming fiscal year, and a detailed budget breakdown, including allowable program expenditures for which reimbursement is sought, other program expenditures, and total program costs. At least 60 percent of the funding received from the State must be used for instructional costs [105 ILCS 5/14C-12]. “Instructional costs” are limited to any of the costs described under Account Number 1000, as set forth in 23 Ill. Adm. Code 100.Appendix D (Expenditure Accounts).

F) In the case of a TBE program, an assurance that the district's Bilingual Parent Advisory Committee established pursuant to Section 14C-10 of the School Code and Section 228.30(c)(5) of this Part has had an opportunity to review the application.

G) Inclusion of certifications, assurances and program-specific terms of the grant, as the State Board of Education may require, to be signed by the applicant that is a party to the application and submitted with the application.

Applications that, upon review by the State Superintendent of Education staff, are found to contain the information required pursuant to this Section shall be recommended for approval by the State Superintendent of Education. If the application is found to be incomplete, State Board staff will send a written notice to applicants requesting that they supply the needed information. In order to permit accurate allocation of funds for the
program among eligible recipients, the State Superintendent may establish a deadline by which applicants must supply the requested information.

6) The State Superintendent of Education will approve applications that demonstrate compliance with Article 14C of the School Code and this Part, except that the State Superintendent shall invoke subsection (b)(5) of this Section with respect to any requested information that is missing from any application submitted for approval.

c) Account of Expenditures and Reimbursement Procedures

1) An account of each district's expenditures pursuant to Article 14C of the School Code and this Part shall be maintained as required in Section 14C-12 of the School Code. Accounting procedures shall be in accordance with applicable requirements of 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing).

2) The final annual report of district expenditures, which shall include the information specified in Section 14C-12 of the School Code, shall be submitted on forms provided by the State Superintendent of Education no later than July 31 of each year.

3) School districts shall submit claims for reimbursement of programs approved in accordance with this Part on forms provided by the State Superintendent of Education and in accordance with Section 14C-12 of the School Code, as limited by subsection (b)(4)(E) of this Section. No State reimbursement shall be available with respect to any student served for fewer than five class periods per week.

4) In the event that funds appropriated by the General Assembly are insufficient to cover the districts' excess costs, the funds will be distributed on a pro rata basis and in accordance with the timelines specified in Section 14C-12 of the School Code.

5) A request to amend a district's approved budget shall be submitted on forms provided by the State Superintendent of Education whenever a district determines that there is a need to increase or decrease an approved line item expenditure by more than $1,000 or 20 percent, whichever is larger. A budget amendment must also be submitted for approval when a
grantee proposes to use funds for allowable expenditures not identified in the approved budget. An amendment shall not be approved if it results in instructional costs comprising less than 60 percent of the total reimbursement requested.

6) Budget amendment requests will be approved if the rationale provided for each amendment includes facts demonstrating that:

A) there is a need (e.g., a change in the number of students served or personnel needed); and

B) the altered expenditures and their related program services will be in compliance with the requirements of Article 14C of the School Code and this Part.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)
The purpose of this agenda item is to present the proposed amendments for adoption.

Relationship to/Implications for the State Board’s Strategic Plan
Although the proposed amendments are generally technical in nature, the agenda item links to Strategic Plan Goal 1, as the rules set forth standards for high-quality early childhood programs that ensure children start school ready to learn.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt amendments to Part 235.

Background Information
The proposed amendments flow from two public acts (P.A. 96-944 and 96-948), each of which removes from Section 2-3.71 of the School Code [105 ILCS 5/2-3.71] the original prekindergarten program for students at risk of academic failure and permanently replaces it with the 4-year-old Preschool for All (PFA) program. Additionally, staff are proposing changes in the funding priorities, and references to the parental training program throughout the rules are being removed.

The proposed amendments were published November 12, 2010, in the Illinois Register to elicit public comment; 13 submissions were received. A summary and analysis of that public comment, along with any recommendations for changes in the proposal as a result, is attached.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications. As noted above, the PFA grant program was first funded in 2006. It replaced the prekindergarten at-risk program established through the 1985 educational reform legislation, broadening the eligibility for state-funded preschool programs to children other than those determined to be “academically at risk”. The PFA program was initially established for a two-year period, during which time the agency was to award new preschool grants to only PFA
programs; however, any prekindergarten at-risk program funded previous to 2006 could continue to apply for renewal grants under the prekindergarten at-risk program requirements found in Subpart A of the rules. In 2008, the “sunset” of the PFA program was again extended until June 30, 2010.

At the time the PFA program was established, Part 235 was amended to include Subpart B specific to those elements unique to the PFA program. Although Subpart B is being proposed for repeal, the PFA requirements need to be retained. Therefore these are being moved into Subpart A without change. Currently, 486 prekindergarten at risk programs are still being funded. All meet the current requirements for PFA, so they would have no difficulty converting to PFA programs.

As noted above, the PFA program, unlike the prekindergarten program, is open to any child, regardless of his or her at-risk status. As a way to preserve the law’s original intent of ensuring that the most vulnerable children are ready to start school, the PFA program provides a funding priority first to programs that serve “primarily” children who are determined to be at risk of academic failure and then to those programs that serve “primarily” children who are from low-income families, as defined in the law. The rules addressed these priorities Section 235.110 and 235.120, and this text is being moved to Sections 235.30(b) and (c) and new Section 235.55, respectively.

The law sets forth the priority categories, but the rules define what is meant by “primarily” as 51 percent or more children in the given category. This percentage was established in 2006, in consultation with the Governor’s Office, as a way to broaden the scope of state-funded preschools and encourage moderate-income families to participate. Even so, more than 83 percent of all children served in PFA programs in FY 2010 were considered to be at risk. Among the 190 PFA programs for which total enrollment figures are available, nearly 60 percent (111 programs) serve 80 percent or more children who are at risk. In light of the elimination of the prekindergarten at-risk programs and the need to target limited state resources to the neediest children, staff are proposing that “primarily” be defined as 80 percent or more children in a given category.

Finally, a 2005 law required that any funding provided for parental training under Section 2-3.71a of the School Code [105 ILCS 5/2-3.71a] be awarded as part of either the preschool program or the prevention initiative (0-to-age-3 program), although parental training programs in existence before the law’s enactment could continue to renew their grants. The number of separate parental training programs has fallen to 84 funded in FY 2011, receiving a little more than $3 million of the approximately $209 million in Early Childhood Block Grant monies that are allocated to competitive programs in areas outside of Chicago. (Chicago receives its early childhood funding directly through its block grant; in FY 2011, it received approximately $127 million). All but five of the currently funded parental training programs serve children ages 0 to 3 years old, and staff estimate that nearly half would be able to convert their existing programs to prevention initiative grants, given the similarities between the two programs and the level of funding each currently receives.

Under the law, continuing to fund these existing, stand-alone parental training programs is “subject to appropriation”. Given the reduction in the Early Childhood Block Grant in the last two years and the priority of the agency to maintain, as much as possible, the number of preschool programs, separate parental training grants will no longer be renewed, and the rules need to reflect that policy.
Budget Implications. See “Policy Implications” above.
Legislative Action. None.
Communication. See “Next Steps” below.

Pros and Cons of Various Actions
The proposed amendments conform the rules to state law, and as such, failure to move the proposed amendments forward will result in Part 235 being out of date, as it will include a program that no longer exists. By increasing the percentage of at-risk or low-income children needed for a program to receive priority consideration for a grant, the agency is ensuring that the neediest children continue to be served, particularly at a time when state budget constraints will result in fewer programs being funded.

