AGENDA (timeframes are estimated for planning purposes)

I. Roll Call

II. Board Member Participation by Other Means

III. Public Participation  (15 minutes)

IV.*Rules for Initial Review (Darren Reisberg, Winnie Tuthill, Shelley Helton)
   A. Part 1 (Public Schools Evaluation, Recognition and Supervision) (Deb Vespa) (pp. 2-27)
   B. Part 151 (School Construction Program (Deb Vespa) (pp. 28-32)

V. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken during plenary session.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
        Linda Mitchell, Chief Financial Officer
        Susie Morrison, Deputy Superintendent and Chief of Staff
        Darren Reisberg, Deputy Superintendent and General Counsel


Materials: Recommended Rules

Staff Contacts: Marica Cullen and Deb Vespa, Division Administrators

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
New Section 1.210 relates indirectly to each of the Strategic Goals in that the section sets forth the criteria for approval of entities offering training for school board members in the areas of education and labor law, financial oversight and accountability, and fiduciary responsibilities. Other portions of the rulemaking are technical in nature or respond to recently enacted legislation, and none relates directly to the State Board's goals.

Expected Outcome 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. 97-8, effective June 13, 2011, added Section 10-16a to the School Code (105 ILCS 5/10-16a), which establishes training requirements for school board members. Any board member who, after the law's effective date, is elected, re-elected, or appointed for at least a one-year term must receive the training within a year of joining the local board. The training must be a minimum of four hours and as indicated above, focus on three primary areas: education and labor law, financial oversight and accountability, and fiduciary responsibilities. The law further requires that the training be conducted by "an association established under (Article 23 of the School Code) for the purpose of training school board members" (i.e., the Illinois Association of School Boards (IASB)) or other entities that the State Board approves in consultation with IASB.

Since the criteria and process for approving training entities represent policies of the State Board, these requirements must be set forth in rules. New Section 1.210 will allow entities to submit applications for approval anytime between March 1 and May 1 of the calendar year preceding school board elections (i.e., in April of each odd-numbered year) and provides for a 30-day timeline for the State Superintendent and IASB to review and act on each application. This submission timeframe will spread the review process over a longer period of time, in the
event that a significant number of entities apply, but still allow for the approval process to completed by in ample time before an election is held for providers to finalize curriculum, secure training sites, and notify school districts and others of the availability of the training.

Entities wishing to offer training will have to offer professional development that addresses all three topic areas required under the law. As part of the application, each entity must provide evidence of both its and any presenters’ experience with and competency in the subject matter to be covered in the trainings. Each entity approved also will be required to verify attendance at the sessions, provide school board members with a certificate of completion, and maintain records of participants’ attendance at and evaluations of the training received. Approval of a provider is for two years, which is renewable, and that approval can be withdrawn by the State Superintendent if an evaluation of the provider conducted by the agency indicates that the provider is not complying with the requirements of the law and rules.

The proposed rules were shared with IASB and with representatives of the Illinois Association of School Administrators and Illinois Federation of Teachers with whom the agency is working to implement provisions of P.A. 97-8. As the result of those reviews, several technical changes and clarifications were made in the proposal.

Other changes in the rulemaking address several public acts:
- P.A. 97-339, effective August 12, 2011, specific to the calculation of general state aid for students participating in a remote educational program (see Section 1.420(f)(5)(D));
- P.A. 97-87, effective July 8, 2011, regarding violence prevention and conflict resolution education in kindergarten through grade 12 (see Section 1.420(t)); and
- P.A. 97-88, also effective July 8, 2011, which requires a minimum of 60 minutes of reading opportunities each day for students in kindergarten through grade 3, which can be accomplished with reading in any subject area or as self-directed independent reading.

An amendment also is proposed for Section 1.705, regarding supervisory approval, since this type of approval is no longer issued; rather, a certified teacher would need to meet the requirements for a supervisory endorsement in Section 25.497 (Certification). Finally, the incorporation of standards addressing eye protection devices is being updated to reference the American National Standards Institute, Inc.’s 2010 version of these standards (Section 1.420(s)).

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

Pros and Cons of Various Actions
New Section 1.210 proposes criteria and a process for approval of providers of school board training that help ensure that high-quality providers are identified without being overly burdensome for the entity applying. Also, the changes made in response to recently enacted statutes will conform the rules to requirements of the law.

