ILLINOIS STATE BOARD OF EDUCATION
State Board of Education Meeting

June 20-21, 2012

NOTE: Staff presentations and detailed Board discussion typically take place prior to State Board action in the plenary session.
Open meetings will be audio cast on the Internet (as indicated) at: www.isbe.net

JUNE 20, 2012

12:00 p.m.  State Board of Education – Video Conference Meeting
ISBE Video Conference Room – Springfield/Chicago

Chicago Location: ISBE Video Conference Room, 14th Floor, 100 W. Randolph Street, Chicago, Illinois

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

JUNE 21, 2012

8:30 a.m.  State Board of Education Meeting - Springfield
Board Room, 4th Floor
100 North First Street, Springfield, IL

All State Board of Education meetings listed on this agenda will be accessible to persons with disabilities. Persons planning to attend who need special accommodations should contact the Board office no later than the date prior to the meeting. Contact the Superintendent's office at the State Board of Education, Phone: 217-782-2221; TTY/TDD: 217-782-1900; Fax: 217-785-3972.

NOTE: Chairman Chico may call to order the Board's plenary session early for the sole purpose of hearing a motion to go into closed session. In such case, the plenary session will reconvene for action items at the time posted. Chairman Chico may also call for a break in the plenary session on Thursday at which time the Board will go into closed session.
AGENDA

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

II. Public Participation

III. District Oversight
   A. Proviso Township - Status of Oversight Panel  (action as needed) (p. 6)
   B. North Chicago Discussion  (action as needed) (pp. 7-31)
   C. East St. Louis Discussion  (action as needed) (pp. 32-62)

IV. Adjourn
AGENDA

I. Roll Call/Pledge of Allegiance

   A. Consideration of and Possible Actions on Any Requests for Participation in Meeting by Other Means

II. Closed Session

III. Public Participation

IV. Resolutions & Recognition (p. 63)

   A. Student Advisory Council Presentation

   B. Certificates of Appreciation to Outgoing Seniors of the Student Advisory Council

V. *Superintendent’s Report - Consent Agenda

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

   A. *Approval of Minutes:

      1. Plenary Minutes: May 17, 2012 (pp. 64-73)

   B. *Rules for Initial Review

      1. Part 60 (“The Grow Your Own” Teacher Education Initiative) (pp. 74-89)

      2. Part 65 (New Teacher Induction & Mentoring) (pp. 90-117)

   C. *Rules for Adoption

      1. Part 25 (Certification) (pp. 118-292)

      2. Part 51 (Dismissal of Tenured Teachers under Article 24 Tenured Teachers and Principals under Article 34 of the School Code) (pp. 293-359)

      3. Part 100 (Requirement for Accounting, Budgeting, Financial Reporting, and Auditing) (pp. 360-383)

      4. Part 226 (school nurse issue)(Special Education) (pp. 384-398)

      5. Part 226 (special education director)(Special Education) (pp. 399-431)

      6. Part 350 (Secular Textbook Loan) (pp. 432-438)

      7. Part 451 (Private Business and Vocational Schools) (pp. 439-496)
D. *Contracts and Grants Over $1 Million

1. Contract Renewal: ROE #48-Peoria County for the Illinois Virtual School (pp. 497-500)

2. Request to Extend: American Institutes for Research (AIR) formally known as Learning Point Associates (LPA) (pp. 501-503)

3. Approval of Release RFSP: Performance Evaluation Reform Act (PERA) Research-Based Study (pp. 504-505)

4. Request to Release RFSP: Mentoring and Induction Technical Assistance to Race to the Top (RttT) Local Education Agencies (LEAs) (pp. 506-508)

5. School Improvement Grant 1003G (pp. 509-1-509-4)

6. PERA/PEAC Evaluation Training System Additional Slots (pp. 509-1a-501-1c)

7. Other Contracts & Grants to be determined

E. *Appointments to the Department of Juvenile Justice Department of Education (pp. 510-521)

F. *Update to the Strategic Plan (pp. 522-566)

G. *New Leaders New Schools – Unit Recognition and Program Approval (p. 567)

H. *FY11 Financial Audit Report (p. 568)

I. *FY13 Internal Audit Plan (pp. 569-571)

End of Consent Agenda

J. Scale Score Ranges for Test of Academic Proficiency (TAP) (p. 572)

K. Transfer of Prairie Crossing Charter School and Southland College Prep Charter School from ISBE to Illinois State Charter School Commission (pp. 573-635)

L. Dissolution of Venice FOP (pp. 636-643)

M. Approval of East St. Louis Financial Oversight Panel Financial Request (pp. 644-645)

N. District Oversight: East St. Louis (pp. 32-62)

O. District Oversight: North Chicago (pp. 7-31)

P. Superintendent’s Contract Renewel (action as needed)

VI. Discussion Items

A. Budget Update (pp. 646-653)

B. Legislative Update (pp. 654-663)

C. Other Items for Discussion

VII. Announcements
A. IBHE Liaison Report (Dr. Proshanta Nandi)
B. P-20 Council Liaison Report (Joyce Karon)
C. Superintendent’s/Senior Staff Announcements
D. Chairman’s Report
E. Member Reports

VIII. Information Items

A. ISBE Fiscal & Administrative Monthly Reports (available online at http://isbe.net/board/fiscal_admin_rep.htm)
B. Status of Agency Rulemaking (pp. 664-668)

IX. Closed Session (as needed)

X. Adjourn

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NOTE: Chairman Chico may call for a break in the meeting as necessary in order for the Board to go into closed session.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Robert Wolfe, Acting Chief Financial Officer

Agenda Topic: Proviso Township High School District 209 Financial Oversight Panel

Materials: Petition from Proviso Township High School District 209 Financial Oversight Panel
Petition from Proviso Township High School District 209 School Board
Summary of Finances
Facts Report on the District’s Financial Condition

Staff Contact(s): Debby Vespa

Purpose of Agenda Item
Provide the Board with an understanding of the financial difficulties in Proviso Township High School District 209 in Cook County (District) and to determine if the Proviso School District Financial Oversight Panel should be reorganized under Article 1H of the School Code [105 ILCS 5/1H] as petitioned by the Financial Oversight Panel or dissolved as petitioned by the Proviso Board of Education.

Relationship to/Implications for the State Board’s Strategic Plan
The agenda item is linked to all three goals. A sound financial position will allow the District to prioritize resources to ensure student academic achievement, employ highly prepared and effective teachers and school leaders, and ensure a safe and healthy learning environment for all students.

Expected Outcome(s) of Agenda Item
Staff will provide basic details on the District’s financial position, cash position, and the District’s long-term debt capacity.

The Board will approve ongoing technical assistance to the District and grant approval to the State Superintendent to appoint a five-member Financial Oversight Panel in accordance with Article 1H of the School Code.

Background Information
Proviso is a high school district with an enrollment of 4,900 students located ten miles west of Chicago. It has three campuses: Proviso East (Maywood, Illinois), Proviso West (Hillside, Illinois), and Proviso Math and Science Academy (Forest Park, Illinois)

Proviso Township High School District 209 was certified in financial difficulty by the State Board on October 22, 2008.
Proviso Township High School District 209 petitioned the Illinois State Board of Education (State Board) on November 17, 2008 for the appointment of a Financial Oversight Panel under Section 1B. The State Board approved this petition at its December 18, 2008 meeting.

On April 26, 2012, the Proviso School District 290 Financial Oversight Panel (FOP) petitioned the State Board to reorganize the Financial Oversight Panel under Article 1H of the School Code [105 ILCS 5/1H]. The FOP is currently approved under Article 1B of the School Code [105 ILCS 5/1B].

On May 8, 2012, the Proviso School District Board (District Board) petitioned the State Board for dissolution of the Financial Oversight Panel.

Since the FOP has been working with the District Board and the District Administration, the District has realized improvements in its finances. Through FY 2009 the District had been realizing a deficit of revenue to expenditures. In FY 2008, the district “deficit” spent by $7.4 million which resulted in an ending fund balance of $3.3 million. If deficit spending of this magnitude had continued, the District would have realized negative fund balances for FY 2009. In FY 2009, the district continued to realize more expenditures than receipts in the amount of $981,000 and issued $15.4 million in Working Cash Fund Bonds. This increased the District’s ending fund balance to $18 million.

Through great strides and hard work, the District realized a surplus of revenue over expenditures in FY 2010 in the amount of $1.1 million for the aggregate operational funds. This continued into FY 2011 with a surplus of $1.4 million. However, while the fund balances reflect an aggregate surplus, most of that was realized in the Working Cash Fund. In FY 2011, the Working Cash Fund Balance was $24.6 million, but the cash balance was only $11.6 million. The District issued interfund loans from the Working Cash Fund to the Education Fund, Operation and Maintenance Fund, Pupil Transportation Fund, and the IMRF/FICA Fund in a total amount of $13 million. Without these loans, these funds would not have had the cash balance to sustain them.

The Education Fund is much the same. While this fund had a fund balance of $10 million, the ending cash balance for FY 2011 was $3 million. The Education fund has total outstanding loans of $15.5 million to the Operation and Maintenance and Pupil Transportation Funds.

The District Administration is in the process of paying off all the loan moving funds to alleviate negative fund balances. To do this, the Administration will need to abate Working Cash and budget General State Aid in the Operation and Maintenance Fund and Pupil Transportation Fund. Currently, these General State Aid funds are budgeted in the Education Fund. Once the abatements of Working Cash are completed, it is estimated the fund balance will be $5 million. The FY 2011 fund balance is $24.6.

These abatements and transfers do not negate the systemic deficit spending that is taking place in the Operation and Maintenance and Pupil Transportation Funds. If negotiations for the maintenance and custodial staff are not successful, the deficit will continue to be over $1.9 million in the Operation and Maintenance Fund. To continue the district-wide pupil transportation program, other General State Aid or Working Cash will need to be continually budgeted or abated to reverse the current deficit spending of over $1.6 million. These requirements will continue to have a negative impact in the Education and Working Cash Funds.
Once the Education Fund Balance is utilized, the District will have to depend on the Working Cash Fund to cover the Operation and Maintenance and Pupil Transportation Funds’ deficits. The District is currently at its Debt Extension Limitation and cannot issue any additional long-term debt until 2028. If the Education and Working Cash Fund balances are utilized, the only long-term debt options will be through a Financial Emergency Assistance Loan that is available only if a Financial Oversight Panel is in place.

To further impact the District’s financial stability, the District has a five year capital improvement plan that denotes a $28.6 million building need. As mentioned above, the District does not have any long-term Debt Extension Limitation available. The FOP has asked the District to post an RFP for the Debt Financial Advisor to determine if any restructuring can be done to improve the debt limitation for assistance with the building needs.

While the District has made progress with its finances, several steps are still necessary to bring complete financial stability. The continuance of the Financial Oversight Panel is necessary to insure all of these processes are completed as projected to ensure the best education for the students.

The current FOP has over 100 years of school finance experience available to assist the District. However, testimony at the May State Board meeting indicated that these members are not from the community. Therefore, ISBE staff are recommending that the FOP be reorganized under the new Article 1H language that allows for a five member panel. The two additional members are required to be residents of the Proviso Township High School District.

While the District Board has petitioned the State Board for dissolution of the current Financial Oversight Panel, for the reasons stated above, ISBE staff believes the FOP should be reorganized and continue their oversight Article 1H of the School Code. [105 ILCS 5/1B, 105 ILCS 5/1H]

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

Policy Implications: This will be the first Article 1B Financial Oversight Panel that has been reorganized under the new Article 1H language. [105 ILCS 5/1B, 105 ILCS 5/1H]

Budget Implications: None

Legislative Implications: None

Communication: Communicate to the District and the current Financial Oversight Panel members the decision of the State Board.

Pros and Cons of Various Actions
Pros – Reorganization under Article 1H of the School Code will enhance the representation on the FOP to include representation of the Proviso community.

Cons – In discussion with the State Board Legal Department, reorganization under Article 1H will restart the FOP timeline. The statute requires a minimum of three years and a maximum of ten years.
Superintendent’s Recommendation

I recommend that the following motion be adopted:
That Illinois State Board of Education moves to approve the appointment of a Financial Oversight Panel under Article 1H-15(c) of the School Code for Proviso Township High School District 209 effective this date June 20, 2012.

Next Steps
The District will be informed of the State Board’s decision. If so approved by the Board, within the next ten days, the State Superintendent will appoint five members to sit on the panel and designate one of the five to be the Chairman of the Financial Oversight Panel.
Summary of Finances:

Proviso Township High School
District 209

State Board Meeting
June 2012

Dr. Christopher A. Koch, State Superintendent
Robert Wolfe, Acting Chief Financial Officer
Summary of Finances for Proviso Township High School District 209

Enrollment

District enrollment has been increasing since FY 2004. In the last five years, enrollment has increased over 270 pupils or 5.6%.

Because the attendance has been increasing over the years and the percentage of low income students has been increasing, the district’s General State Aid Entitlements have consistently increased. In the last five years, General State Aid has increased $6.1 million or 264.7 percent. In FY 2011, GSA represented 6.4 percent of district revenue compared to the state percentage of 14.9 percent. The GSA Entitlement is calculated on the Alternate Formula method.
In FY 2011, Proviso School District received $8.1 million in General State Aid. In FY 2012, General State Aid increased to $1.7 million or 21.0 percent to $9.8 million. In FY 2013, General State Aid is estimated to increase an additional $200,000 million or 2% to $9.9 million. The primary reason for the increases to GSA is due to increasing enrollment and percentage of low income students.

**District Equalized Assessed Valuation (EAV)**

In District 209, the per student EAV or property available has been holding consistent for the past three years, with a slight decrease for tax year 2010.

- The 2010 total EAV is $3.1 billion.
- If the 2011 enrollment of 5,146 is utilized, the EAV per student is over $595,000.
- The average EAV per student in the state is over $283,000.
Composition of District’s Revenue

- In the district’s Operational Funds (Education, Operation and Maintenance, Pupil Transportation, and Working Cash)

- Seventy-six percent of the district’s revenue comes from local sources compared to 61% at the statewide level.
- Seventeen percent of the district’s funding is from State sources, compared to the statewide 28%.

Proviso School District has made improvements to their financial standing, but difficult choices are still necessary.
- The district realized operational deficits (revenue vs. expenditures) from at least FY 1999 through FY 2009. (Electronic files are not available prior to FY 1999).
- After the first year of the Financial Oversight Panel for FY 2010 and FY 2011, the district realized operational surpluses (revenue vs. expenditures)
- Through FY 2009 the net results of operations was an overall deficit
- Currently the Operation and Maintenance Fund and the Transportation Fund continue to realize deficits of $1.9 and $1.6 million
- The Education Fund and the Working Cash Fund are utilized to support those two funds
- For FY 2011, Working Cash had $13 million in loans outstanding to the Education, Operation and Maintenance, Transportation and IMRF Funds. This left a cash balance of $11.6 million in the Working Cash Fund
- The district is in the process of paying off all outstanding loans and negative fund balances. The amended FY 2012 budget reflects that the Working Cash Fund balance
will then be reduced to $5 million from the current $24.6 million. For future fiscal years, General State Aid funding and Working Cash will need to be moved to the Operation and Maintenance and Transportation Funds to continue to sustain them. This will result in a further reduction to the Education and Working Cash Funds.
District Fund Operational Balances (Education, Operation and Maintenance, Pupil Transportation, and Working Cash Funds):

- As reflected in the top graph above, the only fund realizing a surplus of revenue to expenditures is the Working Cash Fund. In the aggregate, through FY 2009, the three operational funds realized a deficit of revenue to expenditures. In FY 2010, these funds realized a slight surplus of $995,000. In FY 2011, this surplus improved to $1.2 million.
- Due to the negative results of operations, the district’s fund balances continued to decrease through FY 2009.
- However, in FY 2009, the district sold $15.7 million in Working Cash Fund Bonds that increased their ending operational fund balance to $18.1 million. Without the sale of these bonds, the ending fund balance would have been $2.3 million. (See the charts below)
  - Because of the sale of these bonds, the district’s debt extension limitation is at capacity until FY 2028.
District Cash Balances:

As denoted in the chart below, the cash balances are much different that the fund balances.

- Total cash was at the highest level in FY 2002, $43.1 million. Of this amount, $21.6 million is from Working Cash.
- The lowest cash level was in FY 2008, $3.2 million of which $472,000 is from Working Cash.
- Because the district issued Working Cash Fund Bonds of $15.7 million in FY 2009, cash level increased to $16.8 million. However, the district incurred interfund loans of $21.1 million to the Education, Operation and Maintenance, and IMRF/FICA Funds from the Working Cash Fund. Therefore, most of the cash in those funds were due back to the Working Cash Fund upon the receipt of taxes.
Interfund Loans:

- At the end of FY 2011, the district had $28.4 million due in outstanding interfund loans. (See the Chart above).
- By the end of FY 2012, they anticipate they will be paying off these loans and permanently abating Working Cash funds to alleviate the negative fund balances. After these permanent transfers and abatements are completed, it is estimated that the district will have $5 million in its Working Cash Fund.
- The Working Cash Fund and the Education Fund will need to sustain the deficits realized in the Operation and Maintenance and Transportation Funds.

Health, Life and Safety Building Needs

Because of the operational concerns of the district, little has been done to maintain the facilities. The district has a five year capital improvement plan that they have not been able to implement due to financial restraints. The five year capital improvement plan denotes a building need of over $28.6 million:

- Proviso East High School, $12.5 million
- Proviso West High School, $14.4 million
- Proviso Math and Science Academy, $1.8 million

The FOP has asked the district to begin incorporating building needs in the budget. This is difficult since the district is running deficits in the Operation and Maintenance Fund and they are at their debt capacity. An RFP has been written to obtain the services of a debt finance manager to determine if the debt can be restructured or if there are any other options to secure funding for the building needs.

In the amended FY 2012 budget, the district did allot $500,000 for capital outlay in the Operations and Maintenance Fund. These funds will be used for improvements to the roofs.
What has the district administration done so far?

- In March 2010, the district reduced certified staff positions that affected 58 personnel
  - In August 2010, 45 were rehired
- In March 2011, the district reduced 50 certified staff positions
  - In August 2011, 14 were rehired
- Total overall certified positions have been reduced 49 positions
- This was accomplished by restructuring the instructional day from eight hours to seven hours.

What else has been reviewed?

- The FOP inquired about the efficiency of operating three buildings, Proviso East, Proviso West, and the Proviso Math and Science Academy.
  - The FOP did not seek to discontinue the academics of the Proviso Math and Science Academy, they wanted review of:
    - Efficiency of operating this program in a separate facility
    - Using block scheduling that deterred efficient sharing of teachers between all high schools
- The FOP inquired about providing district-wide pupil transportation that is not statutorily required
  - District-wide pupil transportation was implemented the first year the State reduced regular pupil transportation reimbursement
  - The current revenue to expenditure deficit is $1.6 million in this fund
  - All three high schools are located on high traffic roadways and have IDOT hazardous approval
  - FOP stated that to continue district-wide pupil transportation, the district will need to denote a specific revenue stream for these expenditures. For FY 2013, the district will budget General State Aid revenue in the Transportation Fund that previously was budgeted to the Education Fund.
- The FOP inquired into the high attorney fees that cost the district $450,000 to $500,000 per year. The Finance Committee began reviewing the efficiencies of hiring an in-house attorney. Before this review was completed, the committee was disbanded. The district is reviewing if a retainer will be more cost effective.
- The FOP also reviewed all administrative contracts and asked the district to remove the automatic pay increases and bonuses.
- At the request of the FOP, the district did issue an RFP for an Insurance Broker. This resulted in a cost savings of $300,000 for the district by reducing the broker fees and reducing the employee insurance cost to the district.
- The FOP is currently monitoring the Maintenance/Custodial staff negotiations and has given financial parameters.
Additional Concerns

- Future negotiations
- Future State and Federal Funding
- Impact on cash flow for possible transfer of pension obligations to school districts. The total pension obligation is estimated to be $5.8 million. The “normal costs” obligation is estimated to be $1.6 million.
- Additional reductions to the Pupil Transportation appropriation
- Annual estimated budget savings are not realized
- Unforeseen cash flow/budget issues
## FACTS Report

### Proviso Twp High School District 209

**06-016-2090-17**

**Superintendent:** Dr. Nettie Collins-Hart

**Number of Students:** 5,146

**School Type:** High School

**District Number of Teachers:** 273

**Tax Cap School District:** Yes

**State Average Teacher Salary:** $61,972

**Low Income Rate:** 58.2%

**IEP:** 16.8%

### Revenue Sources

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### SUMMARY OF OPERATING FUNDS as per district

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<td>(981,308)</td>
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**Note:** **DRP** indicates a deficit reduction plan would have been required.