The changes relative to parental training set forth agency policy and failure to specify that policy in rules is contrary to the requirements of 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:

Early Childhood Block Grant (23 Illinois Administrative Code 235),

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps
Notice of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the amendments will be filed with the Secretary of State and disseminated as appropriate.
Summary and Analysis of Public Comment
23 Ill. Adm. Code 235 (Early Childhood Block Grant)

Comment

Most of the commenters who represent smaller school districts expressed concern that they would be at a disadvantage in a competitive grant process since larger school districts often employ professional grant-writers. The individuals noted that in most cases, the superintendent, who already wears many hats, would be responsible for responding to the Request for Proposals (RFP) and preparing the grant proposal. Some commenters suggested that in recognition of the disadvantage under which smaller districts are placed, the agency consider the proposal’s “author” during the review and ranking process.

Analysis

Up until 2006, a grant cycle lasted three years. Each applicant would respond to the RFP initially by submitting a complete proposal, and if funded, would then submit shorter continuation applications to receive funding in the second and third years of the cycle. Funding in the second and third years was automatic, provided a need continued to exist for the program, the grantee remained in compliance with the terms and conditions of the grant, and the agency received a sufficient appropriation. After the third year of a funding cycle, a grantee would be required to participate again in the competitive process by submitting a complete proposal that responded to each requirement of the RFP.

In 2006, the agency recognized that most of the grantees continued to receive funding year after year, even when they competed among other existing grantees and new applicants. In addition, the Early Childhood Block Grant’s appropriation began to increase substantially. In order to streamline the process for existing grant recipients and have new applicants compete only with others that had not previously been funded, the agency amended its rules to require the completion of a full proposal only if a program was being expanded or a new program being offered.

The State’s financial crisis, however, has forced the agency to accept a reduction in the amount of funding dedicated to the Early Childhood Block Grant. As such, agency staff were faced with two choices:

- continue to fund all existing programs -- albeit at a reduced rate, or
- require all programs to resubmit a complete proposal so that limited resources could be targeted to the programs most likely to be successful and serve the state’s most vulnerable children, many of whom do not have access to high-quality preschool programs.

In choosing the second option, staff recognized that completing a full proposal probably would be more time-consuming than responding to a continuation application; however, current grantees have the advantage of working from established, and hopefully, successful programs when drafting their responses. Many have probably completed a full proposal several times in the course of their participation in the program. Their experience and background in preparing competitive proposals, as well as in providing preschool services, will inform the process and make it less challenging. Finally, since prekindergarten at-risk programs are no longer being funded and they represent the vast majority of preschool programs funded last year, it is essential that these programs provide evidence of their meeting the requirements unique to the
Preschool for All Children (PFA) program before receiving another grant. (P.A. 96-944 and P.A. 96-948 repealed the prekindergarten at-risk program effective July 1, 2010.)

As for the quality of a proposal written by the district's superintendent versus one written by a professional grant-writer, agency staff have no evidence that districts fare better in the competitive process when they spend money to hire a grant-writer. While one could argue that a well-written proposal makes a good first impression to a reviewer, the criteria used for rating proposals do not address the author’s command of written English. Rather, the need for services, program quality, staff experience and qualifications, and efficient use of State dollars will determine whether an applicant receives a grant.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

Two statewide child advocacy groups strongly supported the increase from 51 percent to 80 percent of at-risk or low-income children needed for an applicant to receive priority consideration in the proposal review process. One noted that the proposed increase is in keeping with the direction it and other policymakers favored when the PFA program was implemented four years ago. The State’s fiscal crisis, the other group said, makes it “appropriate (to) revisit and improve the formula (…) in order to guarantee top priority to helping the greatest number of children in need of services”.

Another writer indicated, however, that smaller districts would be unable to attract the “number” of students in the academically at-risk or low-income category necessary to receive priority consideration. Another commenter even stated that he believed the increase in the percentage of children in each priority category was a way to discontinue programs funded “since the start of early childhood education in Illinois” in favor of newer programs. Using the priorities would result in the block grant eventually serving only “extreme need students”, while those programs with at least 50 percent but fewer than 80 percent of at-risk students would receive no funding at all. Rather than increasing the percentage of children needed to qualify under a priority, the commenter suggested that the agency work individually with programs serving “‘low to no-risk’ students”.

Along the same lines, a commenter complained about the “risk criteria” to be used to ascertain academic readiness and how those would be determined. Other commenters noted that all students, even those who do not need interventions, thrive in preschool programs and should have the opportunity to attend.

**Analysis**

Section 2-3.71(4.5) directs the State Board of Education to give first priority in awarding grants to those programs proposing to serve “primarily” students determined to be at risk academically, and next to programs proposing to serve “primarily” students from low-income families. Proposed Section 235.30(b) implements that statutory provision and defines “primarily” as 80 percent or more of enrolled students in the specific category. The priority is considered among all proposals that score at least 60 points in the review process.
In proposing that the current percentage of 51 percent be raised, agency staff recognized that the original justification for the percentage -- to broaden the scope of State-funded preschools and encourage moderate-income families and families whose children are not at risk of academic failure to participate -- has become difficult to support as funding for the program continues to erode. The primary purpose of the preschool program has been to give students the skills they need to be successful when they later start school. Research over the last 30 years clearly shows that some factors can be used to accurately predict which children have the greatest potential to be at risk of academic failure. These risk factors may include educational and income levels of parents; employment conditions; birth trauma, low birth weight or prematurity; home language; homelessness, etc., and are used to identify children who are likely to exhibit learning delays. Any identified child is then screened before being enrolled in the preschool program, as simply having one or more risk factors does not automatically mean a child will exhibit academic difficulties.

As noted in the preceding analysis, the agency since 2006 had been receiving comfortable increases for the Early Childhood Block Grant each year. With a steady influx of new money each grant cycle, the program’s having so low a threshold for priority consideration did not divert State-funded preschools from the critical mission of giving the State’s most vulnerable children the skills needed for learning prior to their starting kindergarten.

As the fiscal health of the State continues to deteriorate, however, it is imperative that the agency direct its limited resources to the children most in need of assistance. There is insufficient revenue to fund all existing programs, and providing an across-the-board decrease for all programs would adversely affect the quality of some programs that would be unable to augment the lost revenue with local dollars.

Staff anticipate that most of the currently funded prekindergarten at-risk programs will convert to PFA programs. Under the law and existing rules, each of these programs has been required to serve only academically at-risk students and should have no problem meeting the 80 percent threshold. Of the currently funded PFA programs, approximately 60 percent serve 80 percent or more children who are considered to be academically at risk. The remaining PFA programs will need to reconsider their service levels if they wish to receive priority consideration.

Staff admit that it is easier to recruit from among families who would send their children to preschool without the assistance of a State-financed program. Good public policy, however, demands that resources are used to help those children who are most likely to experience academic failure when they do enroll in school.

Recommendation

No changes are recommended in response to these comments.

Comment

Several commenters asked that the agency announce grant awards prior to March. This would allow districts receiving a reduced grant or not being funded to provide “reduction-in-force” notices to preschool staff within the timelines specified in the School Code. If a district instead reduces its staff before the grant announcement and later learns it received a grant, then high-quality and often hard-to-find preschool staff may have left the district for other opportunities or been assigned to another position in the district, they said. Additionally, commenters noted that preschool programs are difficult to “get up and running” in the summer months.
As a compromise, commenters suggested that having either a three-year or five-year grant cycle would help alleviate staffing uncertainties and provide program stability.

Analysis

The goal of the agency’s grant process is make final decisions about and to inform districts of their grant awards before the start of the fiscal year. Many factors influence the speed in which these decisions are made. These factors include confidence that the agency’s funding request will garner General Assembly and Governor approval, the time in which an applicant responds to agency requests for clarifications and corrections to its proposal, and the release date of the RFP or application and the deadline for proposal submission.

While the agency typically releases an RFP in advance of the State’s adoption of a budget, with eventual funding contingent upon there being a sufficient appropriation, staff have had difficulty in recent years predicting budget outcomes. With such uncertainty associated with the State appropriation process, it would be a grave disservice to school districts and other eligible applicants to announce grant awards in advance of a budget being adopted and then to rescind approval in the event that a lower than expected appropriation is approved.