Not proceeding with the changes will mean that agency policy for the approval of providers is not stated in administrative rules, as is required under the Illinois Administrative Procedure Act. Additionally, failure to update the rules to conform to statute would result in confusion among those being regulated by these requirements.
Superintendent's Recommendation
The State Superintendent recommends that the State Board of Education adopt the following motion:

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

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

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 a: PUBLIC SCHOOL RECOGNITION

PART 1
PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section
1.10 Public School Accountability Framework
1.20 Operational Requirements
1.30 State Assessment
1.40 Adequate Yearly Progress
1.50 Calculation of Participation Rate
1.60 Subgroups of Students; Inclusion of Relevant Scores
1.70 Additional Indicators for Adequate Yearly Progress
1.75 Student Information System
1.77 Educator Certification System
1.80 Academic Early Warning and Watch Status
1.85 School and District Improvement Plans; Restructuring Plans
1.88 Additional Accountability Requirements for Districts Serving Students of Limited
   English Proficiency Under Title III
1.90 System of Rewards and Recognition – The Illinois Honor Roll
1.95 Appeals Procedure
1.100 Waiver and Modification of State Board Rules and School Code Mandates
1.110 Appeal Process Under Section 22-60 of the School Code

SUBPART B: SCHOOL GOVERNANCE

Section
1.210 Approval of Providers of Training for School Board Members
1.220 Duties of Superintendent (Repealed)
1.230 Board of Education and the School Code (Repealed)
1.240 Equal Opportunities for all Students
1.242 Temporary Exclusion for Failure to Meet Minimum Academic or Attendance
   Standards
1.245 Waiver of School Fees
STATE BOARD OF EDUCATION
NOTICE OF PROPOSED AMENDMENTS

1.250 District to Comply with 23 Ill. Adm. Code 180 (Repealed)
1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)
1.270 Book and Material Selection (Repealed)
1.280 Discipline
1.285 Requirements for the Use of Isolated Time Out and Physical Restraint
1.290 Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

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

SUBPART D: THE INSTRUCTIONAL PROGRAM

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

SUBPART E: SUPPORT SERVICES

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

SUBPART F: STAFF CERTIFICATION REQUIREMENTS
## ILLINOIS REGISTER

### STATE BOARD OF EDUCATION

#### NOTICE OF PROPOSED AMENDMENTS

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

1. APPENDIX F  Criteria for Determination - Student Performance and School Improvement (Repealed)

1. APPENDIX G  Criteria for Determination - State Assessment (Repealed)


STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS


SUBPART B: SCHOOL GOVERNANCE

Section 1.210 Approval of Providers of Training for School Board Members

Entities that offer professional development activities, such as training organizations, institutions, regional offices of education, firms, professional associations, teachers’ unions, and universities and colleges, may apply to the State Board of Education for approval to conduct leadership training activities for members of Illinois boards of education in each of the topics specified in Section 10-16a of the School Code. [105 ILCS 5/10-16a]

a) Except as provided in subsection (b) of this Section, each entity wishing to receive approval to offer the leadership training required under Section 10-16a of the School Code shall submit an application on a form supplied by the State Board of Education. A entity shall submit the application to the State Board of Education any time between March 1 and May 1 of each even-numbered year. Any application received after May 1 shall not be considered for that approval cycle. Each entity shall provide:

1) a description of the intended offerings in each of required areas;

2) the qualifications and experience of the entity and of each presenter to be assigned to provide the leadership training, which shall include evidence of a presenter’s specific skills and knowledge in the area or areas in which he or she shall be assigned;

3) the mode of delivery of the professional development (e.g., in-person instruction, distance-learning); and

4) assurances that the requirements of subsection (c) of this Section will be met.

b) An organization that has one or more affiliates (e.g., regional offices, local chapters) based in Illinois may apply for approval on their behalf.
The applicant organization shall provide a list of its affiliates for which approval is sought and supply the information required pursuant to subsection (a) of this Section with respect to each one.

The applicant organization’s provision of the assurances required pursuant to subsection (a)(4) of this Section shall be understood to apply to each affiliate for which approval is sought.

The applicant organization shall notify the State Board of Education any time it determines that one or more affiliates should be removed from the list of approved providers.