### SUMMARY OF OPERATING FUNDS as per ISBE summary

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<tr>
<td>Fund Balances</td>
<td>34,538,408</td>
<td>28,539,634</td>
<td>25,045,778</td>
<td>10,711,210</td>
<td>3,321,229</td>
<td>18,056,020</td>
<td>19,175,938</td>
<td>20,587,910</td>
<td>20,658,204</td>
<td>19,669,166</td>
<td></td>
</tr>
</tbody>
</table>

**School Year 2003-04**

<table>
<thead>
<tr>
<th><strong>Enrollment</strong></th>
<th><strong>Ave. Class Size</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>4,852</td>
<td>4,791</td>
</tr>
</tbody>
</table>

**Outstanding Debt**

<table>
<thead>
<tr>
<th><strong>Type of Debt</strong></th>
<th><strong>FY 2004</strong></th>
<th><strong>FY 2005</strong></th>
<th><strong>FY 2006</strong></th>
<th><strong>FY 2007</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Short-Term Debt</strong></td>
<td><strong>Long-Term Debt</strong></td>
<td><strong>FY 2004</strong></td>
<td><strong>FY 2005</strong></td>
<td><strong>FY 2006</strong></td>
</tr>
<tr>
<td><strong>FY 2004</strong></td>
<td><strong>FY 2005</strong></td>
<td><strong>FY 2006</strong></td>
<td><strong>FY 2007</strong></td>
<td><strong>FY 2008</strong></td>
</tr>
<tr>
<td><strong>Short-Term Debt Limit</strong></td>
<td>31,521,469</td>
<td>31,003,283</td>
<td>31,268,610</td>
<td>36,420,651</td>
</tr>
<tr>
<td><strong>Long-Term Debt Limit</strong></td>
<td>154,096,068</td>
<td>158,644,647</td>
<td>185,614,000</td>
<td>185,151,556</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Profile Score</strong></th>
<th><strong>FY 2004</strong></th>
<th><strong>FY 2005</strong></th>
<th><strong>FY 2006</strong></th>
<th><strong>FY 2007</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FY 2004</strong></td>
<td><strong>FY 2005</strong></td>
<td><strong>FY 2006</strong></td>
<td><strong>FY 2007</strong></td>
<td><strong>FY 2008</strong></td>
</tr>
<tr>
<td><strong>Profile Designation</strong></td>
<td><strong>Recognition</strong></td>
<td><strong>Review</strong></td>
<td><strong>Review</strong></td>
<td><strong>Watch</strong></td>
</tr>
</tbody>
</table>

Plenary Packet - Page 6-15
## ISBE Estimated Summary of Cash Position

### FY 2012

<table>
<thead>
<tr>
<th>Summary of 2012 Cash on Hand</th>
<th>Education Fund</th>
<th>Operation and Maintenance Fund</th>
<th>Transportation Fund</th>
<th>IMRF/FICA Fund</th>
<th>Working Cash Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Cash</td>
<td>2,492,231</td>
<td>2,631,037</td>
<td>1,584,121</td>
<td>412,790</td>
<td>11,601,394</td>
<td>18,721,573</td>
</tr>
<tr>
<td>FY 2012 Revenue</td>
<td>55,352,955</td>
<td>5,106,587</td>
<td>2,352,068</td>
<td></td>
<td>154,525</td>
<td>28,699,355</td>
</tr>
<tr>
<td>FY 2012 Expenditures</td>
<td>55,122,955</td>
<td>5,096,587</td>
<td>2,272,664</td>
<td>2,247,658</td>
<td>0</td>
<td>27,759,666</td>
</tr>
<tr>
<td>Permanent Abatement</td>
<td></td>
<td>477,799</td>
<td>2,352,068</td>
<td></td>
<td>154,525</td>
<td>477,799</td>
</tr>
<tr>
<td>From Working Cash</td>
<td>0</td>
<td>1,250,000</td>
<td>5,500,000</td>
<td></td>
<td>1,730,000</td>
<td>170,000</td>
</tr>
<tr>
<td>Plus Interfund Receivables</td>
<td>12,500,000</td>
<td>4,000,000</td>
<td>0</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Less Interfund Payables</td>
<td>(17,576,212)</td>
<td>(16,321,384)</td>
<td>(6,526,740)</td>
<td>(1,459,111)</td>
<td>(55,335,447)</td>
<td>(12,500,000)</td>
</tr>
<tr>
<td>Ending Cash On Hand</td>
<td>9,793,818</td>
<td>2,510,183</td>
<td>2,092,821</td>
<td>1,272,973</td>
<td>4,991,366</td>
<td>20,661,161</td>
</tr>
</tbody>
</table>

- Operation and Maintenance and Pupil Transportation deficits were reduced by transferring $2 million and $2.5 million of General State Aid into these funds.

### FY 2013

<table>
<thead>
<tr>
<th>Summary of 2013 Cash on Hand</th>
<th>Education Fund</th>
<th>Operation and Maintenance Fund</th>
<th>Transportation Fund</th>
<th>IMRF/FICA Fund</th>
<th>Working Cash Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Cash</td>
<td>9,793,818</td>
<td>2,510,183</td>
<td>2,092,821</td>
<td>1,272,973</td>
<td>4,991,366</td>
<td>20,661,161</td>
</tr>
<tr>
<td>FY 2013 Revenue</td>
<td>54,992,973</td>
<td>5,097,944</td>
<td>3,487,570</td>
<td>2,299,702</td>
<td>0</td>
<td>69,838,188</td>
</tr>
<tr>
<td>FY 2013 Expenditures</td>
<td></td>
<td>1,379,767</td>
<td>342,532</td>
<td>480,362</td>
<td>12,000</td>
<td>(499,673)</td>
</tr>
</tbody>
</table>

- With GSA transfers into other funds, Education Fund now reflects a deficit.
- Operation and Maintenance and Pupil Transportation funds continue to be sustained with GSA funds of $1.5 million and $1.2 million.
- $2,000,000 transferred to Capital Improvement to repair roofs.

### FY 2014

<table>
<thead>
<tr>
<th>Summary of 2014 Cash on Hand</th>
<th>Education Fund</th>
<th>Operation and Maintenance Fund</th>
<th>Transportation Fund</th>
<th>IMRF/FICA Fund</th>
<th>Working Cash Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Cash</td>
<td>8,414,053</td>
<td>2,546,380</td>
<td>2,436,392</td>
<td>1,762,335</td>
<td>5,002,386</td>
<td>20,182,485</td>
</tr>
<tr>
<td>FY 2014 Revenue</td>
<td>54,992,973</td>
<td>9,094,141</td>
<td>3,487,571</td>
<td>2,329,702</td>
<td>0</td>
<td>69,838,189</td>
</tr>
<tr>
<td>FY 2014 Expenditures</td>
<td></td>
<td>1,379,767</td>
<td>342,532</td>
<td>480,362</td>
<td>12,000</td>
<td>(499,673)</td>
</tr>
</tbody>
</table>

- For analysis purposes, FY 14 revenues and expenditures were held consistent with FY 13.
- Even with no increases to expenditures, Education Cash Balance continue to decline. Other fund balances holding steady.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Susie Morrison, Deputy Superintendent/Chief of Staff
      Marcilene Dutton, Interim General Counsel

Agenda Topic: North Chicago Community Unit School District #187

          North Chicago Community Unit School District #187 Annual Yearly Progress
          Report 2011 from the Illinois Interactive Report Card

Staff Contact(s): Monique Chism, Division Administrator, Innovations and Improvement

Purpose of Agenda Item
To discuss the State Superintendent and Agency’s concerns with respect to the academic
achievement of the North Chicago Community Unit School District #187 (the “District”).

Relationship to/Implications for the State Board’s Strategic Plan
The Agency is committed to intervening in low-performing school districts and schools as
necessary to best ensure that all three of the State Board of Education’s goals are met: (1)
“Every student will demonstrate academic achievement and be prepared for success after high
school”; (2) “Every student will be supported by highly prepared and effective teachers and
school leaders”, and (3) “Every school will offer a safe and healthy learning environment for all
students.”

Expected Outcome(s) of Agenda Item
The anticipated outcome of this agenda item is that the State Board of Education will authorize
the State Superintendent of Education to direct the regional superintendent of schools to
remove each of the school board members pursuant to Section 2-3.25f(b) of the Illinois School
Code [105 ILCS 5/2-3.25f(b)]. Further, it is anticipated the State Board of Education shall direct
the State Superintendent of Education to appoint an Independent Authority, and name a
Chairperson of that Authority, that shall exercise the powers and duties necessary to operate
the district for purposes of improving student performance and to achieve school improvement.

Background Information
105 ILCS 5/2-3.25f(b) states:

(b) In addition, if after 3 years following its placement on academic watch status a school
district or school remains on academic watch status, the State Board of Education shall
take one of the following actions for the district or school:

(1) The State Board of Education may authorize the State Superintendent of Education
to direct the regional superintendent of schools to remove school board members
pursuant to Section 3-14.28 of this Code. Prior to such direction the State Board of
Education shall permit members of the local board of education to present written
and oral comments to the State Board of Education. The State Board of Education may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement. The State Superintendent of Education shall designate one member of the Independent Authority to serve as chairman. The Independent Authority shall serve for a period of time specified by the State Board of Education upon the recommendation of the State Superintendent of Education.

(2) The State Board of Education may (A) change the recognition status of the school district or school to non-recognized, or (B) authorize the State Superintendent of Education to direct the reassignment of pupils or direct the reassignment or replacement of school district personnel who are relevant to the failure to meet adequate yearly progress criteria. If a school district is non-recognized in its entirety, it shall automatically be dissolved on July 1 following that non-recognition and its territory realigned with another school district or districts by the regional board of school trustees in accordance with the procedures set forth in Section 7-11 of the School Code. The effective date of the non-recognition of a school shall be July 1 following the non-recognition.

The Board of Education Members for North Chicago Community Unit School District #187 were informed that they were subject to possible removal in the Intergovernmental Cooperative Agreement dated November 30, 2010 and again in the Notice of Termination of Intergovernmental Cooperative Agreement dated May 1, 2012.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: If the State Board directs the State Superintendent to pursue the course of action proposed, the Agency will have the powers necessary to create meaningful reform in the District and impact the academic achievement of the schools within the District.

Superintendent’s Recommendation
I recommend that the following motion be adopted:

The Board hereby authorizes the State Superintendent of Education to direct the regional superintendent of schools to remove each of the school board members of North Chicago Community Unit School District #187 pursuant to Section 2-3.25f(b) of the Illinois School Code [105 ILCS 5/2-3.25f(b)]. The Board further directs the State Superintendent to appoint an Independent Authority and shall name one of the Independent Authority members to serve as its chair. The Independent Authority shall exercise the powers and duties necessary to operate the district for purposes of improving student performance and to achieve school improvement. The Board further directs the State Superintendent to establish performance criteria to determine measures of district progress and eventual restoration of local control.

Next Steps
The State Superintendent will direct the regional superintendent of schools to remove each of the North Chicago Community Unit School District #187 board members, will appoint an Independent Authority appointing one member to serve as chair. The State Superintendent will establish and communicate performance criteria to the Board.
State and federal laws require public school districts to release report cards to the public each year.

Starting in 2009, charter school information is included in district statistics.

### STUDENTS

#### RACIAL/ETHNIC BACKGROUND AND OTHER INFORMATION

<table>
<thead>
<tr>
<th>W</th>
<th>B</th>
<th>H</th>
<th>A</th>
<th>AI</th>
<th>AM</th>
<th>TR</th>
<th>LEP</th>
<th>IEP</th>
<th>HS</th>
<th>D</th>
<th>C</th>
<th>M</th>
<th>A</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>7.0</td>
<td>42.6</td>
<td>46.6</td>
<td>1.2</td>
<td>0.2</td>
<td>0.1</td>
<td>2.3</td>
<td>64.7</td>
<td>20.5</td>
<td>15.9</td>
<td>1.7</td>
<td>7.8</td>
<td>25.9</td>
<td>91.6</td>
</tr>
<tr>
<td>State</td>
<td>51.4</td>
<td>18.3</td>
<td>23.0</td>
<td>4.1</td>
<td>0.1</td>
<td>0.3</td>
<td>2.8</td>
<td>48.1</td>
<td>8.8</td>
<td>14.0</td>
<td>2.7</td>
<td>3.2</td>
<td>12.8</td>
<td>94.0</td>
</tr>
</tbody>
</table>

Low-income students come from families receiving public aid; live in institutions for neglected or delinquent children; are supported in foster homes with public funds; or are eligible to receive free or reduced-price lunches. Limited-English-proficient students are those students eligible for transitional bilingual programs. Mobility rate is based on the number of times students enroll in or leave a school during the school year. Chronic truants are students who are absent from school without valid cause for 18 or more of the last 180 school days. Total Enrollment is based on Home School.

### INSTRUCTIONAL SETTING

#### STUDENT-TO-STAFF RATIOS

**PARENTAL CONTACT***

| Percent | District | 85.2 | State | 96.0 |

**STUDENT-TO-STAFF RATIOS**

<table>
<thead>
<tr>
<th>Pupil-Teacher Elementary</th>
<th>Pupil-Teacher Secondary</th>
<th>Pupil-Certified Staff</th>
<th>Pupil-Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>18.5</td>
<td>23.7</td>
<td>15.2</td>
</tr>
<tr>
<td>State</td>
<td>18.8</td>
<td>18.9</td>
<td>13.6</td>
</tr>
</tbody>
</table>

* Parental contact includes parent-teacher conferences, parental visits to school, school visits to home, telephone conversations, and written correspondence.

#### AVERAGE CLASS SIZE (as of the first school day in May)

<table>
<thead>
<tr>
<th>Grades</th>
<th>K</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9 - 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>20.7</td>
<td>18.7</td>
<td>22.5</td>
<td>19.4</td>
<td>24.7</td>
<td>18.8</td>
<td>19.9</td>
<td>22.8</td>
<td>20.8</td>
<td>16.7</td>
</tr>
<tr>
<td>State</td>
<td>20.9</td>
<td>21.6</td>
<td>21.8</td>
<td>22.3</td>
<td>22.9</td>
<td>23.3</td>
<td>22.0</td>
<td>21.3</td>
<td>21.3</td>
<td>19.2</td>
</tr>
</tbody>
</table>

#### TIME DEVOTED TO TEACHING CORE SUBJECTS (Minutes Per Day)

<table>
<thead>
<tr>
<th>Grades</th>
<th>Mathematics 3</th>
<th>6</th>
<th>8</th>
<th>Science 3</th>
<th>6</th>
<th>8</th>
<th>English/Language Arts 3</th>
<th>6</th>
<th>8</th>
<th>Social Science 3</th>
<th>6</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>59</td>
<td>45</td>
<td>55</td>
<td>44</td>
<td>45</td>
<td>55</td>
<td>120</td>
<td>90</td>
<td>55</td>
<td>42</td>
<td>45</td>
<td>55</td>
</tr>
<tr>
<td>State</td>
<td>60</td>
<td>55</td>
<td>52</td>
<td>30</td>
<td>43</td>
<td>44</td>
<td>143</td>
<td>103</td>
<td>91</td>
<td>30</td>
<td>43</td>
<td>44</td>
</tr>
</tbody>
</table>
### TEACHER INFORMATION (Full-Time Equivalents)

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Native Hawaiian/ Pacific islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>Unknown</th>
<th>Male</th>
<th>Female</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>69.0</td>
<td>18.1</td>
<td>10.2</td>
<td>1.3</td>
<td>0.0</td>
<td>1.3</td>
<td>0.0</td>
<td>0.0</td>
<td>31.0</td>
<td>69.0</td>
<td>226</td>
</tr>
<tr>
<td>State</td>
<td>82.4</td>
<td>6.1</td>
<td>5.0</td>
<td>1.2</td>
<td>0.1</td>
<td>0.1</td>
<td>0.7</td>
<td>4.3</td>
<td>23.1</td>
<td>76.9</td>
<td>128,262</td>
</tr>
</tbody>
</table>

### TEACHER INFORMATION (Continued)

<table>
<thead>
<tr>
<th></th>
<th>Average Teaching Experience (Years)</th>
<th>% of Teachers with Bachelor's Degrees</th>
<th>% of Teachers with Master's &amp; Above</th>
<th>% of Teachers with Emergency or Provisional Credentials</th>
<th>% of Classes Not Taught by Highly Qualified Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td>District:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Schools</td>
<td>15.2</td>
<td>48.2</td>
<td>51.3</td>
<td>2.7</td>
<td>11.7</td>
</tr>
<tr>
<td>High Poverty Schools</td>
<td>14.1</td>
<td>50.7</td>
<td>49.3</td>
<td>2.7</td>
<td>0.0</td>
</tr>
<tr>
<td>Low Poverty Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Schools</td>
<td>13.2</td>
<td>39.5</td>
<td>60.4</td>
<td>0.6</td>
<td>0.8</td>
</tr>
<tr>
<td>High Poverty Schools</td>
<td>13.0</td>
<td>41.4</td>
<td>58.5</td>
<td>1.4</td>
<td>3.3</td>
</tr>
<tr>
<td>Low Poverty Schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The No Child Left Behind Act requires that information for certain data elements be disaggregated by high- and low-poverty schools. Poverty (low-income) is defined on page 1 of all report cards. High- and low-poverty schools include those in the top and bottom quarters of the poverty distribution of schools in the state. Disaggregated data are reported only if at least one school in your district falls within the high-poverty quarter and at least one school within the low-poverty quarter.

### SCHOOL DISTRICT FINANCES

### TEACHER/ADMINISTRATOR SALARIES (Full-Time Equivalents)

Salaries and counts of staff are summed across a district based on the percentage of time that each individual is employed as a teacher or an administrator and may or may not reflect the actual paid salaries for the district.