As for the grant cycle, Early Childhood Block Grant programs operated on a three-year funding cycle previous to 2006. The rules currently do not set forth a specific timeframe for program funding, other than to indicate that an RFP will be issued in years when one or more new or expanded programs will be funded (see Section 235.20(a)). If a limitation were to be placed on the grant cycle, then staff would support a five-year funding cycle to allow sufficient time to analyze program success and examine shifts in demographics, both of which are informative during a competitive process. At this point in time, particularly given the State’s budget uncertainty, staff believe that the rules should remain flexible and not place further limitations that could discourage program participation.

Recommendation

No changes are recommended in response to these comments.

Comment

Several commenters asked that funding priority be given to school district applicants rather than to other eligible applicants, such as daycare centers. The individuals submitting those comments pointed out that a student moving from a preschool program housed in a school will make a smoother transition to kindergarten due to his or her familiarity with the school environment. School districts also are a logical choice for providing services in rural communities that lack daycare facilities or preschool programs offered privately. Another writer called the provision of grants to for-profit and not-for-profit companies a subsidy for a service for which parents already are paying. The State’s fiscal crisis, he said, provides “an excellent time to eliminate these programs”.

Analysis

Section 2-3.71 of the School Code was amended in 2006 to allow entities other than school districts that meet criteria established by the State Board to apply for preschool funding. The criteria for eligibility set forth in Section 235.10(b) is “any public or private not-for-profit or for-
profit entity with experience in providing educational, health, social and/or child development services to young children and their families”. While staff may amend the rules to expand or narrow the eligibility criteria, they may not prohibit the participation of entities other than school districts without first amending the law.

On the other hand, Section 235.50(c), which is not part of this rulemaking, may provide some flexibility. This rule allows the agency from year to year to determine funding priorities and communicate those in the RFP. Establishing a priority, however, does not mean that the applicant meeting the priority is automatically funded. Rather, the priority is used when two or more proposals are substantially similar in quality but not all of them can be funded. Therefore a priority to fund programs offered in school districts first can be established in the RFP without changing the current rules, and staff will examine the effect that establishing this priority will have on both program quality and the agency’s focus to serve children most in need of program services.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

One of the statewide advocacy groups asked that priority consideration in the proposal review process be given to areas with an “insufficient” number of preschool programs to serve all eligible children.

**Analysis**

Section 235.55(b)(3) states that within each priority category, “priority for funding will be given to substantially similar proposals that serve children from a community with limited preschool education programs or few resources promoting preschool education”. The intent of the phrase “limited preschool education programs” was to include communities where their need for services exceeds the number of programs available to meet that need. Staff agree with the commenter that the language is subject to a different interpretation.

**Recommendation**

It is recommended that the following change be made in Section 235.55(b)(3).

(b)(3) Within each category, priority for funding will be given to substantially similar proposals that either serve children from a community with limited preschool education programs or an insufficient number to meet the community’s need, or few resources promoting preschool education.

**Comment**

Several commenters lamented the decrease in funding for the Early Childhood Block Grant programs, noting that high-quality early childhood programs reduce the need for later remediation through special education services, intervention services and alternative education programming.

**Analysis**
Staff agree with the comments presented. Funding for the block grant decreased 10 percent from FY 2009 levels to FY 2010 and for FY 2011, no increase over the FY 2010 allocation was provided. The agency recognizes the importance of the programs provided, as it has requested an increase in its block grant in each of the last two fiscal years.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

One commenter complained about the elimination of the parental training program separate from its inclusion either in the preschool program or the birth-to-age-3 Prevention Initiative. She stated that she believed that parents will choose not to participate in the Prevention Initiative since they would view participation in a program for at-risk families and children as a “stigma”. Further, she believes separate parental training programs, which are open to any family with children ages birth to 5 years in a service area, are valuable in that at-risk families benefit from their interactions with families that are not at risk.

Another commenter echoed these remarks, noting that in her community, children who participate in the parental training “before the age of 3, are doing so well that they are not qualifying for the pre-k at-risk programs”. She noted her program’s broad impact over the last 20 years on families in the community since participation is not restricted due to financial or other considerations.

**Analysis**

A 2005 law required that any funding provided for parental training under Section 2-3.71a of the School Code [105 ILCS 5/2-3.71a] be awarded as part of either the preschool program or the prevention initiative (0-to-age-3 program), although parental training programs in existence before the law’s enactment could continue to renew their grants. The number of separate parental training programs has fallen to 84 funded in FY 2011, and they receive a little more than $3 million of the approximately $209 million in Early Childhood Block Grant monies that are allocated to competitive programs in areas outside of Chicago. All but five of the currently funded parental training programs serve children ages 0 to 3 years old, so the program’s merger with the prevention initiative makes sense, given the similarities between the two programs.

Under the law, continuing to fund these existing, stand-alone parental training programs is “subject to appropriation”. Given their small numbers, the parental training programs have a relatively minor impact on a statewide basis and their focus is replicated in both preschool and prevention initiative programs. With strict funding limitations looming for the foreseeable future, staff believe that a greater number of families and children, particularly those who are identified as “at risk” academically, can be served more effectively through the two remaining block grant programs.

**Recommendation**

No changes are recommended in response to these comments.
TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 235
EARLY CHILDHOOD BLOCK GRANT

SUBPART A: PRESCHOOL EDUCATION AND PREVENTION INITIATIVE PROGRAMS

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Section
235.100  Purpose; Eligible Applicants (Repealed)
235.110  Application Procedure and Content for New or Expanding Programs (Repealed)
235.120  Proposal Review and Approval for New or Expanding Programs (Repealed)
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SUBPART C: SOCIAL AND EMOTIONAL CONSULTATION SERVICES

Section
235.200  Implementation and Purpose; Eligible Applicants
235.210  Application Procedure and Content
235.220  Proposal Review and Approval of Proposals

235.APPENDIX A  Illinois Early Learning Standards
235.APPENDIX B  Illinois Birth to Three Program Standards
SUBPART A: PRESCHOOL EDUCATION AND PREVENTION INITIATIVE PROGRAMS

Section 235.10 Purpose; Eligible Applicants

a) This Subpart A establishes the procedures and criteria for the approval of proposals submitted to the State Board of Education by eligible applicants for grants to assist in establishing early childhood education programs funded through the Early Childhood Block Grant authorized by Section 1C-2 of the School Code [105 ILCS 5/1C-2]. The Early Childhood Block Grant program shall include:

1) preschool education primarily for at-risk and low-income children ages 3 years old to kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12], to include those programs and activities that meet the requirements of Section 2-3.71 2-3.71(a) of the School Code [105 ILCS 5/2-3.71 2-3.71(a)] and parental training activities as authorized under Section 2-3.71a of the School Code [105 ILCS 5/2-3.71a]; and

2) prevention initiative for at-risk children from birth to age 3 and their families, to include those programs and activities that meet the requirements of Section 2-3.89 of the School Code [105 ILCS 5/2-3.89] and parental training activities as authorized under Section 2-3.71a of the School Code.
For the purposes of this Part, "at risk" is defined as those children who because of their home and community environment are subject to such language, cultural, economic and like disadvantages to cause them to be at risk of academic failure. (Section 2-3.71(a)(4.5) of the School Code)

b) Eligible applicants for Early Childhood Block Grant programs include any public or private not-for-profit or for-profit entity with experience in providing educational, health, social and/or child development services to young children and their families. If the Early Childhood Block Grant program is operated in or by a child care center subject to the licensure requirements of the Illinois Department of Children and Family Services (DCFS), then that child care center must hold the appropriate licensure in accordance with rules promulgated by DCFS (see 89 Ill. Adm. Code 403 (Licensing Standards for Group Homes), 405 (Licensing Standards for Day Care Agencies), 406 (Licensing Standards for Day Care Homes), 407 (Licensing Standards for Day Care Centers) and 408 (Licensing Standards for Group Day Care Homes)).

c) Joint applications for funds may be submitted by any combination of eligible applicants, as described in subsection (b) of this Section.