The approval status of the applicant organization shall be contingent upon its affiliates’ compliance with the applicable requirements of this Section.

e) Each entity approved to provide leadership training under this Section shall:

1) verify attendance at its training activities, provide to participants a written confirmation of their completion of the training, and require participants to complete an evaluation of the training; and

2) maintain attendance and evaluation records for each event or activity it conducts or sponsors for a period of not less than five years.

d) Applicants may be asked to clarify particular aspects of their materials.

e) The State Superintendent of Education, in consultation with the Illinois Association of School Boards (IASB), shall respond to each application for approval no later than 30 days after receiving it.

f) An entity shall be approved to offer leadership training if the entity’s application presents evidence that:

1) the leadership training that it sponsors or conducts will be developed and presented by persons with education and experience in the applicable areas to which they will be assigned; and

2) the proposed training meets the requirements of Section 10-16a of the School Code.
STATE BOARD OF EDUCATION
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The State Board of Education shall post on its website at www.isbe.net the list of all approved providers. The website also shall indicate that the Illinois Association of School Boards is authorized under Section 10-26a(c) of the School Code to provide leadership training.

Approval as a provider shall be valid for two calendar years (i.e., January 1 through December 31). To request renewal of approval, a provider shall submit a renewal application on a form supplied by the State Board of Education within the timeframe specified in subsection (a) of this Section and containing:

1) a description of any significant changes in the material submitted as part of its approved application or a certification that no such changes have occurred;

2) evidence that the material to be used in the renewal cycle conforms to current statute, rules and procedures of the State Board of Education; and

3) copies of the evaluations of the training that participants completed during the last approval period.

A provider’s approval shall be renewed if the application conforms to the requirements of subsection (h) of this Section, provided that the State Superintendent has received no evidence of noncompliance with the requirements of this Section.

The State Board of Education may evaluate an approved provider at any time to ensure compliance with the requirements of this Section. Upon request by the State Board, a provider shall supply information regarding its schedule of leadership training, which the State Board may, at its discretion, monitor at any time. In the event an evaluation indicates that the requirements have not been met, the State Board of Education, in consultation with IASB may withdraw approval of the provider.

(Source: Old Section repealed at 29 Ill. Reg. 15789, effective October 3, 2005; new Section added at 36 Ill. Reg. ______, effective ____________)

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.420 Basic Standards
a) Class schedules shall be maintained in the administrative office in each attendance center of a school district.

b) Every school district shall have an organized plan for recording pupil progress and/or awarding credit, including credit for courses completed by correspondence, online, or from other external sources, that can be disseminated to other schools within the State.

c) Every school district shall:

   1) Provide curricula and staff inservice training to help eliminate unconstitutional and unlawful discrimination in our schools and society. School districts shall utilize the resources of the community in achieving the stated objective of elimination of discrimination and to enrich the instructional program.

   2) Include in its instructional program concepts designed to improve students' understanding of and their relationships with individuals and groups of different ages, sexes, races, national origins, religions, and socio-economic backgrounds.

d) Boards shall adopt and implement a policy for the distribution of teaching assignments, including study hall and extra class duties and responsibilities.

e) Every school system shall conduct supervisory and inservice programs for its professional staff. The staff shall be involved in planning, conducting, and evaluating supervisory and inservice programs.

f) Sections 10-19, 18-8.05, 18-12, and 18-12.5 of the School Code [105 ILCS 5/10-19, 18-8.05, 18-12, and 18-12.5] establish certain requirements regarding the school year and the school day. School districts shall observe these requirements when preparing their calendars and when calculating average daily attendance for the purpose of claiming general State financial aid.

   1) Section 18-8.05(F)(2)(c) of the School Code provides that, with the approval of the State Superintendent of Education, four or more clock-hours of instruction may be counted as a day of attendance when the regional superintendent certifies that, due to a condition beyond the control of the district, the district has been forced to use multiple sessions. The State Superintendent’s approval will be granted when the district
demonstrates that, due to a condition beyond the control of the district, its facilities are inadequate to house a program offering five clock-hours daily to all students.

A) The district superintendent’s request to the State Superintendent shall be accompanied by an assurance that the local school board has approved the plan for multiple sessions, including the date of the meeting at which this occurred, and evidence of the approval of the responsible regional superintendent.

B) Each request shall include a description of the circumstances that resulted in the need for multiple sessions; information on the buildings and grades affected; the intended beginning and ending dates for the multiple sessions; a plan for remedying the situation leading to the request; and a daily schedule showing that each student will be in class for at least four clock-hours.

C) Approval for multiple sessions shall be granted for the school year to which the request pertains. Each request for renewed approval shall conform to the requirements of subsections (f)(1)(A) and (B) of this Section.

D) Students who are in attendance for at least 150 minutes of school work but fewer than 240 minutes may be counted for a half day of attendance. Students in attendance for fewer than 150 minutes of school work shall not be counted for purposes of calculating average daily attendance.