### EXPENDITURE BY FUNCTION 2009-10 (Percentages)
REVENUE BY SOURCE 2009-10

<table>
<thead>
<tr>
<th>Source</th>
<th>District</th>
<th>District %</th>
<th>State %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Property Taxes</td>
<td>$13,302,840</td>
<td>25.0</td>
<td>58.9</td>
</tr>
<tr>
<td>Other Local Funding</td>
<td>$1,704,695</td>
<td>3.2</td>
<td>6.4</td>
</tr>
<tr>
<td>General State Aid</td>
<td>$14,463,446</td>
<td>27.2</td>
<td>14.9</td>
</tr>
<tr>
<td>Other State Funding</td>
<td>$6,263,629</td>
<td>11.8</td>
<td>7.5</td>
</tr>
<tr>
<td>Federal Funding</td>
<td>$17,374,888</td>
<td>32.7</td>
<td>12.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$53,109,498</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EXPENDITURE BY FUND 2009-10

<table>
<thead>
<tr>
<th>Fund</th>
<th>District</th>
<th>District %</th>
<th>State %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>$41,650,394</td>
<td>73.8</td>
<td>72.9</td>
</tr>
<tr>
<td>Operations &amp; Maintenance</td>
<td>$4,519,026</td>
<td>8.0</td>
<td>6.0</td>
</tr>
<tr>
<td>Transportation</td>
<td>$5,863,757</td>
<td>10.4</td>
<td>3.8</td>
</tr>
<tr>
<td>Debt Service</td>
<td>$3,071,164</td>
<td>5.4</td>
<td>7.2</td>
</tr>
<tr>
<td>Tort</td>
<td>$449,658</td>
<td>0.8</td>
<td>1.2</td>
</tr>
<tr>
<td>Municipal Retirement/ Social Security</td>
<td>$805,429</td>
<td>1.4</td>
<td>1.9</td>
</tr>
<tr>
<td>Fire Prevention &amp; Safety</td>
<td>$57,005</td>
<td>0.1</td>
<td>0.7</td>
</tr>
<tr>
<td>Site &amp; Construction/ Capital Improvement</td>
<td>$0</td>
<td>0.0</td>
<td>6.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$56,416,433</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OTHER FINANCIAL INDICATORS

<table>
<thead>
<tr>
<th>Indicator</th>
<th>2008 Equalized Assessed Valuation per Pupil</th>
<th>2008 Total School Tax Rate per $100</th>
<th>2009-10 Instructional Expenditure per Pupil</th>
<th>2009-10 Operating Expenditure per Pupil</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td><strong>$70,813</strong></td>
<td>4.71</td>
<td>$6,543</td>
<td>$13,025</td>
</tr>
<tr>
<td>State</td>
<td><strong>$6,773</strong></td>
<td><strong>4.71</strong></td>
<td><strong>$6,543</strong></td>
<td><strong>$13,025</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$57,488</strong></td>
<td><strong>4.71</strong></td>
<td><strong>$6,543</strong></td>
<td><strong>$13,025</strong></td>
</tr>
</tbody>
</table>

** Due to the way Illinois school districts are configured, state averages for equalized assessed valuation per pupil and total school tax rate per $100 are not provided.

Equalized assessed valuation includes all computed property values upon which a district's local tax rate is calculated.

Total school tax rate is a district's total tax rate as it appears on local property tax bills.

Instructional expenditure per pupil includes the direct costs of teaching pupils or the interaction between teachers and pupils.

Operating expenditure per pupil includes the gross operating cost of a school district excluding summer school, adult education, bond principal retired, and capital expenditures.

ACADEMIC PERFORMANCE

ACT ASSESSMENT: GRADUATING CLASS OF 2011*

<table>
<thead>
<tr>
<th>Composite</th>
<th>English</th>
<th>Mathematics</th>
<th>Reading</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>20.6</td>
<td>15.5</td>
<td>16.2</td>
<td>15.2</td>
</tr>
<tr>
<td>State</td>
<td>20.3</td>
<td>15.4</td>
<td>16.2</td>
<td>16.4</td>
</tr>
</tbody>
</table>

The number and percent of students taking the ACT are no longer reported since virtually every eleventh grade student takes the ACT as part of the PSAE.

* Includes graduating students' most recent ACT Assessment scores from an ACT national test date or PSAE testing. Excludes the scores of students who took the test with special accommodations. State averages for ACT data are based on regular public schools and do not include private and special purpose schools.

HIGH SCHOOL GRADUATION RATE

<table>
<thead>
<tr>
<th>Gender</th>
<th>Race / Ethnicity</th>
<th>Native Hawaiian/ Pacific Islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>LEP</th>
<th>Migrant</th>
<th>Students with Disabilities</th>
<th>Economically Disadvantaged</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Male</td>
<td>Female</td>
<td>White</td>
<td>Black</td>
<td>Hispanic</td>
<td>Asian</td>
<td>Economically Disadvantaged</td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>50.2</td>
<td>47.8</td>
<td>53.0</td>
<td>20.0</td>
<td>51.9</td>
<td>51.3</td>
<td>100.0</td>
<td>0.0</td>
</tr>
<tr>
<td>State</td>
<td>83.8</td>
<td>80.9</td>
<td>86.7</td>
<td>89.1</td>
<td>74.0</td>
<td>76.8</td>
<td>92.3</td>
<td>81.4</td>
</tr>
</tbody>
</table>
2009 NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)

NAEP is sponsored by the U.S. Department of Education and administered to students in grade 4, 8, and 12. Only grade 4 and 8 results are required to be reported.

Achievement levels reflect what students should know and be able to do. Based on recommendations from policymakers, educators, and members of the general public, the Governing Board for NAEP sets specific achievement levels for each subject area and grade. To provide a context for interpreting student performance, NAEP results are reported as percentages of students performing below the Basic level, at or above the Basic and Proficient levels, and at the Advanced level.

Basic denotes partial mastery of prerequisite knowledge and skills that are fundamental for proficient work at a given grade.

Proficient represents solid academic performance. Students reaching this level have demonstrated competency over challenging subject matter.

Advanced represents superior performance.

The four achievement levels (below basic, basic, proficient, and advanced) are reported as level 1 through level 4, respectively. Please note that only state results are reported.

### Grade 4

#### Grade 4 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>35.3</td>
<td>32.4</td>
</tr>
</tbody>
</table>

#### Grade 4 - Racial/Ethnic Background

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>White</td>
<td>22.0</td>
<td>34.2</td>
</tr>
<tr>
<td>Black</td>
<td>59.8</td>
<td>28.8</td>
</tr>
<tr>
<td>Hispanic</td>
<td>52.0</td>
<td>32.4</td>
</tr>
<tr>
<td>Asian</td>
<td>9.2</td>
<td>27.4</td>
</tr>
<tr>
<td>American Indian</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Grade 4 - Limited-English-Proficient

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>70.3</td>
<td>22.3</td>
</tr>
</tbody>
</table>

#### Grade 4 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>67.2</td>
<td>18.1</td>
</tr>
</tbody>
</table>

#### Grade 4 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>53.4</td>
<td>31.7</td>
</tr>
</tbody>
</table>

#### Grade 4 - NAEP Participation Rates

<table>
<thead>
<tr>
<th></th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited English Proficient</td>
<td>79.5</td>
<td>85.3</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>81.6</td>
<td>88.2</td>
</tr>
</tbody>
</table>
## Grade 8

### Grade 8 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td></td>
<td>23.5 43.8 30.4 2.3</td>
<td>27.4 39.5 25.9 7.2</td>
</tr>
</tbody>
</table>

### Grade 8 - Racial/Ethnic Background

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td>White</td>
<td>13.9 43.8 39.2 3.1</td>
<td>14.6 41.6 33.6 10.2</td>
</tr>
<tr>
<td>Black</td>
<td>46.2 43.6 10.0 0.2</td>
<td>58.6 32.6 8.1 0.7</td>
</tr>
<tr>
<td>Hispanic</td>
<td>34.9 46.7 18.1 0.3</td>
<td>40.6 42.4 15.9 1.1</td>
</tr>
<tr>
<td>Asian</td>
<td>7.6 32.5 52.1 7.8</td>
<td>10.8 29.6 40.6 19.0</td>
</tr>
</tbody>
</table>

### Grade 8 - Limited-English-Proficient

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td></td>
<td>72.0 23.5 4.5 0.0</td>
<td>68.3 24.3 7.1 0.3</td>
</tr>
</tbody>
</table>

### Grade 8 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td></td>
<td>62.9 27.2 9.6 0.3</td>
<td>62.2 29.9 6.9 1.1</td>
</tr>
</tbody>
</table>

### Grade 8 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td></td>
<td>40.2 43.6 15.7 0.5</td>
<td>46.9 38.6 12.8 1.7</td>
</tr>
</tbody>
</table>

### Grade 8 - NAEP Participation Rates

<table>
<thead>
<tr>
<th></th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited English Proficient</td>
<td>76.0</td>
<td>81.4</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>78.0</td>
<td>80.3</td>
</tr>
</tbody>
</table>
OVERALL STUDENT PERFORMANCE

These charts present the overall percentages of state test scores categorized as meeting or exceeding the Illinois Learning Standards for your district and the state. They represent your district's performance in reading, mathematics, and science.

### OVERALL PERFORMANCE - ALL STATE TESTS

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>52.5</td>
<td>76.4</td>
</tr>
<tr>
<td>2010-11</td>
<td>52.2</td>
<td>76.5</td>
</tr>
</tbody>
</table>

### OVERALL ILLINOIS STANDARDS ACHIEVEMENT TEST (ISAT) PERFORMANCE

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>55.9</td>
<td>80.9</td>
</tr>
<tr>
<td>2010-11</td>
<td>56.4</td>
<td>82.0</td>
</tr>
</tbody>
</table>

### OVERALL PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) PERFORMANCE

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>12.6</td>
<td>50.5</td>
</tr>
<tr>
<td>2010-11</td>
<td>13.3</td>
<td>50.3</td>
</tr>
</tbody>
</table>
These charts provide information on attainment of the Illinois Learning Standards. They show the percents of student scores meeting or exceeding Standards for the grades and subjects tested on ISAT.

### ISAT Performance

#### Grade 3

- **Reading:**
  - State: 73.7 (2009-10), 74.7 (2010-11)

- **Mathematics:**
  - District: 63.2 (2009-10), 64.5 (2010-11)
  - State: 86.3 (2009-10), 87.3 (2010-11)

#### Grade 4

- **Reading:**
  - District: 52.1 (2009-10), 49.4 (2010-11)
  - State: 73.7 (2009-10), 74.7 (2010-11)

- **Mathematics:**
  - District: 63.8 (2009-10), 64.5 (2010-11)
  - State: 86.0 (2009-10), 87.7 (2010-11)

- **Science:**
  - District: 52.0 (2009-10), 48.5 (2010-11)
  - State: 76.7 (2009-10), 79.3 (2010-11)

#### Grade 5

- **Reading:**
  - District: 45.5 (2009-10), 54.3 (2010-11)
  - State: 74.7 (2009-10), 76.4 (2010-11)

- **Mathematics:**
  - District: 60.3 (2009-10), 66.8 (2010-11)
  - State: 83.4 (2009-10), 84.0 (2010-11)
These charts provide information on attainment of the Illinois Learning Standards. They show the average scores and also the percents of student scores meeting or exceeding Standards in reading, mathematics, and science on PSAE.

**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Average Scores**

PSAE scores range from 120 to 200.

**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Percents Meeting or Exceeding Standards**

Number of students in this District with PSAE scores in 2011: 148
Federal law requires that student achievement results for reading, mathematics, and science for schools providing Title I services be reported to the general public.

The Illinois Standards Achievement Test (ISAT) is administered to students in grades 3 through 8. The Prairie State Achievement Examination (PSAE) is administered to students in grade 11. The Illinois Alternate Assessment (IAA) is administered to students with disabilities whose Individualized Education Programs (IEPs) indicate that participation in the ISAT or PSAE would not be appropriate.

Students with disabilities have an IEP (No Child Left Behind Act). An IEP is a written plan for a child with a disability who is eligible to receive special education services under the Individuals with Disabilities Education Act.

Reading and Mathematics are tested in grades 3 through 8, and 11. Science is tested in grades 4, 7, and 11.

In order to protect students’ identities, test data for groups of fewer than ten students are not reported.

### PERFORMANCE ON STATE ASSESSMENTS

#### PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR READING

<table>
<thead>
<tr>
<th>Racial/Ethnic Background</th>
<th>Gender</th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Enrollmnet</td>
<td>2,011</td>
<td>1,059</td>
<td>952</td>
</tr>
<tr>
<td>Reading</td>
<td>1.4</td>
<td>1.3</td>
<td>1.5</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 3-8 and 11.

Number of LEP Students who have attended schools in the U.S. for less than 12 months and are not assessed on the State's reading/language arts test: 0

### PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR MATHEMATICS

<table>
<thead>
<tr>
<th>Racial/Ethnic Background</th>
<th>Gender</th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Enrollmnet</td>
<td>2,011</td>
<td>1,059</td>
<td>952</td>
</tr>
<tr>
<td>Mathematics</td>
<td>1.4</td>
<td>1.3</td>
<td>1.6</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 3-8 and 11.
**PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR SCIENCE**

<table>
<thead>
<tr>
<th>District</th>
<th>Enrollment Science</th>
<th>Enrollment State</th>
<th>Percent of Students Not Tested</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3.6</td>
<td>0.8</td>
<td>816</td>
</tr>
<tr>
<td></td>
<td>3.7</td>
<td>0.9</td>
<td>234,564</td>
</tr>
<tr>
<td></td>
<td>3.4</td>
<td>0.7</td>
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</tr>
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<td>0.0</td>
<td>0.6</td>
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</tr>
<tr>
<td></td>
<td>4.4</td>
<td>1.3</td>
<td>84,536</td>
</tr>
<tr>
<td></td>
<td>3.4</td>
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<td>19,148</td>
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<td></td>
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<td>63,609</td>
</tr>
<tr>
<td></td>
<td>0.0</td>
<td>0.7</td>
<td>214,960</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 4, 7, and 11.

**ILLINOIS STANDARDS ACHIEVEMENT TEST (ISAT)**

The following tables show the percentages of student scores in each of four performance levels. These levels were established with the help of Illinois educators who teach the grade levels and learning areas tested. Due to rounding, the sum of the percentages in the four performance levels may not always equal 100.

**Level 1 -- Academic Warning** - Student work demonstrates limited knowledge and skills in the subject. Because of major gaps in learning, students apply knowledge and skills ineffectively.

**Level 2 -- Below Standards** - Student work demonstrates basic knowledge and skills in the subject. However, because of gaps in learning, students apply knowledge and skills in limited ways.

**Level 3 -- Meets Standards** - Student work demonstrates proficient knowledge and skills in the subject. Students effectively apply knowledge and skills to solve problems.

**Level 4 -- Exceeds Standards** - Student work demonstrates advanced knowledge and skills in the subject. Students creatively apply knowledge and skills to solve problems and evaluate the results.

### Grade 3

#### Grade 3 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td>District</td>
<td>17.9 33.7 40.0 8.4</td>
<td>10.1 25.4 51.3 13.1</td>
</tr>
<tr>
<td>State</td>
<td>5.6 19.5 47.6 27.1</td>
<td>2.9 9.8 43.2 44.1</td>
</tr>
</tbody>
</table>

#### Grade 3 - Gender

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td>Male</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>18.2 35.3 37.6 8.8</td>
<td>11.2 21.8 50.0 17.1</td>
</tr>
<tr>
<td>State</td>
<td>7.4 21.0 46.5 25.1</td>
<td>3.3 9.9 41.2 45.6</td>
</tr>
<tr>
<td>Female</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>17.6 32.1 42.4 7.9</td>
<td>9.1 29.1 52.7 9.1</td>
</tr>
<tr>
<td>State</td>
<td>4.2 17.8 48.8 29.2</td>
<td>2.4 9.8 45.2 42.6</td>
</tr>
</tbody>
</table>
## Grade 3 - Racial/Ethnic Background

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td><strong>White</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>7.5</td>
<td>15.0</td>
</tr>
<tr>
<td>State</td>
<td>2.6</td>
<td>12.3</td>
</tr>
<tr>
<td><strong>Black</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>14.4</td>
<td>31.8</td>
</tr>
<tr>
<td>State</td>
<td>10.8</td>
<td>28.6</td>
</tr>
<tr>
<td><strong>Hispanic</strong></td>
<td></td>
<td></td>
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<tr>
<td>District</td>
<td>23.9</td>
<td>41.3</td>
</tr>
<tr>
<td>State</td>
<td>9.3</td>
<td>29.3</td>
</tr>
<tr>
<td><strong>Asian</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>2.5</td>
<td>8.4</td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Native Hawaiian/Pacific Islander</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>2.7</td>
<td>14.4</td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>American Indian</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>7.1</td>
<td>21.7</td>
</tr>
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</tr>
<tr>
<td>Two or More Races</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>0.1</td>
<td>14.3</td>
</tr>
<tr>
<td>State</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Grade 8 - Limited-English-Proficient

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>District</td>
<td>0.0</td>
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<td>0.8</td>
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</table>

### Grade 8 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
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<td>1</td>
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<td></td>
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<td>6.1</td>
<td>60.6</td>
</tr>
<tr>
<td>State</td>
<td>1.0</td>
<td>51.5</td>
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<td>Non-IEP</td>
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<td></td>
</tr>
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</table>

### Grade 8 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Free/Reduced Price Lunch</td>
<td></td>
<td></td>
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<tr>
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</tr>
<tr>
<td>State</td>
<td>0.1</td>
<td>7.8</td>
</tr>
</tbody>
</table>
**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE)**

The following tables show the percentages of student scores in each of four performance levels. These levels were established with the help of Illinois educators who teach the grade levels and learning areas tested. Due to rounding, the sum of the percentages in the four performance levels may not always equal 100.

Level 1 -- Academic Warning - Student work demonstrates limited knowledge and skills in the subject. Because of major gaps in learning, students apply knowledge and skills ineffectively.

Level 2 -- Below Standards - Student work demonstrates basic knowledge and skills in the subject. However, because of gaps in learning, students apply knowledge and skills in limited ways.

Level 3 -- Meets Standards - Student work demonstrates proficient knowledge and skills in the subject. Students effectively apply knowledge and skills to solve problems.

Level 4 -- Exceeds Standards - Student work demonstrates advanced knowledge and skills in the subject. Students creatively apply knowledge and skills to solve problems and evaluate the results.