1) If a joint application is submitted, then an administrative agent shall be designated.

2) A school district or other eligible applicant shall only participate in one proposal for a specific program.

d) Eligible applicants may subcontract with a private school, not-for-profit or for-profit corporation, or other governmental agency that would otherwise be eligible under subsection (b) of this Section to conduct an Early Childhood Block Grant program.

e) Parental training programs funded under Section 2-3.71a of the School Code prior to July 1, 2006, are not subject to the requirements of this Part, but may be awarded continuation funding in accordance with the requirements of Section 235.60 of this Part.

(Source: Amended at 35 Ill. Reg. ______, effective _____________)
Section 235.20  Application Procedure and Content for New or Expanding Programs

Each applicant that is proposing a program that has not received funding in the year previous to the current application or is seeking additional funds to expand its currently funded program shall submit to the State Board of Education a proposal that includes the components specified in this Section. For purposes of this Section, an “expanded” program includes one in which the applicant is proposing to serve additional children and their families or to offer initiatives not provided under its currently funded program.

a) Grants for new or expanded programs shall be offered in years in which the level of available funding is such that one or more new or expanded programs can be supported, along with those currently funded programs that seek continuation funding in accordance with Section 235.60 of this Part.

b) When sufficient funding is available, the State Superintendent of Education shall issue one or more Requests for Proposals (RFP) specifying the information that applicants shall include in their proposals, informing applicants of any bidders’ conferences, and requiring that proposals be submitted no later than the date specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.

c) All proposals submitted in response to an RFP shall include the following components:

1) A cover page completed on a form supplied by the State Board of Education and signed by the school district superintendent or official authorized to submit the proposal or, in the case of a joint application, by the superintendent from each of the school districts and each authorized official of other eligible entities participating in the joint proposal.

2) For applicants other than public school districts, a description that includes the following:

A) the applicant’s mission statement, organizational structure, and goals or policies regarding early childhood programs;
B) the applicant’s existing competencies to provide early childhood education programs, to include a list of any early childhood accreditations that have been achieved; and

C) in the case of a joint application, the goals and objectives of the collaboration and a brief description of each partner’s experience in providing services similar to those to be provided under the Early Childhood Block Grant program.

3) A description of the need for the program, which shall include:

A) current demographic or descriptive information regarding the community in which the families and children reside (including information on the prevalence of homelessness); and

B) the process that was used to determine the need for the program in the community in relation to other similar services that may be operating in the same geographic area.

4) A description of the population to be served, as defined in Section 235.10(a) of this Part, for each program to be funded under the Early Childhood Block Grant. This description shall include:

A) how the eligible population will be recruited;

B) the geographic area to be served; and

C) the estimated number of children and/or families to be enrolled.

5) A description of the procedures to be used to screen children and their families to determine their need for services. Results of the screening shall be made available to the program staff and parents of the children screened. All screening procedures shall include:

A) criteria to determine at what point performance on the screening instrument indicates that children are at risk of academic failure as well as to assess other environmental, economic and demographic information that indicates a likelihood that the children would be at risk;
B) screening instruments/activities related to and able to measure the child’s development in at least the following areas (as appropriate for the age of the child): vocabulary, visual-motor integration, language and speech development, English proficiency, fine and gross motor skills, social skills and cognitive development;

C) written parental permission for the screening;

D) parent interview (to be conducted in the parents’ home language, if necessary), including at least the following:
   
   i) for preschool education programs, a summary of the child’s health history and social development; or
   
   ii) for prevention initiative programs, information about the parents, such as age, educational achievement and employment history;

E) vision and hearing screening, in accordance with 77 Ill. Adm. Code 685 (Vision Screening) and 675 (Hearing Screening); and

F) where practicable, provision for the inclusion of program teaching staff in the screening process.

6) A description of the parent education and involvement training component that will be provided, which shall include activities in each of the following areas: to meet at least all of the requirements of Section 2-3.71a of the School Code.

A) communication between the home and the preschool education program that is regular, two-way and meaningful;

B) parenting skills are promoted and supported;

C) recognition that parents play an integral role in assisting student learning;
D) parents are welcome in the program, and their support and involvement are sought; and

E) parents are full partners in the decisions that affect children and families.

7) A description of how the program will coordinate with other programs, as specified in the RFP, that are in operation in the same area and that are concerned with the education, welfare, health and safety needs of young children. A copy of the written agreement between the program and any Head Start program operating in the same area shall be executed by the date and contain the information specified in Section 2-3.71(a)(4.5) of the School Code. If the Head Start program is either unable or unwilling to enter into a written agreement, the program shall notify the State Board of Education of this fact no later than December 31 of each fiscal year.

8) A description of the full-time and part-time professional and nonprofessional staff to be paid by the program, indicating that program administrators, early childhood teachers, counselors, psychologists, psychiatrists and social workers are appropriately qualified.

A) Teachers of children ages 3 to 5 years must hold an initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate. (See Section 2-3.71(a)(3) of the School Code and 23 Ill. Adm. Code 1.Appendix A.)

B) By July 1, 2014, noncertificated staff employed to assist in instruction provided to children ages 3 to 5 years shall meet the requirements set forth in 23 Ill. Adm. Code 25.510(c).

C) Teachers of children ages 3 to 5 years who are assigned to a transitional bilingual program or a transitional program of instruction that is administered by a school district, either in an attendance center or a non-school-based facility, shall meet the requirements set forth in 23 Ill. Adm. Code 228.35 (Transitional Bilingual Education), as applicable.
9) A description of staff development assessment procedures and ongoing professional development activities to be conducted.

10) A description of the required program components, as set forth in either Section 235.30 or 235.40 of this Part.

11) Other information, as specified in the RFP, such as daily schedules (including the number of hours per day and days per week the program will operate), classroom locations, facility information (e.g., owner’s name, terms of lease arrangement, size of classrooms and other areas to be used by the program), if applicable.

12) The plan for ensuring that the program provides either a snack, in the case of a half-day program, or a meal, in the case of a full-day program, for participating children.

13) A budget summary and payment schedule, as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure. Budget information, provided on forms supplied by the State Board of Education. The budget shall specify that no more than 5 percent of the total grant award shall be used for administrative and general expenses not directly attributed to program activities, except that a higher limit not to exceed 10 percent may be negotiated with an applicant that has provided evidence that the excess administrative expenses are beyond its control and that it has exhausted all available and reasonable remedies to comply with the limitation.

14) A description of how the applicant will ensure that no fees will be charged of parents or guardians and their children who are enrolled and participate in Early Childhood Block Grant programs.

15) A plan for evaluating the proposed programs and activities to be included in the Early Childhood Block Grant, which shall correspond to the applicable specifications set forth in the RFP.

16) Such certifications, 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.
Such certifications and assurances as the State Board of Education may require:

d) Applicants may be requested to clarify various aspects of their proposals. The contents of the approved proposal shall be incorporated into a grant agreement to be signed by the State Superintendent of Education or designee and the school district superintendent or, in the case of an entity that is not the school district, the person legally authorized to submit the proposal and bind the applicant to its contents.