2) Section 18-8.05(F)(2)(h) of the School Code allows for a determination under rules of the State Board regarding the necessity for a second year’s attendance at kindergarten for certain students so they may be included in a district’s calculation of average daily attendance. Districts may count such students when they determine through an assessment of their individual educational development that a second year of kindergarten is warranted.

3) A school district shall be considered to have conducted a legal school day, which is eligible to be counted for General State Aid, when the following conditions are met during a work stoppage.
A) Fifty percent or more of the district's students are in attendance, based on the average daily attendance during the most recent full month of attendance prior to the work stoppage.

B) Educational programs are available at all grade levels in the district, in accordance with the minimum standards set forth in this Part.

C) All teachers hold certificates that are registered with the Regional Superintendent for their county of employment. Other than substitute teachers, certification appropriate to the grade level and subject area(s) of instruction is held by all teachers.

4) Sections 18-12 and 18-12.5 of the School Code set forth requirements for a school district to claim General State Aid in certain circumstances when one or more, but not all, of the district’s school buildings are closed either for a full or partial day. A school district shall certify the reasons for the closure in an electronic format specified by the State Superintendent within 30 days from the date of the incident. In addition, the certification submitted for reasons of a public health emergency under Section 18-12.5 of the School Code shall be accompanied by a signed statement from the local health department to the State Superintendent that includes:

A) the name of the building that is being recommended for closure;

B) the specific public health emergency that warrants the closure; and

C) the anticipated building closure dates recommended by the health department.

5) Attendance for General State Aid Purposes

A) For purposes of determining average daily attendance on the district’s General State Aid claim, students in full-day kindergarten and first grade may be counted for a full day of attendance only when they are in attendance for four or more clock hours of school work; provided, however, that students in attendance for more than two clock hours of school work but less than four clock hours may be counted for a half day of attendance. Students in attendance for
fewer than two hours of school work shall not be counted for purposes of calculating average daily attendance.

B) For purposes of determining average daily attendance on the district’s General State Aid claim, students enrolled full time in grades 2 through 12 may be counted for a full day of attendance only when they are in attendance for five or more clock hours of school work; provided, however, that students in attendance for more than two and one-half clock hours of school work but less than five clock hours may be counted for a half day of attendance. Students in attendance for fewer than two and one-half hours of school work shall not be counted for purposes of calculating average daily attendance.

C) For purposes of determining average daily attendance for General State Aid received under Sections 18-12 and 18-12.5 of the School Code, “immediately preceding school day” shall include school days in the previous school year in instances in which the building closure occurs before three or more days of instruction have been provided in the school year for which attendance is being counted.

D) For the purposes of determining average daily attendance for General State Aid under Section 10-29 of the School Code [105 ILCS 5/10-29], a school district operating a remote educational program shall document the clock hours of instruction for each student, and make available to the State Superintendent of Education or his or her designee upon request, a written or online record of instructional time for each student enrolled in the program that provides sufficient evidence of the student’s active participation in the program (e.g., log in and log off process, electronic monitoring, adult supervision, two-way interaction between teacher and student, video cam). “Clock hours of instruction” shall be calculated in accordance with Section 18-8.05(F)(2)(j) of the School Code [105 ILCS 5/18-8.05(F)(2)(j)].

Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to ensure 176 days of actual pupil attendance, computable under Section 18-8.05 of the School Code (see Section 10-19 of the School Code).
h) Local boards of education shall establish and maintain kindergartens for the instruction of children (see Sections 10-20.19a and 10-22.18 of the School Code [105 ILCS 5/10-20.19a and 10-22.18]).

1) School districts may establish a kindergarten of either half-day or full-day duration. If the district establishes a full-day kindergarten, it must also provide a half-day kindergarten for those students whose parents or guardians request a half-day program.

2) If a school district that establishes a full-day kindergarten also has 20 or more students whose parents request a half-day program, the district must schedule half-day classes, separate and apart from full-day classes, for those children. If there are fewer than 20 children whose parents request a half-day program, those students may be enrolled in either the morning or afternoon session of a full-day program provided that the following conditions are met.

   A) Distinctive curriculum plans for the half-day and full-day kindergarten programs must be developed by the school district, made available to parents to assist the parents in selecting the appropriate program for their child, and maintained in district files.

   B) A common core of developmental, readiness and academic activities must be made available to all kindergarten students in the district regardless of the amount of time they attend school.