### Grade 11

#### Grade 11 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
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<td>21.6 61.5</td>
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<tr>
<td>State 10.1</td>
<td>38.9</td>
<td>40.7 10.4</td>
<td>10.0 38.7</td>
</tr>
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</table>

#### Grade 11 - Gender

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
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<tr>
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<td>28.6 49.2</td>
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<td>39.3</td>
<td>38.2 9.8</td>
<td>10.6 35.9</td>
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<tr>
<td>Female</td>
<td></td>
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<tr>
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<td>8.2 0.0</td>
<td>16.5 70.6</td>
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<td>38.5</td>
<td>43.2 10.9</td>
<td>9.4 41.5</td>
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#### Grade 11 - Racial/Ethnic Background

<table>
<thead>
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<th>Reading</th>
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<th>Science</th>
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<td>1 2 3 4</td>
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<tr>
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<td></td>
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<td></td>
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<tr>
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<td>49.4 14.9</td>
<td>5.3 29.8</td>
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<td></td>
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<td>3.2 19.0</td>
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<td>Native Hawaiian/Pacific Islander</td>
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<td>5.8 40.1</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Indian</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District 12.5</td>
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<td>36.7 8.4</td>
<td>11.9 42.5</td>
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<td>Two or More Races</td>
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<td>43.6 12.9</td>
<td>8.5 38.6</td>
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### Grade 11 - Limited-English-Proficient

<table>
<thead>
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<th>Levels</th>
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<th>Science</th>
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<tr>
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<td>1 2 3 4</td>
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<tr>
<td>District</td>
<td>60.0 40.0 0.0 0.0</td>
<td>40.0 50.0 10.0 0.0</td>
<td>30.0 70.0 0.0 0.0</td>
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<td>35.9 57.7 6.2 0.2</td>
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### Grade 11 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
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<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
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<tr>
<td>IEP</td>
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</tr>
<tr>
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<td>68.4 26.3 5.3 0.0</td>
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<tr>
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<td>46.1 41.8 11.2 0.9</td>
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<td>District</td>
<td>14.0 72.9 12.4 0.8</td>
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<td>5.2 38.3 47.4 9.1</td>
<td>4.5 41.6 43.4 10.6</td>
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### Grade 11 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
<tr>
<td>Free/Reduced Price Lunch</td>
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<td></td>
</tr>
<tr>
<td>District</td>
<td>19.0 69.0 11.1 0.8</td>
<td>23.0 58.7 18.3 0.0</td>
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</tr>
<tr>
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<td>17.1 53.1 27.3 2.6</td>
<td>17.8 53.4 27.3 1.5</td>
<td>15.6 59.0 23.6 1.8</td>
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<td>Not Eligible</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>18.2 72.7 9.1 0.0</td>
<td>13.6 77.3 9.1 0.0</td>
<td>13.6 77.3 9.1 0.0</td>
</tr>
<tr>
<td>State</td>
<td>5.5 29.7 49.4 15.4</td>
<td>5.0 29.1 53.4 12.5</td>
<td>4.0 31.3 50.0 14.6</td>
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## 2011 ADEQUATE YEARLY PROGRESS (AYP) INFORMATION

<table>
<thead>
<tr>
<th>Is this district making Adequate Yearly Progress (AYP)?</th>
<th>No</th>
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<tbody>
<tr>
<td>Is this district making AYP in Reading?</td>
<td>No</td>
</tr>
<tr>
<td>Is this district making AYP in Mathematics?</td>
<td>No</td>
</tr>
</tbody>
</table>

| Has this district been identified for District Improvement according to the AYP specifications of the federal No Child Left Behind Act? | Yes |

<table>
<thead>
<tr>
<th>2011-12 Federal Improvement Status</th>
<th>Corrective Action Year 4</th>
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<tbody>
<tr>
<td>2011-12 State Improvement Status</td>
<td>Academic Watch Status Year 5</td>
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<table>
<thead>
<tr>
<th>Percent Tested on State Tests</th>
<th>Percent Meeting/Exceeding Standards *</th>
<th>Other Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reading</td>
<td>Mathematics</td>
</tr>
<tr>
<td>------------------------------</td>
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<td>State AYP Minimum Target</td>
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<td>All</td>
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<tr>
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<td>100.0</td>
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<tr>
<td>Black</td>
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<td>98.3</td>
</tr>
<tr>
<td>Hispanic</td>
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<td>98.5</td>
</tr>
<tr>
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<tr>
<td>Native Hawaiian/ Pacific Islander</td>
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<tr>
<td>American Indian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two or More Races</td>
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<td></td>
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<tr>
<td>LEP</td>
<td>99.3</td>
<td>99.3</td>
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<tr>
<td>Students with Disabilities</td>
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<td>97.2</td>
</tr>
<tr>
<td>Economically Disadvantaged</td>
<td>98.3</td>
<td>98.2</td>
</tr>
</tbody>
</table>

### Four Conditions Are Required For Making Adequate Yearly Progress (AYP):

1. At least 95% tested in reading and mathematics for every student group. If the current year participation rate is less than 95%, this condition may be met if the average of the current and preceding year rates is at least 95%, or if the average of the current and two preceding years is at least 95%. Only actual participation rates are printed. If the participation rate printed is less than 95% and yet this school makes AYP, it means that the 95% condition was met by averaging.

2. At least 85% meeting/exceeding standards in reading and mathematics for every group. For any group with less than 85% meeting/exceeding standards, a 95% confidence interval was applied. Subgroups may meet this condition through Safe Harbor provisions.***

3. At least 91% attendance rate for non-high schools and at least 82% graduation rate for high schools.

* Includes only students enrolled as of 05/01/2010.

** Safe Harbor Targets of 85% or above are not printed.

***Subgroups with fewer than 45 students are not reported. Safe Harbor only applies to subgroups of 45 or more. In order for Safe Harbor to apply, a subgroup must decrease by 10% the percentage of scores that did not meet standards from the previous year plus meet the other indicators (attendance rate for non-high schools and graduation rate for high schools) for the subgroup. For subgroups that do not meet their Safe Harbor Targets, a 75% confidence interval is applied. Safe Harbor allows schools an alternate method to meet subgroup minimum targets on achievement.
Below is a list of the Title I funded schools in the district that are in Federal School Improvement Status as defined by the federal No Child Left Behind Act of 2001.

Number of schools in this district: 9
Number of Title I schools: 7
Number of Title I schools in Federal School Improvement Status: 7
Percent of schools in Federal School Improvement Status: 77.8%

<table>
<thead>
<tr>
<th>School ID</th>
<th>School Name</th>
<th>Years in School Improvement</th>
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</thead>
<tbody>
<tr>
<td>340491870261003</td>
<td>Neal Math Science Academy</td>
<td>3</td>
</tr>
<tr>
<td>340491870262002</td>
<td>Forrestal Elem School</td>
<td>2</td>
</tr>
<tr>
<td>340491870262003</td>
<td>Greenbay Elem School</td>
<td>4</td>
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<tr>
<td>340491870262006</td>
<td>South Elementary School</td>
<td>2</td>
</tr>
<tr>
<td>340491870262008</td>
<td>A J Katzenmaier Elem School</td>
<td>7</td>
</tr>
<tr>
<td>340491870262009</td>
<td>North Elementary School</td>
<td>7</td>
</tr>
<tr>
<td>340491870262010</td>
<td>Novak-King Sixth Grade Center</td>
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</tr>
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</table>
In 2008, the Illinois State Board of Education was one of 6 states to be chosen by the US Department of Education to participate on the Differentiated Accountability Pilot Program. The Differentiated Accountability classification applies only to districts in federal improvement status that do not make AYP.

The classification is a descriptor (i.e., focused or comprehensive) that is added to a district’s improvement status. Current Title I requirements do not change. The classification assists in distinguishing between districts that need focused supports verses more comprehensive interventions.

If a district does make AYP in ALL-student group in both reading and math, this district will be classified as a focused district; otherwise, the district will be identified as a comprehensive district.

<table>
<thead>
<tr>
<th>Is this district making AYP in the &quot;ALL&quot; subgroup in reading?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is this district making AYP in the &quot;ALL&quot; subgroup in math?</td>
<td>No</td>
</tr>
</tbody>
</table>
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent/Chief of Staff
Marcilene Dutton, Interim General Counsel

Agenda Topic: East St. Louis School District #189

East St. Louis School District #189 Annual Yearly Progress Report 2011
from the Illinois Interactive Report Card

Staff Contact(s): Monique Chism, Division Administrator, Innovations and Improvement

Purpose of Agenda Item
To discuss the State Superintendent and Agency’s concerns with respect to the academic
achievement of the East St. Louis School District #189 (the “District”).

Relationship to/Implications for the State Board’s Strategic Plan
The Agency is committed to intervening in low-performing school districts and schools as
necessary to best ensure that all three of the State Board of Education’s goals are met: (1)
“Every student will demonstrate academic achievement and be prepared for success after high
school”; (2) “Every student will be supported by highly prepared and effective teachers and
school leaders”, and (3) “Every school will offer a safe and healthy learning environment for all
students.”

Expected Outcome(s) of Agenda Item
The anticipated outcome of this agenda item is that the State Board of Education will authorize
the State Superintendent of Education to direct the regional superintendent of schools to
remove each of the school board members pursuant to Section 2-3.25f(b) of the Illinois School
Code [105 ILCS 5/2-3.25f(b)]. Further, it is anticipated the State Board of Education shall direct
the State Superintendent of Education to appoint an Independent Authority, and name a
Chairperson of that Authority, that shall exercise the powers and duties necessary to operate
the district for purposes of improving student performance and to achieve school improvement.

Background Information

105 ILCS 5/2-3.25f(b) states as follows:

(b) In addition, if after 3 years following its placement on academic watch status a school
district or school remains on academic watch status, the State Board of Education shall
take one of the following actions for the district or school:

(1) The State Board of Education may authorize the State Superintendent of Education
to direct the regional superintendent of schools to remove school board members
pursuant to Section 3-14.28 of this Code. Prior to such direction the State Board of
Education shall permit members of the local board of education to present written
and oral comments to the State Board of Education. The State Board of Education may direct the State Superintendent of Education to appoint an Independent Authority that shall exercise such powers and duties as may be necessary to operate a school or school district for purposes of improving pupil performance and school improvement. The State Superintendent of Education shall designate one member of the Independent Authority to serve as chairman. The Independent Authority shall serve for a period of time specified by the State Board of Education upon the recommendation of the State Superintendent of Education.

(2) The State Board of Education may (A) change the recognition status of the school district or school to non-recognized, or (B) authorize the State Superintendent of Education to direct the reassignment of pupils or direct the reassignment or replacement of school district personnel who are relevant to the failure to meet adequate yearly progress criteria. If a school district is non-recognized in its entirety, it shall automatically be dissolved on July 1 following that non-recognition and its territory realigned with another school district or districts by the regional board of school trustees in accordance with the procedures set forth in Section 7-11 of the School Code. The effective date of the non-recognition of a school shall be July 1 following the non-recognition.

The Board of Education Members for East St. Louis School District #189 were informed that they were subject to possible removal in the Intergovernmental Cooperative Agreement dated May 24, 2011 and again in the Notice of Termination of Intergovernmental Cooperative Agreement dated April 27, 2012.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: If the State Board directs the State Superintendent to pursue the course of action proposed, the Agency will have the powers necessary to create meaningful reform in the District and impact the academic achievement of the schools within the District.

Superintendent’s Recommendation
I recommend that the following motion be adopted:

The Board hereby authorizes the State Superintendent of Education to direct the regional superintendent of schools to remove each of the school board members of East St. Louis School District 189 pursuant to Section 2-3.25f(b) of the Illinois School Code [105 ILCS 5/2-3.25f(b)]. The Board further directs the State Superintendent to appoint an Independent Authority and shall name one of the Independent Authority members to serve as its chair. The Independent Authority shall exercise the powers and duties necessary to operate the district for purposes of improving student performance and to achieve school improvement. The Board further directs the State Superintendent to establish performance criteria to determine measures of district progress and eventual restoration of local control.

Next Steps
The State Superintendent will direct the regional superintendent of schools to remove each of the East St. Louis School District #189 board members, will appoint an Independent Authority appointing one member to serve as chair. The State Superintendent will establish and communicate performance criteria to the Board.
East St Louis SD 189
East Saint Louis, ILLINOIS

State and federal laws require public school districts to release report cards to the public each year.
Starting in 2009, charter school information is included in district statistics.

### STUDENTS

#### RACIAL/ETHNIC BACKGROUND AND OTHER INFORMATION

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Native Hawaiian/Pacific Islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>Percent Low-Income</th>
<th>Percent Limited-English-Proficient</th>
<th>Percent IEP</th>
<th>High Sch. Dropout Rate</th>
<th>Chronic Truancy Rate</th>
<th>Mobility Rate</th>
<th>Attendance Rate</th>
<th>Total Enrollment</th>
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<td>18.3</td>
<td>23.0</td>
<td>4.1</td>
<td>0.1</td>
<td>0.3</td>
<td>2.8</td>
<td>48.1</td>
<td>8.8</td>
<td>14.0</td>
<td>2.7</td>
<td>3.2</td>
<td>12.8</td>
<td>94.0</td>
<td>2,074,806</td>
</tr>
</tbody>
</table>

Low-income students come from families receiving public aid; live in institutions for neglected or delinquent children; are supported in foster homes with public funds; or are eligible to receive free or reduced-price lunches.

IEP students are those students eligible to receive special education services.

Limited-English-proficient students are those students eligible for transitional bilingual programs.

Mobility rate is based on the number of times students enroll in or leave a school during the school year.

Chronic truants are students who are absent from school without valid cause for 18 or more of the last 180 school days.

Total Enrollment is based on Home School.

#### INSTRUCTIONAL SETTING

##### PARENTAL CONTACT*

<table>
<thead>
<tr>
<th></th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>98.1</td>
</tr>
<tr>
<td>State</td>
<td>96.0</td>
</tr>
</tbody>
</table>

* Parental contact includes parent-teacher conferences, parental visits to school, school visits to home, telephone conversations, and written correspondence.

##### STUDENT-TO-STAFF RATIOS

<table>
<thead>
<tr>
<th></th>
<th>Pupil-Teacher Elementary</th>
<th>Pupil-Teacher Secondary</th>
<th>Pupil-Certified Staff</th>
<th>Pupil-Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>18.5</td>
<td>18.5</td>
<td>12.7</td>
<td>158.4</td>
</tr>
<tr>
<td>State</td>
<td>18.8</td>
<td>18.9</td>
<td>13.6</td>
<td>211.3</td>
</tr>
</tbody>
</table>

##### AVERAGE CLASS SIZE (as of the first school day in May)

<table>
<thead>
<tr>
<th>Grades</th>
<th>K</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9 - 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>21.9</td>
<td>21.6</td>
<td>21.5</td>
<td>19.9</td>
<td>21.4</td>
<td>21.2</td>
<td>17.4</td>
<td>17.8</td>
<td>17.2</td>
<td>21.5</td>
</tr>
<tr>
<td>State</td>
<td>20.9</td>
<td>21.6</td>
<td>21.8</td>
<td>22.3</td>
<td>22.9</td>
<td>23.3</td>
<td>22.0</td>
<td>21.3</td>
<td>21.3</td>
<td>19.2</td>
</tr>
</tbody>
</table>

##### TIME DEVOTED TO TEACHING CORE SUBJECTS (Minutes Per Day)

<table>
<thead>
<tr>
<th>Grades</th>
<th>Mathematics 3</th>
<th>Mathematics 6</th>
<th>Mathematics 8</th>
<th>Science 3</th>
<th>Science 6</th>
<th>Science 8</th>
<th>English/Language Arts 3</th>
<th>English/Language Arts 6</th>
<th>English/Language Arts 8</th>
<th>Social Science 3</th>
<th>Social Science 6</th>
<th>Social Science 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>65</td>
<td>55</td>
<td>55</td>
<td>22</td>
<td>55</td>
<td>55</td>
<td>157</td>
<td>55</td>
<td>55</td>
<td>20</td>
<td>55</td>
<td>55</td>
</tr>
<tr>
<td>State</td>
<td>60</td>
<td>55</td>
<td>52</td>
<td>30</td>
<td>43</td>
<td>44</td>
<td>143</td>
<td>103</td>
<td>91</td>
<td>30</td>
<td>43</td>
<td>44</td>
</tr>
</tbody>
</table>
TEACHER INFORMATION (Full-Time Equivalents)

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Native Hawaiian/Pacific Islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>Unknown</th>
<th>Male</th>
<th>Female</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>22.0</td>
<td>76.6</td>
<td>0.8</td>
<td>0.2</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.4</td>
<td>20.5</td>
<td>79.5</td>
<td>500</td>
</tr>
<tr>
<td>State</td>
<td>82.4</td>
<td>6.1</td>
<td>5.0</td>
<td>1.2</td>
<td>0.1</td>
<td>0.1</td>
<td>0.7</td>
<td>4.3</td>
<td>23.1</td>
<td>76.9</td>
<td>128,262</td>
</tr>
</tbody>
</table>

TEACHER INFORMATION (Continued)

<table>
<thead>
<tr>
<th></th>
<th>Average Teaching Experience (Years)</th>
<th>% of Teachers with Bachelor's Degrees</th>
<th>% of Teachers with Master's &amp; Above</th>
<th>% of Teachers with Emergency or Provisional Credentials</th>
<th>% of Classes Not Taught by Highly Qualified Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td>District:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Schools</td>
<td>14.2</td>
<td>46.1</td>
<td>53.5</td>
<td>0.9</td>
<td>0.1</td>
</tr>
<tr>
<td>High Poverty Schools</td>
<td>14.4</td>
<td>44.7</td>
<td>54.9</td>
<td>0.5</td>
<td>0.1</td>
</tr>
<tr>
<td>Low Poverty Schools</td>
<td>9.7</td>
<td>57.5</td>
<td>42.5</td>
<td>4.7</td>
<td>0.0</td>
</tr>
<tr>
<td>State:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Schools</td>
<td>13.2</td>
<td>39.5</td>
<td>60.4</td>
<td>0.6</td>
<td>0.8</td>
</tr>
<tr>
<td>High Poverty Schools</td>
<td>13.0</td>
<td>41.4</td>
<td>58.5</td>
<td>1.4</td>
<td>3.3</td>
</tr>
<tr>
<td>Low Poverty Schools</td>
<td>12.9</td>
<td>31.5</td>
<td>68.4</td>
<td>0.2</td>
<td>0.0</td>
</tr>
</tbody>
</table>

The No Child Left Behind Act requires that information for certain data elements be disaggregated by high- and low-poverty schools. Poverty (low-income) is defined on page 1 of all report cards. High- and low-poverty schools include those in the top and bottom quarters of the poverty distribution of schools in the state. Disaggregated data are reported only if at least one school in your district falls within the high-poverty quarter and at least one school within the low-poverty quarter.

SCHOOL DISTRICT FINANCES

TEACHER/ADMINISTRATOR SALARIES (Full-Time Equivalents)

Salaries and counts of staff are summed across a district based on the percentage of time that each individual is employed as a teacher or an administrator and may or may not reflect the actual paid salaries for the district.

EXPENDITURE BY FUNCTION 2009-10 (Percentages)
### REVENUE BY SOURCE 2009-10

<table>
<thead>
<tr>
<th>Source</th>
<th>District</th>
<th>District %</th>
<th>State %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Property Taxes</td>
<td>$9,917,045</td>
<td>9.4</td>
<td>58.9</td>
</tr>
<tr>
<td>Other Local Funding</td>
<td>$4,646,623</td>
<td>4.4</td>
<td>6.4</td>
</tr>
<tr>
<td>General State Aid</td>
<td>$51,053,240</td>
<td>48.3</td>
<td>14.9</td>
</tr>
<tr>
<td>Other State Funding</td>
<td>$9,459,900</td>
<td>8.9</td>
<td>7.5</td>
</tr>
<tr>
<td>Federal Funding</td>
<td>$30,623,995</td>
<td>29.0</td>
<td>12.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$105,700,803</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### EXPENDITURE BY FUND 2009-10

<table>
<thead>
<tr>
<th>Fund</th>
<th>District</th>
<th>District %</th>
<th>State %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>$97,859,941</td>
<td>80.6</td>
<td>72.9</td>
</tr>
<tr>
<td>Operations &amp; Maintenance</td>
<td>$3,208,598</td>
<td>2.6</td>
<td>6.0</td>
</tr>
<tr>
<td>Transportation</td>
<td>$3,753,663</td>
<td>3.1</td>
<td>3.8</td>
</tr>
<tr>
<td>Debt Service</td>
<td>$4,268,021</td>
<td>3.5</td>
<td>7.2</td>
</tr>
<tr>
<td>Tort</td>
<td>$3,748,018</td>
<td>3.1</td>
<td>1.2</td>
</tr>
<tr>
<td>Municipal Retirement/ Social Security</td>
<td>$2,648,438</td>
<td>2.2</td>
<td>1.9</td>
</tr>
<tr>
<td>Fire Prevention &amp; Safety</td>
<td>$540,673</td>
<td>0.4</td>
<td>0.7</td>
</tr>
<tr>
<td>Site &amp; Construction/ Capital Improvement</td>
<td>$5,396,653</td>
<td>4.4</td>
<td>6.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$121,423,905</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### OTHER FINANCIAL INDICATORS

<table>
<thead>
<tr>
<th>Indicator</th>
<th>2008 Equalized Assessed Valuation per Pupil</th>
<th>2008 Total School Tax Rate per $100</th>
<th>2009-10 Instructional Expenditure per Pupil</th>
<th>2009-10 Operating Expenditure per Pupil</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
<td>$13,606</td>
<td>7.54</td>
<td>$7,700</td>
<td>$15,515</td>
</tr>
<tr>
<td>State</td>
<td>**</td>
<td>**</td>
<td>**</td>
<td>**</td>
</tr>
</tbody>
</table>

** Due to the way Illinois school districts are configured, state averages for equalized assessed valuation per pupil and total school tax rate per $100 are not provided. Equalized assessed valuation includes all computed property values upon which a district's local tax rate is calculated. Total school tax rate is a district's total tax rate as it appears on local property tax bills. Instructional expenditure per pupil includes the direct costs of teaching pupils or the interaction between teachers and pupils. Operating expenditure per pupil includes the gross operating cost of a school district excluding summer school, adult education, bond principal retired, and capital expenditures.