(Source: Amended at 35 Ill. Reg. _____, effective ____________)

Section 235.30 Additional Program Components for Preschool Education Proposals

a) In addition to the requirements set forth in Section 235.20, applications for funding for preschool education programs and activities, as defined in Section 235.10(a)(1) of this Part, must provide:

1) a description of how the comprehensive services to be provided are aligned with the Illinois Early Learning Standards as set forth in Appendix A of this Part;

2) a description of how the proposed educational program is developmentally appropriate for each child, which shall:

A) be accepted based upon evidence in the proposal that the results of the individualized assessment profile for each child will be the basis for determining that child’s educational program;

B) address the domains of development specified in Section 235.20(c)(5)(B) and how a language and literacy development program shall be implemented for each child based on that child’s individual assessment; and

C) address how student progress will be assessed and documented to ensure that the educational program meets the needs of the student and provides a system whereby that student’s parents are routinely advised of their child’s progress;
3) (e) the maximum number of children to be screened for program eligibility and, for those children that are screened, the maximum to be served by the educational program. The maximum number must be served in each classroom if, following completion of screening, the program has a waiting list of eligible children;

4) (d) the child/staff ratio for each classroom, which shall not exceed a ratio of 10 children to one adult, with no more than 20 children being served in each classroom;

5) (e) a description of how the program will ensure that those children who are age-eligible for kindergarten are enrolled in school upon leaving the preschool education program; and

6) (f) for school district applicants, a description of the steps to be taken to ensure that the provisions of Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) are met; and

7) a description of the provisions to be made to allow for the participation of children with disabilities in the program.

b) Each applicant also shall describe whether the program qualifies as a program serving primarily at-risk children or a program serving primarily children whose families meet the income guidelines set forth in Section 2-3.71(a)(4.5) of the School Code.

1) A program serving “primarily at-risk children” is one that:

   A) has 80 percent or more of the enrolled children identified as being at risk of academic failure (see Sections 235.10(a)(3) and 235.20(c)(5) of this Part);

   B) gives priority for enrollment to academically at-risk students over those students who have not been identified as academically at risk; and
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C) has taken specific proactive measures to ensure that parents of children who may be at risk of academic failure are aware of the opportunity to enroll in the preschool education program.

2) A program serving “primarily children whose families meet income guidelines” is one that has 80 percent or more of the enrolled children from families meeting the income guidelines and does not qualify under subsection (b)(1) of this Section as serving primarily academically at-risk children.

3) Each applicant shall estimate the percentage of children to be enrolled who are considered to be at risk of academic failure or whose families meet income guidelines, as applicable.

c) Programs serving primarily at-risk children shall describe:

1) the process to ensure that, if the program has a waiting list of children to be enrolled, all children identified as being at risk of academic failure are enrolled before other children not identified as being at risk; and

2) the specific proactive measures the program has taken or will take to ensure that parents of children who may be at risk of academic failure are made aware of the opportunity to participate in the preschool education program.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 235.55 Proposal Review Process and Additional Funding Priorities for Preschool Education Programs

In order to meet the funding priorities set forth in Section 2-3.71(a)(4.5) of the School Code, each proposal for a preschool education program shall be reviewed using both quantitative and qualitative criteria.

a) Proposals shall first be screened to identify those proposals that meet the criteria for each funding priority (see Section 235.30(b) of this Part). Proposals shall be separated into the following three categories:

1) proposals serving primarily at-risk children;
proposals serving primarily children whose families meet income guidelines; and

3) all other proposals.

b) Within each of the three categories set forth in subsection (a) of this Section, the proposals shall be reviewed and scored using the qualitative criteria set forth in Section 235.50(a) of this Part to determine which proposals provide evidence of a “qualified program”. “Qualified programs” shall be those scoring at least 60 out of 100 total points.

1) All qualified programs within the category set forth in subsection (a)(1) of this Section shall be funded before funding any qualified programs in the categories set forth in subsection (a)(2) or (a)(3) of this Section.

2) All qualified programs within the category set forth in subsection (a)(2) of this Section shall be funded before funding any qualified programs in the category set forth in subsection (a)(3) of this Section.

3) Within each category, priority for funding will be given to substantially similar proposals that either serve children from a community with limited preschool education programs or an insufficient number to meet the community’s need, or few resources promoting preschool education.

(Source: Added at 35 Ill. Reg. _____, effective ____________)

Section 235.60 Application Content and Approval for Continuation Programs

The requirements of this Section shall apply to those applicants seeking funding to continue preschool education and prevention initiative programs beyond the initial grant period and for programs offering parental training services under Section 2-3.71a of the School Code that were first funded previous to school year 2006-07.

a) In order to continue to operate an Early Childhood Block Grant Program, a grantee each year shall electronically submit an application for continuation. The application shall include at least the following:

1) an overview of the program, addressing:
A) the program components outlined in Section 235.20 of this Part and either Section 235.30 or Section 235.40 of this Part, as applicable for preschool education or prevention initiative programs; or

B) the requirements of Section 2-3.71a of the School Code for parental training programs;

2) budget summary and payment schedule as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure budget information for the year in which the application is being made; and

3) the certifications and assurances referred to in Section 235.20(c)(16) of this Part applicable to the renewal period.

b) An Early Childhood Education Block Grant Program shall be approved for continuation provided that:

1) a need continues to exist for the program, as evidenced by the number or proportion of children and families to be served;

2) the program components proposed will be effective in assisting at-risk children and families;

3) the proposed budget is cost-effective, as evidenced by the cost of proposed services in relation to the numbers to be served and the services to be provided; and

4) in the year previous to the continuation application, the applicant complied with the terms and conditions of any grant it received pursuant to this Subpart A.

(Source: Amended at 35 Ill. Reg. _______, effective ____________)

Section 235.70 Terms of the Grant (Repealed)

a) Expenditure reports must be filed electronically with the Division of Funding and Disbursements four times a year.
b) Each grantee shall submit evaluation information on forms provided by the State Board of Education, specifying:

1) descriptive statistics on the population served, eligibility, screening procedures and staff qualifications and training, including any social and emotional consultation services provided pursuant to Subpart C of this Part;

2) descriptive information, including type and quality of the educational program, amount and extent of interagency collaboration, and parent education and involvement;

3) the extent to which program objectives have been accomplished; and

4) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.

c) An annual program review shall be conducted for each new project to ensure program quality, to assist in program improvement and to provide technical assistance.

d) All equipment purchased by the grantee for the program with Early Childhood Block Grant funds must be documented on a form supplied by the State Board of Education and be maintained in the grantee’s files.

e) A time distribution worksheet shall be kept for any staff member in a part-time position.

f) Grantees shall use funds provided under the Early Childhood Block Grant to supplement, not supplant, funds received from any other source. (Sections 2-3.71 and 2-3.89 of the School Code)

SUBPART B: PRESCHOOL FOR ALL CHILDREN PROGRAM
Section 235.100 Purpose; Eligible Applicants (Repealed)

a) This Subpart B establishes the procedures and criteria for the approval of proposals submitted to the State Board of Education by eligible applicants for grants to assist in establishing Preschool for All Children programs authorized by Section 2-3.71(a)(4.5) of the School Code [105 ILCS 5/2-3.71(a)(4.5)].

b) Applicants eligible to apply for the Preschool for All Children program are those listed in Section 235.10(b) and (c) of this Part.

c) This Subpart is repealed as of June 30, 2010 (see Section 2-3.71(a)(4.5) of the School Code).

(Source: Repealed at 35 Ill. Reg. ______, effective ____________)

Section 235.110 Application Procedure and Content for New or Expanding Programs (Repealed)

In addition to meeting the requirements set forth in Section 235.20 of this Part (with the exception of Section 235.20(c)(6) of this Part) and Section 235.30 of this Part, each application for funding for a Preschool for All Children program shall provide the following.

a) Each applicant shall describe whether the program qualifies as a program serving primarily at-risk children or a program serving primarily children whose families meet the income guidelines set forth in Section 2-3.71(a)(4.5) of the School Code.

1) A program serving “primarily at-risk children” is one that:

   A) has 51 percent or more of the enrolled children identified as being at risk of academic failure (see Sections 235.10(a)(3) and 235.20(c)(5) of this Part),

   B) gives priority for enrollment to academically at-risk students over those students who have not been identified as academically at risk, and

   C) has taken specific proactive measures to ensure that parents of children who may be at risk of academic failure are aware of the
opportunity for preschool education through the Preschool for All Children program.