   C) All support services (e.g., health counseling and transportation) provided by the district must be equally available to full-day and half-day students.

i) Career Education

1) The educational system shall provide students with opportunities to prepare themselves for entry into the world of work.

2) Every district shall initiate a Career Awareness and Exploration Program that should enable students to make more meaningful and informed career decisions. This program should be available at all grade levels.

j) Co-Curricular Activities
1) Programs for extra classroom activities shall provide opportunities for all students.

2) The desires of the student body in the area of co-curricular activities shall be of critical importance. At all times, activities of this nature shall be carefully supervised by a school-approved sponsor.

k) Consumer Education and Protection

1) A program in consumer education shall include at least the topics required by Section 27-12.1 of the School Code [105 ILCS 5/27-12.1].

2) The superintendent of each unit or high school district shall maintain evidence showing that each student has received adequate instruction in consumer education prior to the completion of the 12th grade. Consumer education may be included in course content of other courses, or it may be taught as a separate required course.

3) The minimal time allocation shall not be less than nine weeks or the equivalent for grades 9-12 and shall include installment purchasing, budgeting, comparison of prices and an understanding of the roles of consumers interacting with agriculture, business, trade unions, and government in formulating and achieving the goals of the mixed free enterprise system.

4) Teachers instructing in consumer education courses shall hold certification valid for the grade levels taught and have completed at least three semester hours in consumer education courses.

l) Conservation of Natural Resources

Each district shall provide instruction on current problems and needs in the conservation of natural resources, including, but not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of domestic animals (Section 27-13.1 of the School Code [105 ILCS 5/27-13.1]).
m) Every school district has the responsibility to prepare students for full citizenship. To this end each school district should encourage student discussion and communication in areas of local, State, national and international concern.

n) Health Education

1) Each school system shall provide a program in compliance with the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].

   A) There is no specific time requirement for grades K-6; however, health education shall be a part of the formal regular instructional program at each grade level.

   B) The minimal time allocation shall not be less than one semester or equivalent during the middle or junior high experience.

   C) The minimal time allocation shall not be less than one semester or equivalent during the secondary school experience.

   D) If health education is offered in conjunction with another course on a “block of time” basis in a middle school, a junior high school, or a high school, instruction may be offered in any combination of the grade levels in the school, provided that the total time devoted to health education is the equivalent of one full semester’s work.

2) Nothing in this Section shall be construed as requiring or preventing the establishment of classes or courses in comprehensive sex education or family life education as authorized by Sections 27-9.1 and 27-9.2 of the School Code [105 ILCS 5/27-9.1 and 27-9.2].

o) Library Media Programs

Each school district shall provide a program of library media services for the students in each of its schools. Each district’s program shall meet the requirements of this subsection (o).

1) General
The program shall include an organized collection of resources that circulate to students and staff in order to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served. No later than the beginning of the 2014-15 school year, a district that relies solely upon the collection of a local public library shall maintain evidence that students receive instruction, direction, or assistance in locating and using resources that are applicable to these purposes from an individual who is qualified under Section 1.755 of this Part and who is acting on behalf of the school district.

2) Financial Resources

Each district’s annual budget shall include an identifiable allocation for resources and supplies for the program, except that a unit district serving fewer than 400 students or an elementary or high school district serving fewer than 200 students may demonstrate that it is meeting its students’ needs through alternate means that the district has determined are adequate in light of local circumstances.

3) Facilities

If there is no single location within a particular attendance center that is specifically devoted to a library media center, such as where classroom collections have been established instead, the district shall ensure that equitable access to library media resources is made available to students in all the grade levels served. If students’ only access to library media resources is achieved by visiting a location outside their attendance center, the district shall maintain records demonstrating that all students’ regular schedules include time for this purpose.

4) Staff

Nothing in this subsection (o)(4) shall be construed as prohibiting districts or schools from sharing the services of individuals qualified under Section 1.755 of this Part, and nothing in this subsection (o) shall be construed as permitting an individual who is not qualified as a library information specialist to assume that role. No later than the beginning of the 2009-10 school year, each district shall assign responsibility for overall direction of its program of library media services to an employee who holds an
elementary, a secondary, a special K-12, a special preschool-age 21, an early childhood, or an administrative certificate. Except as otherwise provided in subsection (o)(4)(A) of this Section, the individual to whom this responsibility is assigned shall meet the requirements of Section 1.755 of this Part, and the individual to whom this responsibility is assigned shall not provide the services described in Section 1.755 of this Part unless he or she meets the requirements of that Section.