### ACADEMIC PERFORMANCE

#### ACT ASSESSMENT: GRADUATING CLASS OF 2011*

The number and percent of students taking the ACT are no longer reported since virtually every eleventh grade student takes the ACT as part of the PSAE.

* Includes graduating students' most recent ACT Assessment scores from an ACT national test date or PSAE testing. Excludes the scores of students who took the test with special accommodations. State averages for ACT data are based on regular public schools and do not include private and special purpose schools.

#### HIGH SCHOOL GRADUATION RATE

The table shows the graduation rates for different gender and race/ethnicity categories.

<table>
<thead>
<tr>
<th>Gender</th>
<th>Race / Ethnicity</th>
<th>Students with Disabilities</th>
<th>Economically Disadvantaged</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>Male</td>
<td>Female</td>
<td>LEP</td>
</tr>
<tr>
<td>District</td>
<td>Female</td>
<td>65.4</td>
<td>58.6</td>
</tr>
<tr>
<td>State</td>
<td>Female</td>
<td>83.8</td>
<td>80.9</td>
</tr>
</tbody>
</table>

The image also includes a bar chart and a graph representing academic performance data.
2009 NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP)

NAEP is sponsored by the U.S. Department of Education and administered to students in grade 4, 8, and 12. Only grade 4 and 8 results are required to be reported.

Achievement levels reflect what students should know and be able to do. Based on recommendations from policymakers, educators, and members of the general public, the Governing Board for NAEP sets specific achievement levels for each subject area and grade. To provide a context for interpreting student performance, NAEP results are reported as percentages of students performing below the Basic level, at or above the Basic and Proficient levels, and at the Advanced level.

**Basic** denotes partial mastery of prerequisite knowledge and skills that are fundamental for proficient work at a given grade.

**Proficient** represents solid academic performance. Students reaching this level have demonstrated competency over challenging subject matter.

**Advanced** represents superior performance.

The four achievement levels (below basic, basic, proficient, and advanced) are reported as level 1 through level 4, respectively. Please note that only state results are reported.

### Grade 4

**Grade 4 - All**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>35.3</td>
<td>32.4</td>
</tr>
</tbody>
</table>

**Grade 4 - Racial/Ethnic Background**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>White</td>
<td>22.0</td>
<td>34.2</td>
</tr>
<tr>
<td>Black</td>
<td>59.8</td>
<td>28.8</td>
</tr>
<tr>
<td>Hispanic</td>
<td>52.0</td>
<td>32.4</td>
</tr>
<tr>
<td>Asian</td>
<td>9.2</td>
<td>27.4</td>
</tr>
</tbody>
</table>

**Grade 4 - Limited-English-Proficient**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>70.3</td>
<td>22.3</td>
</tr>
</tbody>
</table>

**Grade 4 - Students with Disabilities**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>67.2</td>
<td>18.1</td>
</tr>
</tbody>
</table>

**Grade 4 - Economically Disadvantaged**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>53.4</td>
<td>31.7</td>
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</tbody>
</table>

**Grade 4 - NAEP Participation Rates**

<table>
<thead>
<tr>
<th></th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited English Proficient</td>
<td>79.5</td>
<td>85.3</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>81.6</td>
<td>88.2</td>
</tr>
</tbody>
</table>
### Grade 8

#### Grade 8 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>23.5</td>
<td>43.8</td>
<td>30.4</td>
<td>2.3</td>
<td>27.4</td>
<td>39.5</td>
<td>25.9</td>
<td>7.2</td>
</tr>
</tbody>
</table>

#### Grade 8 - Racial/Ethnic Background

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>13.9</td>
<td>14.6</td>
</tr>
<tr>
<td>Black</td>
<td>46.2</td>
<td>58.6</td>
</tr>
<tr>
<td>Hispanic</td>
<td>34.9</td>
<td>40.6</td>
</tr>
<tr>
<td>Asian</td>
<td>7.6</td>
<td>10.8</td>
</tr>
<tr>
<td>American Indian</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Grade 8 - Limited-English-Proficient

<table>
<thead>
<tr>
<th>Levels</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>72.0</td>
<td>23.5</td>
<td>4.5</td>
<td>0.0</td>
<td>68.3</td>
<td>24.3</td>
<td>7.1</td>
<td>0.3</td>
</tr>
</tbody>
</table>

#### Grade 8 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>62.9</td>
<td>27.2</td>
<td>9.6</td>
<td>0.3</td>
<td>62.2</td>
<td>29.9</td>
<td>6.9</td>
<td>1.1</td>
</tr>
</tbody>
</table>

#### Grade 8 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>40.2</td>
<td>43.6</td>
<td>15.7</td>
<td>0.5</td>
<td>46.9</td>
<td>38.6</td>
<td>12.8</td>
<td>1.7</td>
</tr>
</tbody>
</table>

#### Grade 8 - NAEP Participation Rates

<table>
<thead>
<tr>
<th></th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited English Proficient</td>
<td>76.0</td>
<td>81.4</td>
</tr>
<tr>
<td>Students with Disabilities</td>
<td>78.0</td>
<td>80.3</td>
</tr>
</tbody>
</table>
OVERALL STUDENT PERFORMANCE

These charts present the overall percentages of state test scores categorized as meeting or exceeding the Illinois Learning Standards for your district and the state. They represent your district's performance in reading, mathematics, and science.

### OVERALL PERFORMANCE - ALL STATE TESTS

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>56.7</td>
<td>76.4</td>
</tr>
<tr>
<td>2010-11</td>
<td>60.2</td>
<td>76.5</td>
</tr>
</tbody>
</table>

### OVERALL ILLINOIS STANDARDS ACHIEVEMENT TEST (ISAT) PERFORMANCE

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>65.4</td>
<td>80.9</td>
</tr>
<tr>
<td>2010-11</td>
<td>69.1</td>
<td>82.0</td>
</tr>
</tbody>
</table>

### OVERALL PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) PERFORMANCE

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>8.7</td>
<td>53.0</td>
</tr>
<tr>
<td>2010-11</td>
<td>9.9</td>
<td>50.3</td>
</tr>
</tbody>
</table>
OVERALL ILLINOIS ALTERNATE ASSESSMENT (IAA) PERFORMANCE

<table>
<thead>
<tr>
<th></th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-10</td>
<td>49.2</td>
<td>68.6</td>
</tr>
<tr>
<td>2010-11</td>
<td>61.2</td>
<td>66.2</td>
</tr>
</tbody>
</table>

IAA scores in the Progressing and Attaining performance levels count the same, respectively, as scores on other state assessments that meet or exceed Standards.
These charts provide information on attainment of the Illinois Learning Standards. They show the percents of student scores meeting or exceeding Standards for the grades and subjects tested on ISAT.

### ISAT Performance

#### Grade 3

<table>
<thead>
<tr>
<th>ISAT</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>65.8</td>
<td>81.9</td>
</tr>
<tr>
<td>District</td>
<td>73.7</td>
<td>74.7</td>
</tr>
<tr>
<td>State</td>
<td>83.8</td>
<td>89.3</td>
</tr>
<tr>
<td>District</td>
<td>86.3</td>
<td>87.3</td>
</tr>
</tbody>
</table>

#### Grade 4

<table>
<thead>
<tr>
<th>ISAT</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>64.8</td>
<td>72.5</td>
<td>72.0</td>
</tr>
<tr>
<td>District</td>
<td>67.1</td>
<td>72.0</td>
<td>74.7</td>
</tr>
<tr>
<td>State</td>
<td>79.7</td>
<td>71.7</td>
<td>78.4</td>
</tr>
<tr>
<td>State</td>
<td>85.6</td>
<td>82.4</td>
<td>81.0</td>
</tr>
<tr>
<td>State</td>
<td>86.0</td>
<td>83.4</td>
<td>84.0</td>
</tr>
<tr>
<td>District</td>
<td>87.7</td>
<td>84.0</td>
<td>79.3</td>
</tr>
</tbody>
</table>

#### Grade 5

<table>
<thead>
<tr>
<th>ISAT</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>72.5</td>
<td>72.0</td>
</tr>
<tr>
<td>District</td>
<td>74.7</td>
<td>74.7</td>
</tr>
<tr>
<td>State</td>
<td>76.4</td>
<td>82.4</td>
</tr>
<tr>
<td>District</td>
<td>81.0</td>
<td>81.0</td>
</tr>
<tr>
<td>State</td>
<td>83.4</td>
<td>83.4</td>
</tr>
<tr>
<td>State</td>
<td>84.0</td>
<td>84.0</td>
</tr>
</tbody>
</table>
These charts provide information on attainment of the Illinois Learning Standards. They show the average scores and also the percents of student scores meeting or exceeding Standards in reading, mathematics, and science on PSAE.

**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Average Scores**

<table>
<thead>
<tr>
<th></th>
<th>2009-10</th>
<th>2010-11</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>District</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>State</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Reading</strong></td>
<td>142</td>
<td>141</td>
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<tr>
<td><strong>Mathematics</strong></td>
<td>140</td>
<td>140</td>
</tr>
<tr>
<td><strong>Science</strong></td>
<td>157</td>
<td>156</td>
</tr>
</tbody>
</table>

PSAE scores range from 120 to 200.

**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE) - Percents Meeting or Exceeding Standards**

<table>
<thead>
<tr>
<th></th>
<th>2009-10</th>
<th>2010-11</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>District</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>State</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Reading</strong></td>
<td>14.0</td>
<td>13.2</td>
</tr>
<tr>
<td><strong>Mathematics</strong></td>
<td>5.9</td>
<td>9.3</td>
</tr>
<tr>
<td><strong>Science</strong></td>
<td>6.1</td>
<td>7.2</td>
</tr>
</tbody>
</table>

Number of students in this District with PSAE scores in 2011: 432
IAA PERFORMANCE

These charts provide information on attainment of the Illinois Learning Standards. They show the percents of student scores meeting or exceeding Standards for the grades and subjects tested on IAA.

<table>
<thead>
<tr>
<th>IAA</th>
<th>Grade 5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reading</td>
</tr>
<tr>
<td>District</td>
<td>2009-10</td>
</tr>
<tr>
<td>State</td>
<td>2009-10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IAA</th>
<th>Grade 6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reading</td>
</tr>
<tr>
<td>District</td>
<td>2009-10</td>
</tr>
<tr>
<td>State</td>
<td>2009-10</td>
</tr>
</tbody>
</table>
Federal law requires that student achievement results for reading, mathematics, and science for schools providing Title I services be reported to the general public.

The Illinois Standards Achievement Test (ISAT) is administered to students in grades 3 through 8. The Prairie State Achievement Examination (PSAE) is administered to students in grade 11. The Illinois Alternate Assessment (IAA) is administered to students with disabilities whose Individualized Education Programs (IEPs) indicate that participation in the ISAT or PSAE would not be appropriate.

Students with disabilities have an IEP (No Child Left Behind Act). An IEP is a written plan for a child with a disability who is eligible to receive special education services under the Individuals with Disabilities Education Act.

Reading and Mathematics are tested in grades 3 through 8, and 11. Science is tested in grades 4, 7, and 11.

In order to protect students’ identities, test data for groups of fewer than ten students are not reported.

### PERFORMANCE ON STATE ASSESSMENTS

#### PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR READING

<table>
<thead>
<tr>
<th>Gender</th>
<th>Racial/Ethnic Background</th>
<th>All</th>
<th>Male</th>
<th>Female</th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Native Hawaiian / Pacific Islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>LEP</th>
<th>Migrant</th>
<th>Students with Disabilities</th>
<th>Economically Disadvantaged</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>3,674</td>
<td>1,823</td>
<td>1,851</td>
<td>16</td>
<td>3,623</td>
<td>31</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>13</td>
<td>0</td>
<td>577</td>
<td>3,517</td>
</tr>
<tr>
<td>District</td>
<td>*Enrollment</td>
<td>0.7</td>
<td>0.9</td>
<td>0.4</td>
<td>0.0</td>
<td>0.7</td>
<td>0.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.0</td>
<td>0.9</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>*Enrollment</td>
<td>1,075,993</td>
<td>550,552</td>
<td>525,225</td>
<td>554,770</td>
<td>197,979</td>
<td>244,338</td>
<td>44,033</td>
<td>976</td>
<td>3,305</td>
<td>29,668</td>
<td>65,498</td>
<td>276</td>
<td>150,007</td>
<td>522,525</td>
</tr>
<tr>
<td>Reading</td>
<td>*Enrollment</td>
<td>0.5</td>
<td>0.5</td>
<td>0.4</td>
<td>0.4</td>
<td>0.7</td>
<td>0.3</td>
<td>0.9</td>
<td>0.5</td>
<td>0.4</td>
<td>0.5</td>
<td>0.7</td>
<td>0.4</td>
<td>0.9</td>
<td>0.5</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 3-8 and 11.

Number of LEP Students who have attended schools in the U.S. for less than 12 months and are not assessed on the State's reading/language arts test: 0

#### PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR MATHEMATICS

<table>
<thead>
<tr>
<th>Gender</th>
<th>Racial/Ethnic Background</th>
<th>All</th>
<th>Male</th>
<th>Female</th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Asian</th>
<th>Native Hawaiian / Pacific Islander</th>
<th>American Indian</th>
<th>Two or More Races</th>
<th>LEP</th>
<th>Migrant</th>
<th>Students with Disabilities</th>
<th>Economically Disadvantaged</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>3,675</td>
<td>1,824</td>
<td>1,851</td>
<td>16</td>
<td>3,624</td>
<td>31</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>13</td>
<td>0</td>
<td>577</td>
<td>3,518</td>
</tr>
<tr>
<td>District</td>
<td>*Enrollment</td>
<td>0.7</td>
<td>0.9</td>
<td>0.5</td>
<td>0.0</td>
<td>0.7</td>
<td>0.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.0</td>
<td>1.0</td>
<td>0.6</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>*Enrollment</td>
<td>1,077,714</td>
<td>551,494</td>
<td>526,004</td>
<td>555,155</td>
<td>198,036</td>
<td>244,999</td>
<td>44,624</td>
<td>980</td>
<td>3,312</td>
<td>29,684</td>
<td>67,235</td>
<td>282</td>
<td>150,024</td>
<td>523,732</td>
</tr>
<tr>
<td>Mathematics</td>
<td>*Enrollment</td>
<td>0.4</td>
<td>0.5</td>
<td>0.4</td>
<td>0.4</td>
<td>0.7</td>
<td>0.3</td>
<td>0.7</td>
<td>0.4</td>
<td>0.5</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
<td>0.9</td>
<td>0.5</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 3-8 and 11.
### PERCENTAGE OF STUDENTS NOT TESTED IN STATE TESTING PROGRAMS FOR SCIENCE

<table>
<thead>
<tr>
<th>Gender</th>
<th>Racial/Ethnic Background</th>
<th>District</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Enrollment</td>
<td>1,546</td>
<td>763</td>
<td>783</td>
</tr>
<tr>
<td>Science</td>
<td>1.2</td>
<td>1.4</td>
<td>1.0</td>
</tr>
<tr>
<td>Enrollment</td>
<td>460,543</td>
<td>234,564</td>
<td>225,880</td>
</tr>
<tr>
<td>Science</td>
<td>0.8</td>
<td>0.9</td>
<td>0.7</td>
</tr>
</tbody>
</table>

* Enrollment as reported during the testing windows for grades 4, 7, and 11.

### ILLINOIS STANDARDS ACHIEVEMENT TEST (ISAT)

The following tables show the percentages of student scores in each of four performance levels. These levels were established with the help of Illinois educators who teach the grade levels and learning areas tested. Due to rounding, the sum of the percentages in the four performance levels may not always equal 100.

**Level 1 -- Academic Warning** - Student work demonstrates limited knowledge and skills in the subject. Because of major gaps in learning, students apply knowledge and skills ineffectively.

**Level 2 -- Below Standards** - Student work demonstrates basic knowledge and skills in the subject. However, because of gaps in learning, students apply knowledge and skills in limited ways.

**Level 3 -- Meets Standards** - Student work demonstrates proficient knowledge and skills in the subject. Students effectively apply knowledge and skills to solve problems.

**Level 4 -- Exceeds Standards** - Student work demonstrates advanced knowledge and skills in the subject. Students creatively apply knowledge and skills to solve problems and evaluate the results.