2) A program serving “primarily children whose families meet income guidelines” is one that has 51 percent or more of the enrolled children from families meeting the income guidelines and does not qualify under subsection (a)(1) of this Section as serving primarily academically at-risk children.

3) Each applicant shall estimate the percentage of children to be enrolled who are considered to be at risk of academic failure or whose families meet income guidelines, as applicable.

b) Programs serving primarily at-risk children shall describe:

1) the process to ensure that, if the program has a waiting list of children to be enrolled, all children identified as being at risk of academic failure are enrolled before other children not identified as being at risk; and

2) the specific proactive measures the program has taken or will take to ensure that parents of children who may be at risk of academic failure are made aware of the opportunity to participate in the Preschool for All Children program.

e) Each applicant shall describe the provisions to be made to allow for the participation of children with disabilities in the program.

d) Each applicant shall describe the parent education and involvement component, which shall include activities in each of the following areas.

1) Communication between home and the Preschool for All Children program that is regular, two-way and meaningful.

2) Parenting skills are promoted and supported.

3) Recognition that parents play an integral role in assisting student learning.

4) Parents are welcome in the program, and their support and involvement are sought.
5) Parents are full partners in the decisions that affect children and families.

(Source: Repealed at 35 Ill. Reg. _____, effective ____________)

Section 235.120 Proposal Review and Approval for New or Expanding Programs (Repealed)

In order to meet the funding priorities set forth in Section 2-3.71(a)(4.5) of the School Code, each proposal shall be reviewed using both quantitative and qualitative criteria.

a) Proposals shall first be screened to identify those proposals that meet the criteria for each funding priority (see Section 235.110(a) of this Part). Proposals shall be separated into the following three categories:

1) proposals serving primarily at-risk children,

2) proposals serving primarily children whose families meet income guidelines, and

3) all other proposals.

b) Within each of the three categories set forth in subsection (a) of this Section, the proposals shall be reviewed and scored using the qualitative criteria set forth in Section 235.50(a) of this Part to determine which proposals provide evidence of a “qualified program”. “Qualified programs” shall be those scoring at least 60 out of 100 total points.

1) All qualified programs within the category set forth in subsection (a)(1) of this Section shall be funded before funding any qualified programs in the categories set forth in subsection (a)(2) or (a)(3) of this Section.

2) All qualified programs within the category set forth in subsection (a)(2) of this Section shall be funded before funding any qualified programs in the category set forth in subsection (a)(3) of this Section.

3) Within each category, priority for funding will be given to substantially similar proposals that serve children from a
c) The selection of proposals for funding may be based in part on the need to make programs available on a statewide basis and/or to provide resources to school districts and communities with varying demographic characteristics.

d) The State Superintendent of Education shall determine the amount of individual grant awards. The final award amounts shall be based upon:

1) the total amount of funds available for the Preschool for All Children program; and

2) the resources requested in the top ranked proposals, as identified pursuant to subsections (b) and (c) of this Section.

(Source: Repealed at 35 Ill. Reg. ______, effective ____________)

Section 235.130 Application Content and Approval for Continuation Programs (Repealed)

The requirements of this Section shall apply to those applicants seeking funding to continue Preschool for All Children programs beyond the initial grant period.

a) In order to continue to operate a Preschool for All Children program, a grantee each year shall electronically submit an application for continuation. The application shall include at least the following:

1) an overview of the program, addressing the program components outlined in Sections 235.20 and 235.110 of this Part;

2) budget information for the year in which the application is being made; and

3) the certifications and assurances referred to in Section 235.20(e)(16) of this Part applicable to the renewal period.

b) A Preschool for All Children program shall be approved for continuation provided that:
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1) a need continues to exist for the program, as evidenced by the number or proportion of children and families to be served;

2) the program components proposed will be effective in meeting the needs of children and families to be served by the program;

3) the proposed budget is cost-effective, as evidenced by the cost of proposed services in relation to the numbers to be served and the services to be provided; and

4) in the year previous to the continuation application, the applicant complied with the terms and conditions of any grant it received pursuant to this Subpart B.

(Source: Repealed at 35 Ill. Reg. ______, effective ____________)

Section 235.140 Terms of the Grant (Repealed)

In addition to meeting each of the requirements set forth in Section 235.70 of this Part, each grantee receiving funding for a Preschool for All Children program shall comply with the following terms and conditions of the grant.

a) Each grantee is required to collaborate with its local Head Start program. Children currently enrolled or pre-enrolled in Head Start shall not be recruited to be in the Preschool for All Children program.

b) Each grantee with a program funded to serve primarily at-risk children shall be required to:

1) enroll 51 percent or more of children who have been identified as being at risk of academic failure;

2) give priority in enrollment to children identified as being at risk of academic failure over those children who are not academically at risk, and

3) take specific proactive measures to ensure that the parents of children who may be academically at risk are made aware of the availability of the opportunity for participation in the Preschool for All Children program.
e) Any grantee that fails to enroll the required percentage of children (at least 51 percent) in the particular prioritization category for which the proposal was funded (i.e., at-risk status or income levels) shall have its grant award reduced proportionate to the decrease in percentage of such children enrolled.

d) School district grantees with programs serving homeless children must comply with all applicable provisions of the McKinney-Vento Homeless Assistance Act (42 USC 11301 et seq.). Non-school district grantees should, as much as possible, ensure that homeless children enrolled in their programs receive the support necessary for successful and continued participation, including, without limitation, arranging for appropriate transportation, when necessary in cases where such children move outside of the area served by the program during the grant period.

e) Staff from the Illinois State Board of Education shall conduct an annual program review for each new project to ensure program quality, to assist in program improvement and to provide technical assistance.

(Source: Repealed at 35 Ill. Reg. _____, effective ___________)

SUBPART C: SOCIAL AND EMOTIONAL CONSULTATION SERVICES

Section 235.200 Implementation and Purpose; Eligible Applicants

a) The State Superintendent of Education may annually allocate a portion of the Early Childhood Block Grant to assist preschool education programs funded under Section 2-3.71 of the School Code in providing to teachers in their programs ongoing social and emotional consultation services from mental health professionals.

b) For the purposes of this Subpart C, social and emotional consultation services shall mean services that help prepare teachers to promote the social and emotional development of their students and to manage inappropriate classroom behaviors that may result from a student’s exposure to such challenges as domestic violence, substance abuse, depression or other mental illness, homelessness and other potential concerns.

c) Eligible applicants are those programs operating either a preschool education Prekindergarten Program for Children at Risk of Academic Failure or a Preschool...
for All Children program funded under Subpart A of this Part during the fiscal year in which funds are made available for social and emotional consultation services.

1) Joint applications may be submitted, in which case one of the programs shall be designated as the administrative agent.

2) A program shall only participate in one proposal for social and emotional consultation services.

(Source: Amended at 35 Ill. Reg. _____, effective ____________)

Section 235.210 Application Procedure and Content

a) When an allocation for social and emotional consultation services is made available pursuant to Section 235.200(a) of this Part, the State Superintendent of Education shall issue a Request for Proposals (RFP) specifying the information that applicants shall include in their proposals, informing applicants of any bidders’ conferences, and requiring that proposals be submitted no later than the date specified in the RFP. The RFP shall provide at least 30 calendar days in which to submit proposals.

b) Each proposal submitted in response to an RFP shall include the following components.

1) A description of the need for the services, to include, but not be limited to:

   A) the number or proportion of students who are being served in each State-funded preschool education program included in the proposal who come from families experiencing the type of problems outlined in Section 235.200(b) of this Part;

   B) the impact that these types of problems have in the classroom (e.g., classroom disruptions, difficulties in learning, lack of positive social interaction);

   C) the number of teachers likely to use the consultation services on an ongoing basis; and
D) other resources that may be available to the program to provide similar services.