A) In the event that no employee of the district holds any of the qualifications enumerated in Section 1.755 of this Part, the individual to whom direction of the program is assigned shall be required to participate annually in professional development consisting of:

i) undergraduate or graduate coursework in library science offered by a regionally accredited institution of higher education; or

ii) one or more workshops, seminars, conferences, institutes, symposia, or other similar training events that are offered by the Illinois State Library, a regional library system, or another professional librarians’ organization; or

iii) one or more “library academies” if these are made available by or at the direction of the State Superintendent of Education.

B) A district that is otherwise unable to fulfill the requirements of this subsection (o)(4) shall ensure that the overall direction of the library media program (e.g., selection and organization of materials, provision of instruction in information and technology literacy, structuring the work of library paraprofessionals) is accomplished with the advice of an individual who is qualified pursuant to Section 1.755 of this Part.

p) Physical Education

1) Appropriate activity related to physical education shall be required of all students each day unless otherwise permitted by Section 27-6 of the School Code [105 ILCS 5/27-6]. The time schedule shall compare
favorably with other courses in the curriculum. Safety education as it relates to the physical education program should be incorporated.

2) There shall be a definite school policy regarding credit earned each semester in physical education with provisions for allowable variables in special cases.

3) If a district determines that it is difficult to implement a program of physical education that involves all students daily, the administration should consult one of the program service personnel from the State Board of Education for assistance in the development of an acceptable program.

4) The physical education and training course offered in grades 5 through 10 may include health education (Section 27-5 of the School Code [105 ILCS 5/27-5]).

5) Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act [225 ILCS 60], prevents their participation in the courses provided for normal children (Section 27-6 of the School Code).

6) Pursuant to Section 27-6 of the School Code, a student who presents an appropriate excuse from his or her parent or guardian or from a person licensed under the Medical Practice Act of 1987 shall be excused from participation in physical education. Each school board shall honor excuses signed by persons licensed under the Medical Practice Act of 1987 and shall establish a policy defining the types of parental excuses it will deem “appropriate” for this purpose, which shall include, but need not be limited to, reliance upon religious prohibitions. A board shall, however, have no authority to honor parental excuses based upon students’ participation in athletic training, activities, or competitions conducted outside the auspices of the school district. For each type of excuse that will be considered “appropriate”, the school board shall identify in its policy any evidence or support it will require. For example, a board may require a signed statement from a member of the clergy corroborating the religious basis of a request.

7) In addition, pursuant to Section 27-6(b) of the School Code, each school board that chooses to excuse pupils enrolled in grades 9 through 12 from
engaging in physical education courses under that subsection shall establish a policy to excuse pupils on an individual basis and shall have the policy on file in the local district office. The district shall maintain records showing that, in disposing of each request to be excused from physical education, the district applied the criteria set forth in Section 27-6 to the student's individual circumstances.

q) Pupil Personnel Services

To assure provision of Pupil Personnel Services, the local district shall conduct a comprehensive needs assessment to determine the scope of the needs in the areas of:

1) Guidance and Counseling Needs;
2) Psychological Needs;
3) Social Work Needs;
4) Health Needs.

r) Social Sciences and History

Each school system shall provide history and social sciences courses that do the following:

1) analyze the principles of representative government, the Constitutions of both the United States and the State of Illinois, the proper use of the flag, and how these concepts have related and currently do relate in actual practice in our world (see Section 27-21 of the School Code [105 ILCS 5/27-21]);

2) include in the teaching of United States history the role and contributions of ethnic groups in the history of this country and the State (Section 27-21 of the School Code);

3) include in the teaching of United States history the role of labor unions and their interaction with government in achieving the goals of a mixed free-enterprise system (Section 27-21 of the School Code);
include the study of that period in world history known as the Holocaust (Section 27-20.3 of the School Code [105 ILCS 5/27-20.3]);

5) include the study of the events of Black history, including the individual contributions of African-Americans and their collective socio-economic struggles (Section 27-20.4 of the School Code [105 ILCS 5/27-20.4]);

6) include the study of the events of women's history in America, including individual contributions and women's struggles for the right to vote and for equal treatment (Section 27-20.5 of the School Code [105 ILCS 5/27-20.5]); and

7) include the study of the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression (Section 27-21 of the School Code).

s) Protective eye devices shall be provided to and worn by all students, teachers, and visitors when participating in or observing dangerous vocational arts and chemical-physical courses of laboratories as specified in Section 1 of the Eye Protection in School Act [105 ILCS 115/1]. Such eye protective devices shall meet the nationally accepted standards set forth in "American National Standard Practice for Occupational and Educational Personal Eye and Face Protection Devices", ANSI Z87.1-2010 Z87.1-2003, issued by the American National Standards Institute, Inc., 1899 L Street, NW, 11th Floor Suite 600, Washington, D.C. 20036. No later additions or amendments to these standards are incorporated by this Part.