#### Grade 3 - All

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>District</td>
<td>3.8</td>
<td>14.3</td>
</tr>
<tr>
<td>State</td>
<td>5.6</td>
<td>19.5</td>
</tr>
</tbody>
</table>

#### Grade 3 - Gender

**Male**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>District</td>
<td>5.5</td>
<td>17.6</td>
</tr>
<tr>
<td>State</td>
<td>7.4</td>
<td>21.0</td>
</tr>
</tbody>
</table>

**Female**

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>District</td>
<td>2.1</td>
<td>10.9</td>
</tr>
<tr>
<td>State</td>
<td>4.2</td>
<td>17.8</td>
</tr>
</tbody>
</table>
### Grade 3 - Racial/Ethnic Background

|                | Levels | Reading | | Mathematics | | |
|----------------|--------|---------|------------------|------------------|
|                |        | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| White          | District | 2.6 | 12.3 | 48.2 | 37.0 | 1.1 | 4.9 | 37.2 | 56.8 |
|                | State   |       |      |      |     |     |     |     |     |
| Black          | District | 3.9 | 14.2 | 55.1 | 26.8 | 2.6 | 8.1 | 43.7 | 45.6 |
|                | State   | 10.8 | 28.6 | 47.3 | 13.2 | 7.3 | 18.8 | 51.0 | 22.9 |
| Hispanic       | District | 9.3 | 29.3 | 47.6 | 13.8 | 3.6 | 14.3 | 52.5 | 29.5 |
|                | State   |       |      |      |     |     |     |     |     |
| Asian          | District | 2.5 | 8.4 | 42.5 | 46.6 | 1.2 | 3.0 | 24.3 | 71.5 |
|                | State   |       |      |      |     |     |     |     |     |
| Native Hawaiian/Pacific Islander | District | 2.7 | 14.4 | 46.8 | 36.0 | 0.0 | 4.4 | 40.7 | 54.9 |
|                | State   |       |      |      |     |     |     |     |     |
| American Indian | District | 7.1 | 21.7 | 51.8 | 19.4 | 3.2 | 12.4 | 45.8 | 38.5 |
|                | State   |       |      |      |     |     |     |     |     |
| Two or More Races | District | 3.9 | 16.8 | 47.2 | 32.0 | 1.8 | 8.7 | 42.2 | 47.4 |

### Grade 3 - Students with Disabilities

|                | Levels | Reading | | Mathematics | | |
|----------------|--------|---------|------------------|------------------|
|                |        | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| IEP            | District | 19.6 | 41.1 | 25.0 | 14.3 | 10.7 | 25.0 | 33.9 | 30.4 |
|                | State   | 20.9 | 35.2 | 33.4 | 10.4 | 9.2 | 21.3 | 46.9 | 22.5 |
| Non-IEP        | District | 2.1 | 11.4 | 58.5 | 28.0 | 1.7 | 6.2 | 45.2 | 46.9 |
|                | State   | 3.6 | 17.2 | 49.6 | 29.5 | 2.9 | 8.2 | 42.6 | 47.2 |

### Grade 3 - Economically Disadvantaged

|                | Levels | Reading | | Mathematics | | |
|----------------|--------|---------|------------------|------------------|
|                |        | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| Free/Reduced Price Lunch | District | 3.8 | 14.0 | 55.4 | 26.9 | 2.7 | 7.7 | 43.6 | 46.0 |
|                | State   | 9.4 | 28.2 | 48.3 | 14.1 | 4.8 | 15.3 | 51.7 | 28.2 |
| Not Eligible   | District | 6.3 | 25.0 | 50.0 | 18.8 | 0.0 | 20.0 | 60.0 | 20.0 |
|                | State   | 1.8 | 9.9 | 46.8 | 41.4 | 0.8 | 3.8 | 33.7 | 61.6 |

### Grade 4

#### Grade 4 - All

|                | Levels | Reading | | Mathematics | | Science | | |
|----------------|--------|---------|------------------|------------------|------------------|
|                |        | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| District       | 1.5 | 31.5 | 54.2 | 12.9 | 1.6 | 12.7 | 75.1 | 10.5 | 9.0 | 43.4 | 45.6 | 2.0 |
| State          | 0.9 | 24.3 | 44.5 | 30.2 | 1.2 | 11.1 | 60.1 | 27.6 | 3.5 | 17.2 | 58.4 | 21.0 |

#### Grade 4 - Gender

|                | Levels | Reading | | Mathematics | | Science | | |
|----------------|--------|---------|------------------|------------------|------------------|
|                |        | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| Male           | District | 1.9 | 31.2 | 55.8 | 11.2 | 1.9 | 13.0 | 72.5 | 12.6 | 6.3 | 42.9 | 48.5 | 2.2 |
|                | State   | 1.2 | 27.6 | 44.1 | 27.1 | 1.5 | 11.6 | 58.3 | 26.6 | 3.8 | 16.9 | 56.6 | 22.6 |
| Female         | District | 1.1 | 31.7 | 52.7 | 14.6 | 1.4 | 12.5 | 77.6 | 8.5 | 11.5 | 43.9 | 42.8 | 1.8 |
|                | State   | 0.6 | 21.0 | 44.9 | 33.5 | 0.9 | 10.5 | 61.9 | 26.7 | 3.1 | 17.5 | 60.2 | 19.2 |
### Grade 4 - Racial/Ethnic Background

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
</tbody>
</table>

#### White
- **District**
  - 0.4 14.7 44.3 40.5 0.6 5.8 56.6 37.0 1.1 8.5 60.2 30.2
- **State**
  - 1.5 30.8 54.6 13.1 1.7 12.2 75.5 10.7 8.5 43.4 46.0 2.0

#### Black
- **District**
  - 1.9 40.5 44.3 13.3 2.7 20.9 65.4 11.0 8.2 33.4 52.6 5.7
- **State**
  - 1.3 35.3 46.4 16.9 1.6 16.1 67.1 15.3 5.4 25.3 59.7 9.7

#### Hispanic
- **District**
  - 0.4 10.4 37.3 52.0 0.6 3.8 41.2 54.3 2.0 7.8 53.1 37.2
- **State**
  - 0.0 21.3 42.5 36.2 3.1 7.1 55.9 33.9 4.7 13.3 53.9 28.1

#### Asian
- **District**
  - 1.1 32.7 43.7 22.4 1.4 13.0 66.4 19.2 3.7 22.2 58.8 15.3
- **State**
  - 0.9 19.6 44.2 35.3 0.9 10.5 57.1 31.5 1.9 14.6 58.8 24.6

#### Native Hawaiian/Pacific Islander
- **District**
  - 0.0 21.3 42.5 36.2 3.1 7.1 55.9 33.9 4.7 13.3 53.9 28.1
- **State**
  - 0.3 19.6 46.6 33.3 0.5 8.4 60.9 30.2 2.5 15.1 59.6 22.8

#### Non-IEP
- **District**
  - 1.5 30.9 54.6 13.0 1.5 12.2 75.6 10.7 8.9 43.4 45.6 2.0
- **State**
  - 1.5 30.3 46.5 15.7 1.9 17.2 66.5 14.3 5.9 26.6 58.4 9.2

#### Two or More Races
- **District**
  - 0.9 19.6 44.2 35.3 0.9 10.5 57.1 31.5 1.9 14.6 58.8 24.6
- **State**
  - 0.3 19.6 46.6 33.3 0.5 8.4 60.9 30.2 2.5 15.1 59.6 22.8

### Grade 4 - Students with Disabilities

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
<td>1 2 3 4</td>
</tr>
</tbody>
</table>

#### IEP
- **District**
  - 7.9 55.3 31.6 5.3 10.5 22.4 61.8 5.3 18.7 49.3 30.7 1.3
- **State**
  - 4.9 56.0 29.4 9.8 5.7 29.0 55.0 10.3 9.9 31.2 50.1 8.8

#### Non-IEP
- **District**
  - 0.4 27.6 57.8 14.1 0.2 11.2 77.2 11.4 7.4 42.5 48.0 2.1
- **State**
  - 0.3 19.6 46.6 33.3 0.5 8.4 60.9 30.2 2.5 15.1 59.6 22.8

### Grade 4 - Economically Disadvantaged

<table>
<thead>
<tr>
<th>Levels</th>
<th>Reading</th>
<th>Mathematics</th>
<th>Science</th>
</tr>
</thead>
<tbody>
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- **State**
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**PRAIRIE STATE ACHIEVEMENT EXAMINATION (PSAE)**

The following tables show the percentages of student scores in each of four performance levels. These levels were established with the help of Illinois educators who teach the grade levels and learning areas tested. Due to rounding, the sum of the percentages in the four performance levels may not always equal 100.

- **Level 1 -- Academic Warning** - Student work demonstrates limited knowledge and skills in the subject. Because of major gaps in learning, students apply knowledge and skills ineffectively.

- **Level 2 -- Below Standards** - Student work demonstrates basic knowledge and skills in the subject. However, because of gaps in learning, students apply knowledge and skills in limited ways.

- **Level 3 -- Meets Standards** - Student work demonstrates proficient knowledge and skills in the subject. Students effectively apply knowledge and skills to solve problems.

- **Level 4 -- Exceeds Standards** - Student work demonstrates advanced knowledge and skills in the subject. Students creatively apply knowledge and skills to solve problems and evaluate the results.
Grade 11

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**ILLINOIS ALTERNATE ASSESSMENT (IAA)**

The Illinois Alternate Assessment (IAA) is administered to students with disabilities whose Individualized Education Programs (IEPs) indicate that participation in the ISAT or PSAE would not be appropriate. The table below presents the percentages of student scores in each of four performance levels.

Level 1 -- Entry - Students do not demonstrate knowledge and skills in the subject through links to the Illinois Learning Standards.

Level 2 -- Foundational - Students demonstrate emerging knowledge and skills in the subject as linked to the Illinois Learning Standards. Students exhibit an ability to reproduce knowledge and skills.

Level 3 -- Satisfactory - Students demonstrate basic knowledge and skills in the subject through links to the Illinois Learning Standards. Students exhibit an ability to associate their knowledge and skills.

Level 4 -- Mastery - Students demonstrate knowledge and skills in the subject through links to the Illinois Learning Standards. Students exhibit the ability to apply their knowledge and skills.

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Plenary Packet - Page 55
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# Grade 11

## Grade 11 - All

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## Grade 11 - Gender

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## Grade 11 - Racial/Ethnic Background

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## 2011 ADEQUATE YEARLY PROGRESS (AYP) INFORMATION

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<th>Percent Tested on State Tests</th>
<th>Percent Meeting/Exceeding Standards *</th>
<th>Other Indicators</th>
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<td>Graduation Rate</td>
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### Four Conditions Are Required For Making Adequate Yearly Progress (AYP):

1. At least 95% tested in reading and mathematics for every student group. If the current year participation rate is less than 95%, this condition may be met if the average of the current and preceding year rates is at least 95%, or if the average of the current and two preceding years is at least 95%. Only actual participation rates are printed. If the participation rate printed is less than 95% and yet this school makes AYP, it means that the 95% condition was met by averaging.

2. At least 85% meeting/exceeding standards in reading and mathematics for every group. For any group with less than 85% meeting/exceeding standards, a 95% confidence interval was applied. Subgroups may meet this condition through Safe Harbor provisions.***

3. At least 91% attendance rate for non-high schools and at least 82% graduation rate for high schools.

* Includes only students enrolled as of 05/01/2010.

** Safe Harbor Targets of 85% or above are not printed.

***Subgroups with fewer than 45 students are not reported. Safe Harbor only applies to subgroups of 45 or more. In order for Safe Harbor to apply, a subgroup must decrease by 10% the percentage of scores that did not meet standards from the previous year plus meet the other indicators (attendance rate for non-high schools and graduation rate for high schools) for the subgroup. For subgroups that do not meet their Safe Harbor Targets, a 75% confidence interval is applied. Safe Harbor allows schools an alternate method to meet subgroup minimum targets on achievement.
Below is a list of the Title I funded schools in the district that are in Federal School Improvement Status as defined by the federal No Child Left Behind Act of 2001.

Number of schools in this district: 18  
Number of Title I schools: 17  
Number of Title I schools in Federal School Improvement Status: 10  
Percent of schools in Federal School Improvement Status: 55.6%

### School ID | School Name | Years in School Improvement
--- | --- | ---
500821890220043 | East St Louis Senior High School | 9
500821890221007 | Mason/Clark Middle Sch | 11
500821890221025 | Wyetter Younge Middle Sch | 8
500821890221036 | East St Louis-Lincoln Middle Sch | 11
500821890222051 | Miles D Davis Elementary School | 1
500821890222054 | Katie Harper-Wright Elem | 4
500821890222055 | Gordon Bush Elementary | 4
500821890222056 | James Avant Elementary School | 1
In 2008, the Illinois State Board of Education was one of 6 states to be chosen by the US Department of Education to participate on the Differentiated Accountability Pilot Program. The Differentiated Accountability classification applies only to districts in federal improvement status that do not make AYP.

The classification is a descriptor (i.e., focused or comprehensive) that is added to a district’s improvement status. Current Title I requirements do not change. The classification assists in distinguishing between districts that need focused supports versus more comprehensive interventions.

If a district does make AYP in ALL-student group in both reading and math, this district will be classified as a focused district; otherwise, the district will be identified as a comprehensive district.
Illinois State Board of Education

Resolution

Honoring

Linda Riley Mitchell

June 2012

WHEREAS, Linda Riley Mitchell is a Certified Public Accountant and a cum laude graduate of Marquette University; and

WHEREAS, Linda broadened her field of expertise by completing the Kellogg School of Management Corporate Director Development Executive Program at Northwestern University and was in turn invited to attend the Harvard University John F. Kennedy School of Government Executive Leadership Program for Educators; and

WHEREAS, Linda joined the Illinois State Board of Education in 2004 as Chief Financial Officer; and

WHEREAS, Linda has led staff that included finance, budgeting, external assurance, technology, business support, administration, and funding and disbursement divisions; and

WHEREAS, Linda uses her knowledge coupled with her experience to find solutions to a myriad of challenges in financing education for Illinois’ students; including leading the agency through one of the greatest financial challenges in its history; and

WHEREAS, Linda’s wisdom and proficiency have served Superintendent Koch, members of the Board, and staff very well over the past eight years;

THEREFORE, BE IT RESOLVED that the Illinois State Board of Education extends its sincere appreciation and gratitude to Linda Riley Mitchell for her commitment to the agency and her numerous contributions to the field of education.

Gery J. Chico, Chairman  Steven R. Gilford, Vice Chairman  Vinni M. Hall, Secretary

James W. Baumann, Member  Andrea S. Brown, Member  David L. Fields, Member

Lanita J. Koster, Member  Melinda A. LaBarre, Member
ROLL CALL

Mr. Gery Chico, Chairman, called the meeting to order at 10:10 a.m. Chairman Chico asked Ms. Jean Ladage to call the roll. Dr. Christopher Koch, State Superintendent of Education, was in attendance. A quorum was present.

Members Present
Mr. Gery Chico, Chairman
Mr. Steven Gilford, Vice Chairman
Dr. Vinni Hall, Secretary
Mr. James Baumann
Dr. Andrea Brown
Dr. David Fields
Ms. Lanita Koster
Ms. Melinda LaBarre

PUBLIC PARTICIPATION

Keri Garrett, Regional Superintendent of Clinton/Marion/Washington Counties, Jennifer Garrison, Superintendent of Sandoval District #501, and Linda Brissenend, Turnaround Administrator at Sandoval District #501 under the School Improvement Grants, shared with the board members the success Sandoval Community School District #501 has had in the first year of their School Improvement Grant (SIG).

Proviso Financial Oversight Panel Testimony

Emanuel Christopher Welch, President of the Proviso District #209 School Board, came before the board to ask removal of the Financial Oversight Panel (FOP) that has been in the district since January 2009. Mr. Welch stated that Proviso District has worked with the FOP and he believes the district is now in capable hands, fiscally sound, the administration is stable, and the test scores are moving in the right direction. He thanked the Board for the opportunity to address them.

Dr. Nettie Collins-Hart, Superintendent of Proviso Township High Schools District #209, shared with the Board the different demographics of the 5,000 students that attend Proviso schools. She discussed the major accomplishments the students have made in just a few years, even while reducing a deficit of over $7 million dollars. Ms. Collins-Hart noted that they would be remiss not to acknowledge the financial challenges that are facing Proviso Township High Schools but that she feels these financial difficulties are not unique to District # 209.

Romaneir Polley, Chief Financial Officer of Proviso Township High Schools District #209, updated the Board on the financial status of Proviso Township High Schools District #209. The Proviso budget has been balanced since FY2005 to the present. Proviso’s audit financial reports have zero material findings and have received state recognition for 2011 and 2010. Proviso, with the help and assistance of the Financial Oversight Panel, has submitted a financial plan for the last three years. The FOP has helped them implement a financial plan to address the issue of the vast number of internal fund loans due to the debt of spending and the operations maintenance in the transportation fund. In FY 2012, year end addition will be taking a loan repayment transfer abatement to address the issue, therefore putting all Proviso’s funds in balance. Ms. Polley commented that Proviso has transferred funds from the working cash fund, to assist them in their...
transportation and operations maintenance fund. They have paid back all of their internal fund loans.

Mrs. Polley stated that they are aware that they will have to make additional cuts in their operational maintenance and transportation funds. Proviso is looking to maintain fiscal stability by being conservative in their projection of revenue through the implementation of zero based budgeting. The financial plan adopted by the FOP addresses the long term capital needs of the district facilities, debited spending, operations maintenance fund and transportation fund, as well as various internal fund loans.

Mrs. Polley stated that although the financial plan addresses several issues it no way solves the ongoing long term issue of the deterioration of their facilities, which are over one hundred years old. It does however allocate additional revenue to maintain the current state of existence until the district is able to identify additional resources and modify the financial plan to address these concerns.

Edward Moyer, Jr., Executive Director of Assessment and Planning for the Proviso District, shared with the Board the brochure from Proviso titled “Longitudinal Analysis of the PSAE/ACT Results, 2005-2011”. Mr. Moyer noted that the data in the brochure was retrieved from the Illinois Interactive Report Card website on April 26, 2012. Mr. Moyer commented that the brochure will give the board members a perspective of the students’ performance in the district.

Michael DeBartolo, General Counsel to the Proviso School Board, provided to the Board members the legal rationale and support for the Petition for Dissolution of the Proviso Township High Schools District 209 Financial Oversight Panel Pursuant to 105 ILCS 5/1B-5. Mr. DeBartolo noted that according to the Illinois School Code the district has met all of the requirements and conditions of the law and the district is therefore petitioning the State Board of Education to have the Financial Oversight Panel dissolved. The formal petition was filed by the Board of Education for Proviso Township High Schools District 209, Cook County, Illinois on or about May 8, 2012. (Copy of Mr. DeBartolo’s complete testimony is available by contacting Board Services.)

State Superintendent Koch clarified that the Illinois State Board of Education has received a petition from the Board of Education for Proviso Township High Schools District 209 requesting the Dissolution of the Proviso Township High Schools District 209 Financial Oversight Panel. The FOP has also sent a request to continue their financial oversight. Dr. Koch stated that there is no action scheduled for today’s meeting. The next time Dissolution of the Proviso Township High Schools District 209 Financial Oversight Panel will be discussed and open to public comment will be at the June 2012 State Board Meeting. Dr. Koch did commend Proviso Township School District for the progress they have made. He also asked that Proviso review the special education enrollment data reported today with our ISBE staff because, if accurate, they are highly anomalous with state data. Dr. Koch said he realizes that identification most often occurs in the feeder elementary districts not in the high school districts, however the data is concerning and does need to be looked at carefully.

The following people spoke in their opposition to dissolving the Proviso Financial Oversight Panel: Francine Harrell, Gerald Delk, Robert Cox, Courtney Lewis, Jorie Wright, and Edward Porter.

Lucille Redmond, Marquetta Smith and Alexis Wallace spoke in favor of keeping the Financial Oversight Panel at Proviso Township High School District #209.
Kevin McDermott, Board Member from Proviso Township District #209 stated that he had come to the Board meeting today to express his own views; not those of a board member. Mr. McDermott stated that he is strongly in favor of Financial Oversight Panel remaining in the district. He feels that an FOP reorganized under Section 1-H is absolutely necessary.

Theresa Kelly the longest sitting board member of the Proviso Township School Board presented as a lifelong resident of Proviso, a community member and taxpayer. Ms. Kelly commented that she feels that little or no money has been spent at Proviso on improving programming or the upkeep of the schools. She is tired of the children not having every opportunity to succeed. In her opinion Proviso has not demonstrated fiscal integrity or careful use of resources, and they have not set priorities in their work and focus. Ms. Kelly would like to see the FOP stay at Proviso. She knows firsthand the difference their presence has made at the school.

Della Patterson, parent of three children who have graduated from Proviso West High School also addressed the board, Ms. Patterson said she has been involved in the community and has 32 years of educational experience, worked in the classroom and with students that no one else would work with. She feels that the FOP has done a good job and would like them to stay in the district.

Charter Commission Testimony

Laura Farr on behalf of Chicago Public Schools (CPS) discussed the concerns CPS has with the recently released rules proposed for the Charter School Commission. Ms. Farr asked that the Board please review the rules further and provide an amendment. Chairman Chico asked Ms. Farr to share her comments with our Legal Counsel and noted that we are in the initial phase of accepting comments.

TAP Score Testimony

Dr. Lise McKeans, Director of Research and Policy at the Council of Chicago Area Deans of Education (CCADE) and at the College of Education at the University of Illinois at Chicago, presented a statement on behalf of Paul Strauss, Co-Director of Litigation, Chicago’s Lawyers Committee for Civil Rights Under Law, Inc. and the CCADE.

Paul Strauss Testimony

Dr. McKeans stated that the Chicago’s Lawyers’ Committee for Civil Rights Under Law is a consortium of Chicago law firms whose members provide legal services to provide impact litigation in cases involving race discrimination, among other matters. Mr. Strauss’ statement noted that the Lawyers Committee has been carefully watching the affect of the cut scores that were set for the last Basic Skills test and for the work that is now being done to set cut scores for the Test of Academic Proficiency (TAP).