2) A description of the types of services to be provided, to include the frequency of each, the person responsible, and how the effectiveness of the service will be measured.

3) A description of the process, measures and data elements to be used to determine the effectiveness of the consultation services on teacher quality and classroom management.

4) The name of each individual to provide the social and emotional consultation services, to include a description of his or her qualifications and experience that at least addresses the person's educational attainment and specialties, experience working with a population similar to that being served in the State-funded preschool education program, and evidence that he or she possesses any licenses or other credentials required to practice his or her profession.

5) A budget summary and payment schedule, as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure.

6) 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. Such certifications and assurances as the State Board of Education may require.

c) Applicants may be requested to clarify various aspects of their proposals. The contents of the approved proposal shall be incorporated into a grant agreement to be signed by the State Superintendent of Education or designee and the school district superintendent or, in the case of an entity that is not the school district, the person legally authorized to submit the proposal and bind the applicant to its contents.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Connie Wise, Assistant Superintendent
Darren Reisberg, Deputy Superintendent and General Counsel

Agenda Topic: Amendments for Adoption – Part 575 (School Technology Program)

Materials: Recommended Amendments

Staff Contact(s): Marica Cullen, 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
The changes proposed are not directly related to the State Board’s goals, as they set forth a process to recover equipment from recognized nonpublic schools that close after receiving a loan from the Technology Revolving Loan Fund.

Expected Outcome(s) of Agenda Item
The Board will be asked to adopt the amendments to Part 575.

Background Information
P.A. 96-783, effective August 28, 2009, allows nonpublic schools that are recognized by the State Board of Education under Part 425 (Voluntary Registration and Recognition of Nonpublic Schools) to apply for a loan under the School Technology Revolving Loan Fund. Under the law, priority consideration for awarding loans goes to eligible public entities that submit applications prior to October 1 during each fiscal year. “Public entities” include school districts, charter schools, area vocational centers and approved university laboratory schools. The law also directs the agency to establish a mechanism to recover any equipment purchased with loan proceeds from any nonpublic school that closes.

The proposed amendments in Section 575.500(b) address the requirement for priority consideration of public entities by having two points at which loan award determinations will be made. In the first-round consideration, all applications that are complete, approvable and submitted by eligible public entities on or before September 30 will be funded on a first come, first serve basis, and the loan award determination shall be made no later than October 15. In the second round, all other applications from public entities and those from nonpublic entities will be considered on a first come, first serve basis, as the rules now provide. Priority consideration for public entities is further preserved in Section 575.500(e), which addresses funding applications from entities that were approvable in a given cycle but did not receive a loan due to an insufficient appropriation. Under the existing rules, these applications are funded first in the next cycle when the grade levels specified in the application are eligible. Under the proposed amendments, priority consideration will be given to applications from public entities before October 1 and then to recognized nonpublic schools after the October 1 cut-off date.

The rules currently allow the agency to withhold general state aid (GSA) payments in the event that a public entity is in default more than 90 days on a loan payment. This ability to withhold funding is being extended to nonpublic schools in that any money received under the School Safety and
Educational Improvement Block Grant may be withheld. (NOTE: Nonpublic schools do not qualify for GSA.) In FY 2010, 642 nonpublic schools received $1,570,360 in grants, with individual awards ranging from $96 to $18,179. No funding was provided for the block grant in FY 2011, however, so the proposed amendments also provide that a nonpublic school’s recognition pursuant to Part 425 may be affected, if the school fails to make a loan payment.

As noted above, the law directs the State Board to recover equipment purchased with loan proceeds from recognized nonpublic schools that close. The proposed rules do not demand immediate recovery, however, instead allowing the school to continue to repay the loan (Section 575.700). In order to ensure the return of the equipment, if that becomes necessary, nonpublic schools will be required to mark all equipment as being purchased under the Technology Revolving Loan Program. The process for equipment recovery is set forth in Section 575.700(g) and includes notification and an opportunity for the nonpublic school to pay the outstanding loan balance due.

The proposed amendments were published November 12, 2010, in the Illinois Register to elicit public comment; none was received. The version for adoption is identical to the version that the Board considered in October.

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

Policy Implications: See “Background” above.
Budget Implications: None.
Legislative Action: None.
Communication: See “Next Steps” below.

Pros and Cons of Various Actions
As intended by the legislation, the proposed amendments will ensure that public entities have the first opportunity to access funds in the Technology Revolving Loan Fund. Additionally, those nonpublic schools that submit otherwise approvable applications but not funded during one cycle, will have the opportunity to receive priority consideration after the October 1 cut-off in the next funding cycle. The appropriation for the loan fund is limited and may very well be depleted by October 1. For this reason, nonpublic schools hoping to receive loans or their associations may criticize the proposed amendments for their failure to give nonpublic schools’ whose approved applications are not funded first consideration at the beginning of the next funding cycle.

The proposed amendments set out a fair opportunity for nonpublic schools that close to continue to pay off the loan without losing the equipment purchased. In the event of a default, an adequate period of time is provided for the nonpublic school to pay off the outstanding loan amount before the equipment is recovered.

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:

School Technology Program (23 Illinois Administrative Code 575).

Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Next Steps
Notices of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the amendments will be filed with the Secretary of State and disseminated as appropriate.
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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER o: MISCELLANEOUS

PART 575
SCHOOL TECHNOLOGY PROGRAM

SUBPART A: SCHOOL TECHNOLOGY GRANTS

Section 575.10 Purpose (Repealed)
575.20 Eligible Expenditures (Repealed)
575.30 Application Procedure and Content (Repealed)
575.40 Matching Requirements (Repealed)
575.50 Proposal Review and Approval (Repealed)
575.60 Terms of the Grant (Repealed)

SUBPART B: SCHOOL TECHNOLOGY REVOLVING LOAN PROGRAM

Section 575.100 Purpose
575.200 Use of Funds
575.300 Maximum Amount of Loan
575.400 Application Procedures
575.500 Review of Application and Notification of Loan Award
575.600 Repayment Procedures
575.700 Terms and Conditions of Loan Agreement

AUTHORITY: Implementing and authorized by Section 2-3.117a of the School Code [105 ILCS 5/2-3.117a].

SUBPART B: SCHOOL TECHNOLOGY REVOLVING LOAN PROGRAM

Section 575.100 Purpose

a) This Subpart establishes the procedures and criteria for applications submitted by eligible participants pursuant to the School Technology Revolving Loan Program established by Section 2-3.117a of the School Code [105 ILCS 5/2-3.117a].

1) For the purpose of the School Technology Revolving Loan Program, “laboratory schools” eligible to apply for a loan are only those schools as defined in Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)].

2) A nonpublic school is eligible to apply for a loan if it is recognized pursuant to 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools).

b) Priority shall be given to school districts, charter schools, area vocational centers, and laboratory schools that apply for a loan prior to October 1 of each year. (Section 2-3.117a of the School Code)

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 575.300 Maximum Amount of Loan

The maximum loan amount shall be calculated on a per-pupil basis, based upon the total enrollment in the eligible grade levels. A participant may request a loan amount that does not exceed $150 per pupil in the eligible grade levels plus a base amount of $25,000; however, no single loan in a given fiscal year shall exceed $6,000,000. The State Board of Education shall annually notify participants of the maximum loan amount to which they are entitled.

a) For school districts, approved university laboratory schools, and charter schools, and recognized nonpublic schools, the maximum loan amount shall be calculated using the enrollment as reported as of the last school day in September of the immediately preceding school year.
b) For area vocational centers, the maximum loan amount shall be calculated using the enrollment as reported to the State Board of Education in April of the immediately preceding school year.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 575.500 Review of Application and Notification of Loan Award

a) Applications shall be reviewed for completeness. If an application is incomplete, then State Board of Education staff shall request the needed information from the applicant no later than 20 calendar days following receipt of the application. Applications will not be processed until all requested information is received.

b) All complete applications that demonstrate compliance with Section 2-3.117a of the School Code and this Subpart shall be approved for funding on a first come, first served basis, as long as funds appropriated for a given fiscal year remain available. Loan award determinations shall be made on December 15 of each fiscal year.