(Source: Amended at 36 Ill. Reg. _______, effective ____________)

Section 1.430 Additional Criteria for Elementary Schools

a) A district shall provide the following coordinated and supervised courses of study. The time allotment, unless specified by the School Code or applicable rules, is the option of the local board of education.
1) Language Arts, Reading and other Communication Skills, to include a minimum of 60 minutes of reading opportunities daily for students in kindergarten through grade 3 [105 ILCS 5/10-20.53]. These opportunities may involve the use of fiction and nonfiction text passages during regularly scheduled reading instruction or during the provision of instruction in other subject areas or during self-directed independent reading opportunities.

2) Science

3) Mathematics

4) Social Studies

5) Music

6) Art

7) Health Education (see the Critical Health Problems and Comprehensive Health Education Act)

8) Physical Education (see Section 27-6 of the School Code and Section 1.420(p) of this Part)

9) Career Education--Awareness and Exploration

10) Safety Education (see Section 27-17 of the School Code)

11) Conservation of Natural Resources (see Section 27-13.1 of the School Code)

12) Instruction, study, and discussion in grades kindergarten through 8 of effective methods for the prevention and avoidance of drug and substance abuse (Section 27-13.2 of the School Code)

b) American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag shall be taught in all public schools. Not less than one hour per week, or the equivalent, shall be devoted to the study of these subjects.
of this subject matter in the 7th and 8th grade or the equivalent, and no student shall receive a certificate of graduation without passing an examination on these subjects (Sections 27-3 and 27-4 of the School Code [105 ILCS 5/27-3 and 27-4]).

c) No student shall be graduated from the 8th grade unless he or she has received instruction in the history of the United States and has given evidence of comprehensive knowledge of the subject (Section 27-21 of the School Code), which may include, without limitation, a written test or the teacher’s evaluation of the student’s work.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)

SUBPART G: STAFF QUALIFICATIONS

Section 1.705 Requirements for Supervisory and Administrative Staff

a) Each district superintendent shall hold an administrative certificate with a Superintendent’s endorsement.

b) Each assistant superintendent, principal, or assistant principal shall hold an administrative certificate with a General Administrative, Principal or Superintendent’s endorsement, except that a head teacher serving in place of a principal as permitted by Section 10-21.4a of the School Code [105 ILCS 5/10-21.4a] shall hold a teaching certificate endorsed for supervision.

c) Each general administrator (e.g., director, assistant director, coordinator, administrative assistant, or general supervisor) in general education shall hold an administrative certificate with a General Supervisory, General Administrative, Principal or Superintendent’s endorsement.

d) Each head of a general education department or supervisor for a specific subject shall hold either:

1) an administrative certificate with a General Supervisory, General Administrative, Principal or Superintendent’s endorsement; or

2) a teaching certificate endorsed for supervision in the area supervised.
e) Each supervisory dean shall hold an administrative certificate with a General Supervisory, General Administrative, Director of Special Education’s, Principal or Superintendent’s endorsement.

f) Each dean of students shall hold:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education’s, Principal or Superintendent’s endorsement; or

2) a teaching certificate (endorsed for supervision if the holder suspends students pursuant to Section 10-22.6 of the School Code); or

3) a school service personnel certificate endorsed for any field other than school nursing (and for supervision if the holder disciplines or suspends students).

g) Each special education director or assistant director shall meet the requirements of 23 Ill. Adm. Code 226.800(g)(2) and hold an administrative certificate endorsed for “Director of Special Education”.

h) Each special education supervisor shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold either:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education’s, Principal or Superintendent’s endorsement and teaching qualifications in each area supervised; or

2) a teaching certificate endorsed for each area supervised and for supervision (see 23 Ill. Adm. Code 25.497 (Supervisory Endorsements)).

i) Each supervisor of more than one school service personnel area shall hold either:

1) an administrative certificate and a General Administrative, Principal or Superintendent’s endorsement; or

2) a school service personnel certificate endorsed for supervision in each field supervised.
j) Each supervisor of one school service personnel area shall hold:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education’s, Principal or Superintendent’s endorsement; or