Mr. Strauss said he felt the Board should be aware of the anti-discrimination law he thinks may govern setting the new cut scores for TAP. (Illinois Civil Rights Act of 2003/ 740 ILCS 23/5  Section 5 Discrimination prohibited  (a) No unit of state, county, or local government in Illinois shall (2) utilize criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, national origin, or gender.)

Mr. Strauss thinks ISBE cannot set the cut scores so high that they...
disproportionally eliminate minority applicants, unless ISBE can prove that using high cut scores will result in better students in teacher preparation programs. He thinks that Illinois courts are likely to follow federal disparate impact law that governs employment discrimination cases. Pursuant to that law a practice that has a disparate impact is illegal unless the defendant show that the practice is job related for the position in question and consistent with business necessity. Even if the defendant makes this case, the plaintiffs will prevail if they show there is alternative practice that would serve the defendants needs equally well without as severe an impact and the defendant refuses to adopt the alternative practice. He feels that adopting high cut scores would violate civil rights law. The risk to ISBE of adopting high cut scores as recommended by the licensure board is that ISBE would be at risk of being sued for violating the civil rights of minorities who do not pass TAP.

The Lawyers’ Committee suggested that ISBE reconsider the approach recommended by the licensure board. He feels ISBE should lower its standards as passing scores for TAP and requiring schools to adopt other means to measure the character traits that make for good candidates for teaching positions. Dr. McKean thanked the Board on behalf of Mr. Strauss for their consideration.

Mr. Chico commented that ISBE does care about what the Deans of Education have to say, they are the major supplier of teachers in the State of Illinois.

**Council of Chicago Area Deans of Education (CCADE) Testimony**

Dr. Kean also presented on behalf of the Council of Chicago Area Deans of Education (CCADE). The CCADE is an organization made up of 22 institutions of higher education that work proactively to address key program and policy issues related to the preparation and licensure of educators in Illinois.

Dr. Kean stated that the CCADE wants to ensure the rigor of teacher preparation programs and the readiness of those enrolled in them to succeed as students in our programs and subsequently as educators of our children.

CCADE would like ISBE to be aware of the following four concerns:

1. Threats to the civil rights of minorities from the recommendations of State Educators Preparation and Licensure Board (SEPLB) and the Superintendent on TAP Cut Scores.

2. They also have concerns over the lack of clarity around the procedure used to defining “Just Acceptably Qualified Candidate” (JAQC), combined with the definition of JAQC as it appears in ISBE’s materials pose serious questions about the validity of the expert panels’ standards settings.

3. Passing the TAP is required by ISBE for admission into approved educator programs. ISBE is charged with convening a panel of experts for the standard setting and it has formulated a policy for doing this “ISBE Panel Selection Policy”. Mr. Strauss stated that CCADE recommends that the ISBE make the following modifications to its Panel Selection Policy:
   - Each TAP content area is given its own standard setting panel composed of content area experts.
   - Higher education is made the majority or at least equal to the number of K-12 representatives on standard setting panels for test required by ISBE for admissions into educator preparation programs at institutions.
of higher education.

4. CCADE recommends that ISBE establish an Advisory Group from stakeholders groups to investigate equitable assessment approaches that are correlated with research on success in teacher preparation programs.

In closing, CCADE suggested that ISBE not approve the TAP cut scores recommended by SEPLB. Dr. Kean reiterated CCADE’s readiness to continue working with ISBE to establish a legal, equitable and valid assessment for entry into teacher preparation program. Dr. Kean thanked the Board for their consideration.

Anne Hallett, Director of Grow Your Own Illinois, addressed the Board on the Test of Academic Proficiency (TAP). Ms. Hallett commented that the policy decision the Board makes today on the new cut scores for TAP will affect thousands and thousands of people; especially potential teacher candidates of color and their families over many years. She asked that the Board keep these three points in mind as they debate their decision:

1. **Disparate Impact:** ISBE should not set cut scores that will exclude most minorities;

2. **Multiple Measures:** Research indicates that TAP-like tests, with their very narrow measures of potential, are not correlated with effective teaching in the classroom. Illinois should not be relying on a single standardized entrance test as make or break but should be using multiple measures to encourage a broad field of candidates with many characteristics that make for good teaching; including cultural competence, knowledge and understanding of the community where low-income students live, and the ability to engage student and their families.

3. **Grow Your Own:** Grow Your Own candidates are 84% people of color. Their average GPA is 3.3. They are preparing to be highly effective teachers for the low-income schools in their own neighborhoods. GYO teachers, 60 to date with 100 graduates projected by year end, are the teachers we need working with low-income students.

Ms. Hallett asked that the State Board commit to working with Grow Your Own and others to address the very low numbers of teachers of color who are prepared for and will remain teaching in Illinois’ lowest–income schools.

William Trapp from the College of Education, University of Illinois at Chicago, asked that the Board consider the procedural and psychometric concerns about the finalization of the TAP scores. Mr. Trapp stated that based on documentation from the ISBE website and standard setting materials, the TAP is an assessment that a student must pass before admission into an approved teacher preparation program in Illinois. The test may also be taken by teachers from other states as part of the process to receive Illinois certification. Mr. Trapp recommended that a clear purpose statement of the TAP be drafted and posted on the ISBE website.

Mr. Trapp said that he felt the two most problematic areas in reviewing the TAP documents included the definition of Just Acceptably Qualified Candidates (JAQC). This definition should be based on the purpose of the test and if the test is to assess students on whether they have skills and abilities defined in the framework. Certain pieces of the JAQC definition like are you an A or B student, or in the top half of the class distract from that purpose.
The other concern is the panel itself. Mr. Trapp asked that we take a look at what the expertise of the panelist were. If there are only five math experts on the panel looking and rating across all four of the content areas, that is a concern. We would not want language arts teachers coming in and rating the math ISAT, we want them all to be math professionals coming in and weighing the ratings. He asked that we please investigate the makeup of the panel and determine if we feel that if it was a different makeup of 22 educators would we get the same results, or is the makeup of the panel such that there is not reliability in it.

**RESOLUTIONS & RECOGNITION**

**Motion:**
Dr. Fields moved that the Illinois State Board of Education adopt the resolutions recognizing Randy Cramp, Superintendent of Eureka Community Unit School District #140, James Dansart, Superintendent of Germantown Hills School District #69, Donald R. Beard, Superintendent of Tremont School District #702, Robert Michael Dickson, Superintendent of North Pekin-Marquette Heights School District, Roger L. Kilpatrick, Superintendent of Morton Community School District #709, Kathryn A. Marx, Superintendent of Robein School District #85 and Stephen A. Yarnall, Superintendent of Deer Creek-Mackinaw School District #701. Dr. Hall seconded the motion and it passed with a unanimous voice vote.

Mrs. Dickson was present to receive her husband, Robert Michael Dickson, Superintendent of North Pekin-Marquette Heights School District resolution.

**Motion:**
Dr. Hall moved that the Illinois State Board of Education adopt the following resolutions recognizing Darren Reisberg and Jean Ladage. Dr. Fields seconded the motion and it passed with a unanimous voice vote.

**Illinois State Board of Education**

**Resolution Honoring Darren Reisberg**

May 2012

**WHEREAS,** Darren Reisberg earned his Juris Doctorate degree from Yale Law School in 1999 and received his Bachelor of Arts degree from Duke University in 1996; and

**WHEREAS,** Darren began his legal career as a law clerk to the Honorable Rebecca Pallmeyer, United States District Judge for the Northern District of Illinois; and

**WHEREAS,** Darren continued his career working for the Chicago-based global law firm of Sidley Austin LLP, in its Employment and Labor Group; and

**WHEREAS,** in 2005, Darren accepted the position of Deputy General Counsel at the Illinois State Board of Education and advanced to the position of General Counsel in 2006; and

**WHEREAS,** his unfailing willingness to step up to any task and provide leadership to the Agency landed him the position of Deputy Superintendent/General Counsel for the Illinois State Board of Education, along with responsibility for Governmental Relations and eventually Charter Schools and Public School Recognition; and

**WHEREAS,** always knowledgeable, accessible, thoughtful, and fair, Darren has been the ultimate professional, coalescing various factions in support of potentially divisive school improvement initiatives, such as the Performance Evaluation Reform Act and SB 7; and
WHEREAS, Darren participated admirably on the team to Race to the Top (and other places), and along the way became the consummate “Road Warrior” as he traveled endlessly up and down Interstate 55 and to other points east and west, seamlessly providing hands-on direction and guidance to staff in Chicago and Springfield and to the field; and

WHEREAS, anyone who has had the pleasure of working with Darren can attest that he not only fully “knows his stuff” but shares his wisdom and knowledge cheerfully, generously, and patiently; and

WHEREAS, his attention to detail, precise analyses and forward-thinking caught the eye of the University of Chicago, making that institution’s gain, the State Board of Education’s loss; now

THEREFORE, BE IT RESOLVED THAT THE ILLINOIS STATE BOARD OF EDUCATION extends its sincere appreciation and gratitude to Darren R. Reisberg on this the seventeenth day of May, 2012, for his untiring work and dedication, and we wish him much success as the Executive Director of the Institute of Politics at the University of Chicago.

Illinois State Board of Education
Resolution Honoring
Jean R. Ladage
May 2012

WHEREAS, Jean Ladage began her career in state government in 1975 at the Illinois State Board of Education as a secretary in the Child Nutrition Division; and

WHEREAS, for the next 36 years, Jean shared her numerous talents and expertise in various secretarial positions throughout the agency, assuming more responsibility and gaining greater knowledge of the agency and its workings each time she accepted a new job; and

WHEREAS, Jean was appointed Board Coordinator in 2004 where she attended 98 Board meetings, worked for two Board Chairmen and 14 State Board members during the past 8 years; and

WHEREAS, Jean is known for her efficiency, her dedication to the Board, the Superintendent and the Agency staff, and her unfailing friendly demeanor in every situation; and

WHEREAS, Jean has decided it is time for her to step down and enjoy a more relaxed pace as a retiree; and

WHEREAS, in her new role, Jean plans to spend time with her family, enjoying time with her grandchildren and taking motorcycle trips with her husband; and

WHEREAS, on May 31, 2012, Jean will officially retire from the Illinois State Board of Education; now

THEREFORE, BE IT RESOLVED THAT THE ILLINOIS STATE BOARD OF EDUCATION extends its sincere appreciation and gratitude to Jean Ladage on this 17th day of May, 2012, for her commitment to the agency and her numerous contributions to the field of education.

PRESENTATIONS/SHOWCASES
Chairman Chico announced that the Illinois Shared Learning Environment presentation has been moved to the June Board meeting.
CONSENT AGENDA

Motion:
Ms. LaBarre moved that the State Board of Education hereby approves the consent agenda, as presented. Dr. Fields seconded the motion and it passed with a unanimous voice vote.

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

Approval of Minutes
The State Board of Education hereby approves the minutes as corrected for the February 21, 2012 board meeting and the minutes for the April 18, 2012 board meeting.

Rules for Initial Review
Part 650 (Charter Schools)
The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for Charter Schools (23 Illinois Administrative Code 650), including publication of the proposed amendments in the Illinois Register.

END OF THE CONSENT AGENDA

CLOSED SESSION
Ms. Koster moved that the Board enter into closed session under the exceptions set forth in the Open Meetings Act of the State of Illinois as follows:

Section c 1 for the purpose of considering the appointment, employment, compensation, performance or dismissal of an employee;

Section c 11 for the purpose of considering pending or probable litigation against or affecting the Board,

and

Section c 21 for the purpose of discussing minutes of meetings lawfully closed under the Open Meetings Act.

I further move that the Board may invite anyone they wish to have included in this closed session. Dr. Hall seconded the motion and it passed with a unanimous roll call vote. The Board entered into closed session at 1:35 p.m.

RECONVENE
The Board reconvened from closed session at 2:40 p.m.

V.C. SCALES SCORE RANGES FOR TEST OF ACADEMIC PROFICIENCY (TAP)
Chairman Chico announced that the Scale Score Ranges for Test of Academic Proficiency will be held over for 30 days pending further discussion by the Board. (No Action at this time.)

V.D AUTHORIZATION OF QUALIFIED SCHOOL CONSTRUCTION BONDS
Mr. Baumann moved that the Illinois State Board of Education approve the allocation of the $244.435 million volume cap for 2009, and the $251.167 million volume cap for 2010 to the Governor’s Office of Management and Budget for the purpose of allowing designation of bonds to be issued under the School Construction Law as QSCBs, pursuant to the provisions of American Recovery and Reinvestment Act of 2009, as amended.
Dr. Fields seconded the motion and it passed with a unanimous roll call vote.

**V.E. DISTRICT OVERSIGHT-NORTH CHICAGO**

Mr. Gilford moved that the State Board hereby approves the establishment of a Financial Oversight Panel in North Chicago School District #187 in accordance with Section 1B and 1H of the *School Code*.

Dr. Fields seconded the motion and it passed with a unanimous roll call vote.

Superintendent Koch stated that the North Chicago school district is in poor financial shape and a Financial Oversight Panel would allow it to borrow money from the Illinois Finance Authority. Dr. Koch said the district is also concerned about an audit of enrollments from prior years which may impact GSA calculations from prior years which may result in a GSA adjustment. There is great concern over the overall financial health and the FOP will give ISBE the oversight it needs at this point in time.

Linda Mitchell stated that the North Chicago School District has been troubled and one of the problems of the district is poor financial management. Linda stated that the district issued alternate revenue bonds that committed the district’s Federal Impact Aid for future years to bond payments as opposed to the operations of the district, and this among other factors is creating and contributing to the financial crises.

**V.F. APPROVAL OF THE CLOSED SESSION MINUTES**

Ms. Koster moved that Pursuant to Section 2.06(d) of the Open Meetings Act, the State Board of Education has reviewed the minutes of its closed sessions from January 2012 through March 21, 2012; and the record shall show that no closed session was held in February and April 2012.

Therefore, I move that the State Board of Education certifies that the need for confidentiality still exists for the closed session minutes for the time period reviewed. Further, the State Board of Education approves the destruction of all closed session verbatim recordings prior to November 17, 2010.

Dr. Hall seconded the motion and it passed with a unanimous roll call vote.

**DISCUSSION ITEMS**

**East St. Louis**

Superintendent Koch announced that the Board has named a Financial Oversight Panel for East St. Louis School District # 189. The five ISBE-appointed members of the FOP are:

- **Karen Davis**, Vice Chair of the Illinois Housing Development Board, has a background in public and private financing. Ms. Davis lives in Maryville. Davis will serve on the panel until November of this year.
- **Ranodore Foggs**, a former East St. Louis Chief of Police and State Police officer and pastor of New Horizon Community Church in East St. Louis. Foggs lives in Fairview Heights and will serve as chairman of the FOP.
- **Sister Julia Huiskamp**, business manager of the East St. Louis Housing Authority. Sr. Huiskamp, with the Daughters of Charity of St. Vincent DePaul, lives in East St. Louis.
- **Jerome Jackson**, Pastor, Southern Mission Baptist Church, former junior high social science teacher in District 189. Jackson lives in East St. Louis.
- **Linda Matkowski**, a financial advisor with Raymond James Public Finance Group in Chicago and past school board member for Carpentersville-based Community Unit School District 300. Matkowski lives in Glendale Heights.
- **Judge Milton Wharton**, a judge in the 20th Judicial Circuit in Belleville.
Judge Wharton’s term will begin in November.

**ANNOUNCEMENTS**

Dr. Hall commented that the next Illinois Board of Higher Education will be held on Tuesday, June 5, 2012, at the Illinois Math and Science Academy in Aurora.

**IBHE Liaison Report**

(No P-20 Council report this month.)

**P-20 Council Liaison Report**

Chairman Chico stated that Dr. Vinni Hall & Ms. Lanita Koster will be attending the NASBE Study Group Meetings on June 8-9, 2012 in Washington, DC (Funded through the IL professional development account via NASBE.)

Dr. Andrea Brown will be attending ECS National Policy Forum in Atlanta, GA on July 9-11, 2012 (ECS is providing travel assistance for this trip.)

Chairman Chico reported that he spoke at the Bilingual Parents Conference in Oak Brook on Saturday, May 12, 2012. He said he continues to speak out to legislators on the education cuts.

**INFORMATION ITEMS**

ISBE Fiscal & Administrative Monthly Reports
*(available online at http://isbe.net/board/fiscal_admin_rep.htm)*

**MOTION FOR ADJOURNMENT**

Dr. Hall moved that the meeting be adjourned. Dr. Fields seconded the motion and it passed with a unanimous voice vote. The meeting adjourned at 2:50 p.m.

Respectfully Submitted,

Dr. Vinni Hall  
Board Secretary

Mr. Gery J. Chico  
Chairman
ILINOIS STATE BOARD OF EDUCATION MEETING
June 20-21, 2012

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
        Linda Tomlinson, Assistant Superintendent
        Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Proposed Amendments for Initial Review: Part 60 (The “Grow Your Own” Teacher Education Initiative)

Materials: Recommended Amendments

Staff Contact(s): Linda Jamali, 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
The proposed repealer does not directly relate to any of the Board’s Strategic Goals since responsibility for the oversight of The “Grow Your Own” Teacher Initiative has been transferred to the Illinois Board of Higher Education (IBHE).

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. 96-1393, effective July 1, 2010, transferred the authority of The “Grow Your Own” Teacher Education Initiative to IBHE, which now is responsible for rulemaking. Under the legislation, the rules of the State Board of Education remained in force until IBHE could promulgate its own rules to govern the program.

Earlier this month, IBHE’s board approved the release of proposed rules for public comment. The repeal of Part 60, therefore, will run parallel to the promulgation of IBHE’s rulemaking, and the repealer will be filed once those new rules are in effect.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: Please see “Background” above.
Budget Implications: None.
Legislative Action: None.
Communication: Please see “Next Steps” below.
Pros and Cons of Various Actions
IBHE has begun the process to promulgate rules to govern the administration of grants under The “Grow Your Own” Teacher Initiative; therefore, Part 60 will no longer be needed. Continuing to have two sets of rules in effect will be confusing for eligible applicants for and grantees under this program.

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:

The “Grow Your Own” Teacher Education Initiative (23 Illinois Administrative Code 60),

including publication of the proposed repealer in the Illinois Register.

Next Steps
With the Board’s authorization, staff will submit the proposed repealer 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 b: PERSONNEL

PART 60
THE “GROW YOUR OWN” TEACHER EDUCATION INITIATIVE

Section
60.10 Purpose
60.20 Definitions
60.30 Eligible Applicants
60.40 Implementation Grants – Procedure and Content of Proposals
60.50 Implementation Grants – Criteria for the Review of Proposals
60.60 Implementation Grants – Allocation of Funds
60.70 Continuation of Implementation Funding
60.80 Implementation Funding for “Transitional Projects” (Repealed)
60.90 Planning Grants
60.100 Loans; Waiver or Deferral of Repayment

AUTHORITY: Implementing the Grow Your Own Teacher Education Act [110 ILCS 48] and authorized by Section 90 of the Act [110 ILCS 48/90].


Section 60.10 Purpose

This Part establishes the procedure and criteria for approval of proposals for grants to support teacher preparation initiatives under the Grow Our Own Teacher Education Act [110 ILCS 48].

Section 60.20 Definitions

“Act” means the Grow Your Own Teacher Education Act [110 ILCS 48].