1) Approved applications from school districts, charter schools, area vocational centers and laboratory schools received on or before September 30 of each fiscal year shall receive a loan on a first-come, first-served basis, as long as funds appropriated for a given fiscal year remain available. Applications from recognized nonpublic schools shall not be considered in this round regardless of date of receipt. Loan award determinations under this subsection (b)(1) shall be made no later than October 15 of each fiscal year.

2) Approved applications from school districts, charter schools, area vocational centers and laboratory schools received on or after October 1 and applications from any recognized nonpublic school shall receive a loan on a first come, first served basis, as long as funds appropriated for a given fiscal year remain available after funding any loans awarded pursuant to subsection (b)(1) of this Section. Loan award determinations under this subsection (b)(2) shall be made no later than December 15 of each fiscal year.
c) Notification of a loan award shall be made no later than 15 calendar days after following the applicable award determination date established in subsection (b) of this Section. Applications not approved for funding on or before December 15 of the fiscal year in which the application was made shall expire.

d) Applications received after the December 1 deadline in a given fiscal year shall not be considered for funding in that fiscal year and shall be returned to the applicant.

e) School districts, charter schools, area vocational centers and laboratory schools Applicants otherwise eligible but not receiving loans due to insufficiency of the appropriation shall receive first consideration in the next fiscal year in which the grade levels specified on the application shall be eligible for funding. Otherwise eligible but not funded recognized nonpublic schools shall receive first consideration among all applications received on or after October 1 in that fiscal year.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 575.600 Repayment Procedures

Loans shall be repaid within three years (see Section 2-3.117a of the School Code).

a) The rate of interest shall be stipulated on the loan application and shall not be greater than 50% of the rate for the most recent date shown in the 20 G.O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York (Section 2-3.117a(a) of the School Code). Interest shall be computed semi-annually.

b) Payments on the loan (principal and interest) shall be made by check twice annually in six equal installments.

1) Loan payments shall be due on December 1 and June 1, with the first payment under each loan due on June 1 of the fiscal year in which the loan is made.

2) Checks shall be made payable to the "ISBE - School Technology Revolving Loan Fund" and mailed to the Fiscal and Procurement

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3) Payments not received within 15 calendar days after the due date shall be assessed a penalty of 5 percent of the payment due; however, the late payment penalty shall be waived when either:

A) the postmark date on the envelope used to submit the payment is dated five days or more before the end of the 15-day grace period; or

B) the payment is not received at the State Board’s office within 60 days after following the due date, but the participant provides to the State Superintendent of Education no later than 70 days beyond the due date the following:

i) a copy of the original check, dated at least five days before the end of the 15-day grace period;

ii) a copy of the stop payment order placed on the original check; and

iii) a new check issued in the amount due.

c) A participant may prepay the balance due on the loan in its entirety on any scheduled payment date or at the midpoint between any two scheduled payment dates, provided that the participant first contacts the State Superintendent’s designee to obtain the total amount of the principal and interest due at that time.

d) A participant may prepay a portion of the balance due on the loan on any scheduled payment date or at the midpoint between any two scheduled payment dates, provided that the participant first contacts the State Superintendent’s designee for instructions. The remaining payments shall be recalculated to account for any early repayment, and the participant shall be notified accordingly.

(Source: Amended at 35 Ill. Reg. ______, effective ____________)

Section 575.700 Terms and Conditions of Loan Agreement
a) Loan proceeds under this program shall be used exclusively for the purposes listed in Section 575.200 of this Part and shall be expended in accordance with the approved application and the participant’s policies and procedures related to such expenditures. In the event that the loan proceeds are not expended in the manner approved, then the participant, upon written notification from the State Board of Education, shall be required to submit, by the next payment due date, payment of the outstanding principal of the loan and the amount of the interest accrued as of that payment due date.

b) Loan proceeds shall be obligated no later than six months following receipt of the loan.

c) Use of loan proceeds shall be accounted for in accordance with the rules of the State Board of Education at 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) or, for participants not subject to those rules, in accordance with generally accepted standards of governmental accounting principles.

d) Loan recipients shall submit to the State Board of Education a report detailing how the loan proceeds were used. This expenditure report, to be submitted on a form supplied by the State Board of Education, shall be due not later than nine months after following receipt of the loan.

e) Along with the report required under subsection (d) of this Section, each recognized nonpublic school shall submit an inventory listing the property identification number, serial number, description and location of each piece of equipment purchased with loan proceeds. The recognized nonpublic school shall identify (tag) each piece of equipment as "Purchased with proceeds from the State of Illinois’ School Technology Revolving Loan Fund, School Year ______": this designation may be removed once the outstanding principal of the loan and any amount of interest accrued has been paid in full. The recognized nonpublic school shall not transfer or assign any interest in the equipment during the pendency of the loan.

f) Subject to Section 575.400(b)(5) of this Part, in the event of default that is not cured within 90 calendar days, the State Superintendent of Education or designee shall take the action specified either in subsection (f)(1) or (f)(2) of this Section deduct the amount owed from the participant’s next payment of General State Aid. The participant shall be ineligible for additional loans until good
standing has been restored; however, the chartering school district of a charter school participant or the school districts participating in a vocational education cooperative shall be allowed to apply for loans on behalf of their respective school districts.

1) For school districts, charter schools, area vocational centers and laboratory schools, the State Superintendent or designee shall deduct the amount owed from the participant’s next payment of General State Aid, subject to the provisions of Section 575.400(b)(5) of this Part.

2) For recognized nonpublic schools, the State Superintendent or designee shall deduct the amount owed from the participant’s next payment of school safety and educational improvement block grant funding. In any fiscal year in which the recognized nonpublic school does not receive a block grant, or when either the grant is not funded by the State or the grant payment is insufficient to cover the amount owed, then the school shall be subject to consequences for noncompliance as set forth in 23 Ill. Adm. Code 425.50 (Renewal of Recognition).

g) A recognized nonpublic school that ceases operating before the outstanding principal of the loan and the amount of interest accrued is repaid shall notify the State Superintendent or designee in writing of that fact no later than 10 days after the closure. The notification of closure shall include the name, address and telephone number of the party responsible for the loan, as specified by his or her signature on the loan agreement, and the address of the location at which the equipment is being stored. The nonpublic school shall continue to repay the loan as set forth in Section 575.600 of this Part until the outstanding principal and the amount of the interest accrued is paid in full.

1) In the event of default that is not cured within 90 calendar days, the State Superintendent or designee shall notify the school in writing by certified mail, return receipt requested, that payment of the outstanding principal and amount of the interest accrued as of the date of the notification is due immediately. The school shall have 30 days from the date the notification is received to submit its payment.

2) Failure to make the payment by the date set forth in subsection (g)(1) of this Section shall result in the repossession of any equipment purchased with the loan proceeds. Written notification of this fact shall be provided.
to the school, along with a copy of the equipment inventory required by subsection (e) of this Section. The notification shall include the time and date on which State Board of Education staff will pick up the equipment, as listed on the inventory.

3) A recognized nonpublic school that has closed and has paid in full the outstanding principal and the amount of the interest accrued is not subject to the requirements of this subsection (g).

h) The contents of the approved application and terms and conditions of the loan shall be incorporated into a promissory note. Should the indebtedness represented by the promissory note or any part thereof be collected at law or in equity or in bankruptcy, receivership or other court proceedings or if the promissory note is placed in the hands of attorneys for collection after default, the participant agrees to pay, in addition to the principal and interest due, reasonable attorneys’ fees and costs of collection.

(Source: Amended at 35 Ill. Reg. _____, effective ____________)