2) a school service personnel certificate endorsed for the field supervised and for supervision; or

3) a teaching certificate endorsed for speech-language pathology and for supervision (if applicable).

k) Each director of an area vocational center and each director or supervisor of more than one field in career and technical education (including regional system directors) shall hold an administrative certificate with a General Administrative, Principal or Superintendent’s endorsement and have teaching qualifications in one of the five occupational areas and 2,000 hours of work experience outside the field of education.

l) Each supervisor of one field in career and technical education shall hold either:

1) an administrative certificate with a General Supervisory, General Administrative, Principal or Superintendent’s endorsement and teaching qualifications in one field of career and technical education, including 2,000 hours of work experience in the specific field outside of education; or

2) teaching qualifications in the specific field supervised, including 2,000 hours of work experience in the specific field outside of education, and a supervisory endorsement.

m) Each administrator in a bilingual education program shall meet the applicable requirements of 23 Ill. Adm. Code 228.35(d).

n) Each chief school business official shall hold an administrative certificate and a Chief School Business Official’s endorsement.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)
TO: Illinois State Board of Education

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

Agenda Topic: Action Item: Proposed Amendment for Initial Review: Part 151 (School Construction Program)

Materials: Recommended Amendment

Staff Contact(s): Debbie Vespa, Division Administrator

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

Relationship to/Implications for the State Board's Strategic Plan
This item is technical in nature, but the rulemaking indirectly links to Strategic Plan Goal 3, safe and healthy learning environments, in that it enables special education cooperatives to access funding under the Energy Efficiency Grant Program.

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

Background Information
P.A. 97-205, effective July 28, 2011, added special education cooperatives to the list of entities eligible to apply for energy efficiency grants under Section 5-200 of the School Construction Law [105 ILCS 230/5-200], necessitating a change in Section 151.200 of the Board’s administrative rules governing that program.

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 amendment is technical in nature and will align Part 151 with the provisions of the School Construction Law. Failure to make this change would not alter a special education cooperative’s eligibility to apply for an energy efficiency grant.
**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:

School Construction Program (23 Illinois Administrative Code 151),

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.
STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

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

PART 151
SCHOOL CONSTRUCTION PROGRAM

SUBPART A: SCHOOL CONSTRUCTION PROJECT GRANTS

Section
151.10 Purpose
151.20 Eligible Applicants
151.30 Application for School Construction Project Grant Entitlement
151.35 Application for School Construction Project Grant Entitlement - Districts With A Population Exceeding 500,000
151.40 Award of Construction Project Grant Entitlement
151.50 Priority Ranking of Construction Grant Entitlements
151.55 Needed Capacity for Unit Districts
151.60 Grant Index
151.70 Debt Service Grants (Repealed)

SUBPART B: SCHOOL MAINTENANCE PROJECT GRANTS

Section
151.100 Purpose; Eligible Applicants
151.110 Definitions
151.120 Application for School Maintenance Project Grants
151.130 Award of School Maintenance Project Grants - Applicants With a Population of 500,000 or Fewer
151.135 Award of School Maintenance Project Grants - School Districts With a Population Exceeding 500,000
151.140 Terms of the Grant

SUBPART C: SCHOOL ENERGY EFFICIENCY PROJECT GRANTS

Section
151.200 Purpose; Eligible Applicants
NOTICE OF PROPOSED AMENDMENT

151.210 Definitions
151.220 Application for School Energy Efficiency Project Grants
151.230 Award of School Energy Efficiency Project Grants - Applicants with a Population of 500,000 or Fewer
151.235 Award of School Energy Efficiency Project Grants - School Districts with a Population Exceeding 500,000
151.240 Terms of the Grant

AUTHORITY: Implementing the School Construction Law [105 ILCS 230] and authorized by Section 5-55 of that Law.


SUBPART C: SCHOOL ENERGY EFFICIENCY PROJECT GRANTS

Section 151.200 Purpose; Eligible Applicants

a) This Subpart implements Section 5-200 of the School Construction Law [105 ILCS 230/5-200], which requires that the State Board of Education issue grants for school energy efficiency projects.

b) Any school district, charter school, public university laboratory school approved by the State Board of Education pursuant to Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)], an area vocational center or special education cooperative may apply for a grant. An eligible applicant may apply for and receive more than one grant during a fiscal year. Applicants not awarded funding
in a fiscal year may reapply in a subsequent fiscal year, provided the proposed work has not been started or completed.

(Source: Amended at 36 Ill. Reg. ______, effective _____________)