“Applicant” means a consortium or a potential consortium, as applicable, as described in Section 60.30 of this Part.
“Candidate” means a person working toward a bachelor’s degree qualifying that individual for a teaching certificate who is assisted under a grant awarded to a consortium pursuant to this Part.

“Cohort” means a group of candidates preparing for a teaching certificate who, pursuant to Sections 20 and 25 of the Act, begin receiving assistance under this Part together. No member of any cohort may hold a bachelor’s degree at the time of entry into the program, provided that this restriction shall not apply to members of cohorts for whose preparation funding was granted during Fiscal Year 2006.

“Consortium” means an entity to which the State Board can issue grants under this Part. A consortium shall be composed of at least one 4-year institution of higher education with an accredited teacher education program, at least one school district or group of schools, and one or more community organizations. The consortium may also include a 2-year institution of higher education and/or a school employee union. Eligible consortia are further defined in Section 20 of the Act. A consortium shall implement a program of forgivable loans to cover any portion of tuition and direct expenses of students preparing for teaching certificates in excess of grants-in-aid and other forgivable loans received.

“Direct expenses” are an individual’s tuition for coursework required for completion of the preparation program in which the candidate is or will be enrolled, fees related to participation in the preparation program or required coursework, and expenses for books and other necessary instructional materials.

“Eligible school” is an Illinois public elementary or secondary school that serves a substantial percentage of low-income students and either is hard to staff or has hard-to-staff teaching positions (see Section 10 of the Act).

“Institution” means an institution of higher education.

“Potential consortium” is a group of entities that is eligible to submit a proposal for a planning grant in response to an RFP issued under this Part.

“Student with a non-traditional background” is either one who begins a baccalaureate program at a point in time other than immediately following graduation from high school or one who began a baccalaureate program after high school, did not complete it, and re-enters a baccalaureate program after some passage of time.

“Year of service” means full-time employment for at least half a school year, or an equivalent amount of part-time employment, in:
a public school that, at the time the individual becomes employed, is either one of the schools targeted by the program completed by the individual with assistance under this Part or another school that is defined as hard to staff pursuant to this Section; or

a teaching position that, at the time the individual becomes employed, is hard to staff as defined in this Section.

Section 60.30 Eligible Applicants

a) Only consortia whose membership meets the requirements of Section 20(1) and (2) of the Act shall be eligible to apply for implementation grants to cover expenditures discussed in Section 25 of the Act.

b) Pursuant to Section 30 of the Act, potential consortia shall be eligible for grant funds for planning purposes under the Act. A “potential consortium” will be considered eligible to submit a proposal if it includes a four-year institution of higher education and at least one community organization and if its proposal:

1) provides evidence that at least a subset of the teachers typically prepared by the institution seeks employment in communities where hard-to-staff schools are located; and

2) demonstrates that the institution is not applying for funding on behalf of an existing consortium that is currently serving a group of candidates under a model substantially similar to that described in the Act and that further information is needed about the specific barriers that exist with respect to enabling individuals with a long-term commitment to those communities to complete teacher preparation; and

3) includes:

A) letters of interest from one or more school districts or schools indicating willingness to collaborate in offering opportunities for candidates in the program to complete pre-student teaching clinical experiences in hard-to-staff schools or positions; and

B) if additional community organizations are being considered for membership in the consortium, letters of invitation that the
applicant has sent to one or more relevant community organizations proposing a role for the organizations in the proposed consortium, along with a rationale provided by the applicant for inclusion of these organizations.

Section 60.40 Implementation Grants –Procedure and Content of Proposals

New implementation grants shall be offered in years when the level of available funding is such that one or more new programs or cohorts of candidates can be supported given the requirements of Section 25 of the Act for ongoing support of cohorts that have begun their preparation in previous years. (See Section 60.70 of this Part.)

a) When sufficient funding is available, the State Superintendent of Education will issue an RFP specifying the information that proposals must include and specifying a deadline for their submission, which shall provide at least 45 calendar days in which to submit proposals.

b) Each RFP shall specify the descriptive information that applicants will be required to provide, which shall be designed to permit comparative judgments of the degree to which each program will address the requirements of Section 20 of the Act and shall address:

1) the teacher preparation programs involved and their qualifications relevant to the requirements of the Act, including specific information on the institution’s success in preparing teachers for positions in schools that serve a substantial percentage of low-income students;

2) the consortium’s plans for recruiting and providing support to participants, including information that demonstrates that potential or existing members of the cohort are paraeducators or parent and community leaders as defined in the Act;

3) the preparation status of existing candidates, if a cohort is already engaged in the program;

4) the hard-to-staff schools and positions that are targeted; and

5) the demographic make-up of the area served by the targeted schools.
c) Each RFP shall describe the required proposal format, if any (e.g., cover page, proposal abstract, proposal narrative, letters of intent to participate, etc.).

d) Each RFP shall identify the categories of allowable expenditures and require the submission of a budget summary and payment schedule, completed on the forms provided, as well as a narrative budget breakdown that provides a detailed explanation of each line item of expenditure and covers the entire period of time during which the identified cohort is expected to be enrolled in the teacher preparation program.

1) Applicants shall be required to demonstrate that grant funds will supplement and not supplant amounts typically devoted by the institution of higher education to, and other resources available for, assisting teacher candidates.

2) Applicants shall be required to describe the steps that will be taken to decrease the need for external financial support for the consortium and its program over time.

e) Each RFP shall identify the information that consortia will be required to collect and furnish to the entity that conducts the evaluation required by Section 35 of the Act, including but not limited to zip codes of the candidates, the racial/ethnic make-up of the candidate cohort, the percentage of candidates who progress at the expected rate through the preparation program, the percentage who complete the program, and information on the positions eventually taken by these candidates.

f) Each RFP shall identify the assurances and certifications that entities receiving funding must furnish.

Section 60.50 Implementation Grants – Criteria for the Review of Proposals

Proposals for implementation grants shall be evaluated in accordance with the following criteria:

a) Feasibility, Impact, and Cost-Effectiveness (40 points)

1) The proposal identifies a need for teachers in hard-to-staff schools and hard-to-fill positions and describes either a cohort that is available to enroll in the identified preparation program or time-specific plans for identifying and attracting the members of such a cohort.
2) The proposal describes strategies that will be used to reach members of underrepresented groups that reflect the diversity of the students enrolled in the participating schools and outlines plans for serving additional cohorts in future years.

3) The proposal demonstrates that:

   A) coursework and experiences required for certification will be scheduled and located to be accessible to members of the cohort; and

   B) supportive services (e.g., child care, counseling, tutoring) that have been identified as necessary will be offered to enable candidates to progress through the program and attain certification.

4) The proposal establishes a timetable or performance level for candidates as a condition for their continued receipt of assistance under this program.

5) The evaluation plan is designed to yield information that can be used both in judging the program’s qualitative and quantitative impact and in identifying changes or new approaches that will improve the program’s outcomes.

6) The proposal describes commitments on the part of all the consortium’s members that will enable the consortium to sustain the program over time with a reduction in the need for external resources.

b) Quality of the Plan (30 points)

   1) The proposal describes the role of each entity that is a member of the consortium, including the resources each entity will devote to this initiative, the major areas requiring collaboration among the members, and how decisions will be made with input from the members and the participants.

   2) The proposal includes plans for assisting candidates in tapping sources of financial aid beyond those made available under this Part and by the members of the consortium.
3) The proposal demonstrates that the institution of higher education has the capacity (i.e., faculty and other resources) to serve the cohort in its approved teacher preparation program. If a two-year institution is involved in the consortium, the proposal delineates how coursework, other requirements, and services will be coordinated between the institutions.

4) The proposal describes the needs of the participating schools and demonstrates that the consortium’s plan for certification under the program is relevant to those needs and will have an impact on the availability of qualified staff.

5) The plan of work for the program includes specific strategies for overcoming known barriers faced by the participating schools in retaining qualified teachers as well as barriers faced by the individuals who make up the cohort to be enrolled in the program.

6) The proposal describes the consortium’s plans for extending support to candidates for at least two years after they attain certification, including such activities and services as mentoring and group meetings of the cohort.

c) Experience and Qualifications (20 points)

1) The proposal provides evidence that faculty and relevant staff of the institution are knowledgeable regarding the needs of hard-to-staff schools and the specific issues that candidates from non-traditional backgrounds encounter when attempting to complete preparation for teaching careers.

2) The proposal demonstrates that the community organization that is a member of the consortium has conducted projects or initiatives with a specific focus on involving parents and others in school improvement, either in the participating schools or schools with similar characteristics, and has the capacity to recruit candidates for and support them as they progress through the program.

3) The individual who is identified as coordinator for the cohort has experience in education and/or community organizing and in supporting individuals in the collegiate environment and is knowledgeable about group dynamics, support services, and cultural issues relevant to the cohort.
d) Evaluation Plans (10 points)

1) The proposal relates plans for the evaluation of candidates’ teaching skills to the relevant portions of the institution’s educational unit assessment system (see 23 Ill. Adm. Code 25.140) and demonstrates that candidates in the program will be expected to meet the standards applicable to the approved program.

2) The proposal includes a plan for the evaluation of the program by or on behalf of the members of the consortium that will provide:

   A) information on the progress of candidates within the preparation program; and

   B) when applicable, information on this initiative’s outcomes in terms of candidates’ placement into hard-to-staff teaching positions or hard-to-staff schools and their retention in those positions.

Section 60.60 Implementation Grants - Allocation of Funds

The State Superintendent of Education shall approve proposals for funding and make final determinations regarding the amounts to be provided based upon:

a) the total funds appropriated for this initiative;

b) the needs and resources described and the amounts requested in the top-ranked proposals identified in accordance with the criteria set forth in Section 60.50 of this Part; and

c) the need to make programs under this Part accessible on a statewide basis in a manner that will increase the availability of candidates to serve in hard-to-staff schools and positions.

Section 60.70 Continuation of Implementation Funding

a) A consortium that has received implementation funding for a cohort of candidates shall be subject to the requirements of this Section with respect to continued funding for that cohort in subsequent years.
1) The consortium shall submit an application for continued funding for the cohort, using a format specified by the State Superintendent of Education.

2) Each application shall contain a mid-year report on the current status of the program and the cohort, documenting the activities and support provided to date and describing the degree to which candidates are achieving the program’s objectives.

3) Each application shall provide an updated narrative description of the objectives, activities, timelines, and evaluation procedures for the renewal year, relating the proposed plan of work to the results that have been achieved to date.

4) Each application shall include an updated budget summary and payment schedule for the renewal year, including a narrative budget breakdown that describes any needed variances from the budget proposed in the initial year of funding.

5) Each application shall include such certifications and assurances as the State Superintendent of Education may require.

b) The State Board shall, contingent upon appropriation of funds for this initiative, provide continuation funding to consortia that:

1) demonstrate that:

   A) a majority of the candidates in the cohort served have completed coursework or other requirements for certification during at least one semester of the preceding year; or

   B) funds will be used to support only those candidates who have progressed toward certification and/or have identified steps to be taken toward certification in the academic year in which funding is requested; and

2) demonstrate success in providing the supports necessary to retain candidates in the program.

Section 60.90 Planning Grants
In order to identify potential consortia with a substantial likelihood of establishing additional Grow Your Own programs, the State Superintendent of Education will issue an RFP for planning grants. The RFP may be issued repeatedly, contingent upon the availability of funding. Each RFP shall indicate the maximum amount to be reserved for planning grants and the maximum available amount per grant. The RFP shall specify the information that proposals must include and a deadline for their submission, which shall provide no fewer than 30 calendar days in which to submit proposals.

a) Eligible applicants for planning grants shall be as set forth in Section 60.30 of this Part.

b) Allowable uses of planning grant funds shall include:

1) activities that are designed to secure the participation and commitment of the required members and the optional members of a consortium; and

2) activities that are designed to attract or identify potential candidates for teacher preparation who are paraeducators or parent and community leaders as contemplated by the Act, including assistance that will permit potential candidates to complete developmental coursework that will verify their academic readiness for enrolling in teacher preparation; and

3) activities that are designed to identify barriers to teacher certification for potential members of a given cohort and to identify strategies and resources for mitigating those barriers.

c) Each proposal shall describe a plan of work for developing a consortium and a Grow Your Own program that will be eligible for an implementation grant under this Part. Each proposal shall include a budget for the planned activities, provided in a format specified in the RFP.

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

e) Each proposal that is submitted by an eligible applicant and meets the requirements of this Section shall be considered qualified for funding. Funding decisions shall be made in each cycle by balancing the goals of geographic distribution and accessibility with the level of need and the potential number of candidates to be served by the potential consortia.

**Section 60.100 Loans; Waiver or Deferral of Repayment**
Any candidate in a program administered under this Part may receive a forgivable loan for direct expenses associated with completion of the teacher preparation program, provided those expenditures are not otherwise paid for through grants-in-aid, other forgivable loans, or other resources of the consortium. Any amount expended for an individual’s direct expenses shall be considered a part of that individual’s loan, regardless of how the payment is administered and regardless of whether the individual receives any actual payment of funds. The total amount of any candidate’s loan shall not exceed $25,000.

a) Pursuant to Section 25 of the Act, loan funds provided to candidates as part of this program shall be fully forgiven if a graduate completes five years of service in hard-to-staff schools or hard-to-staff teaching positions, with partial forgiveness for shorter periods of service. Forgiveness and repayment of loans shall be determined as provided in this Section.

b) An individual may accrue the service required for forgiveness of loans under this Part in one or more eligible schools or positions.

c) If an individual has not assumed employment in an eligible school or position within two years after receiving a teaching certificate, the individual shall be required to begin the repayment of amounts loaned under this Part. No interest shall apply. An individual who drops out of the program shall be required to begin repaying the amounts loaned in the month following the month when it becomes evident that he or she will not be completing any of the program’s requirements for two consecutive semesters.

d) If an individual has not completed five years of service within 10 years after receiving a teaching certificate, the individual shall be required to begin the repayment of amounts loaned under this Part. The amount due shall be the total amount borrowed, less a percentage reflecting the relationship that any time taught by the individual in eligible schools or positions bears to the total five-year commitment. Loan amounts shall be reduced in increments of 10 percent for each semester completed.

e) Repayment of loans shall be made in no more than 60 equal installments. The minimum monthly payment will be determined by dividing the total amount due by 60. An individual may prepay the balance due on the loan in its entirety at any time or make payments in addition to the minimum amount owed each month without penalty.
f) In addition to the loan forgiveness permitted under Section 25 of the Act, the State Superintendent may defer or waive an individual’s obligation to repay an amount due as provided in this subsection (f).

1) The State Superintendent shall waive the repayment obligation for an individual who is counseled out of a preparation program or found ineligible to continue, provided that the individual’s exit from the program is not due to a violation of law or of applicable institutional policies.

2) The State Superintendent shall waive the repayment obligation for an individual who drops out of a preparation program or demonstrates that he or she is unable to complete a portion of the required teaching service due to:

   A) the onset or exacerbation of a disability;

   B) the need to care for an immediate family member during serious illness or disability;

   C) destruction of the individual’s residence; or

   D) other circumstances that require the individual to assume responsibilities that cannot be avoided without serious financial hardship or other family disruption (e.g., death of a spouse that results in the need to take a second job or assume operation of a business).

3) The State Superintendent shall waive the repayment obligation for a candidate who does not complete a preparation program due to the unavailability of a State appropriation for this initiative for at least two consecutive years.

4) The State Superintendent shall defer the repayment obligation for a period of time specifically related to the circumstances when an individual:

   A) is unemployed or is working for fewer than 30 hours per week;

   B) is experiencing a financial hardship (e.g., receiving public assistance, earning an amount per month that is no greater than 200 percent of the amount of the loan payment, or experiencing
circumstances such as those outlined in subsection (f)(2) of this Section; or

C) has re-enrolled as a full-time student in an institution of higher education or in a program under this Part.

5) Each request for a waiver or deferral of repayment shall be submitted in a format specified by the State Superintendent. The affected individual shall describe the specific circumstances that apply. This description shall be accompanied by evidence such as a physician’s statement, insurance claim, or other documentation of the relevant facts.

g) When a teaching certificate is issued to an individual who received assistance under this Part, the certificate shall be accompanied by:

1) a statement indicating the total amount of the loan received by the individual and identifying the dates applicable to repayment under this Section; and

2) a claim form that the individual may use to claim forgiveness of the loan amount, which shall require the individual to identify the periods of service completed in eligible schools or positions and the school administrators who can verify the individual’s service.

h) Management of Loans

1) It shall be the responsibility of each four-year institution of higher education, and of any two-year institution that participates in a consortium, to assist the State Board of Education with the forgivable loan process in the following manner:

A) by keeping records of the amounts provided to or on behalf of each individual for direct expenses;

B) by keeping up-to-date contact information regarding the address and telephone number of each individual during the individual’s preparation at that institution; and

C) by notifying the State Superintendent within 30 days after a candidate fails to enroll in coursework as expected or otherwise
ceases to participate in the program and informing the State Superintendent of the total amount of the candidate’s loan for direct expenses as of that point in time.

2) When a candidate leaves a two-year institution and enters a four-year institution to continue in a program under this Part, the two-year institution shall inform both the State Superintendent and the four-year institution of the total amount of the candidate’s loan for direct expenses as of that point in time. Each two-year institution shall ensure that the affected four-year institution continues to receive any information that subsequently affects the amount of a candidate’s loan.

3) Each institution shall notify the State Superintendent as to who will be responsible for this information and shall provide contact information for the responsible individual within the institution.

i) It shall be the responsibility of the State Superintendent to take such actions as may be necessary to secure repayment when necessary.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Assistant Superintendent
Marcy Dutton, Interim General Counsel


Materials: Recommended Rules

Staff Contact(s): Vicki Phillips, Interim 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 relates to Strategic Goals 1 and 2, in that the rules propose standards and improvements to the state-funded Beginning Teacher Induction Grant Program (Subpart B of the rules), which has as its goal the provision of assistance and support for new teachers by high-quality and experienced mentors to ensure that each teacher is effective and highly prepared and able to contribute to the academic growth of his or her students.

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

Background Information
The New Teacher Induction and Mentoring program (Article 21A of the School Code) was put in place effective January 1, 2004, and first funded in school year 2006-2007 as a limited pilot program. The purpose of the pilot program was to support and study induction program models that provided for intensive interaction between new teachers and the mentors with whom they are paired. In 2009, based on the experience of the pilot programs up until that time, several changes were made in Part 65 that focused on expanding the number of approved programs by eliminating the three-year pilot limitation and encouraging highly skilled and effective teachers to share their knowledge and experience with those new to the field by requiring grantees to provide a minimum stipend for each participating mentor.

Staff believe that it is again time to update the rules to better reflect the best practices of induction and mentoring programs and incorporate important current research and advances in the field, namely the development of program standards and a program continuum to be used for ongoing improvement, support and evaluation (see Appendices A and B of the proposed amendments). The standards were adopted by the then-State Teacher Certification Board in
December 2008 and a year later, a task force completed its work on the induction continuum. The standards have served as guidance for induction and mentoring programs but program alignment to the standards has not been a requirement of funding. Once the standards are placed in the rules, they will become an integral part of each grantee’s implementation of an induction and mentoring program, providing consistency among programs across the state.

Briefly, the other modifications proposed would accomplish the following.

- Clarify that the requirements contained in Part 65 are applicable to induction and mentoring programs funded both on a competitive basis (i.e., when funding is insufficient to provide grants to all eligible entities), as well as to programs established in a statewide implementation should sufficient funds become available. (See Section 65.20.)
- Require that each funded program serve at least 20 beginning teachers. Applicants with a fewer number of beginning teachers could partner with other eligible entities to offer a joint program. This change is being recommended to ensure that induction and mentoring programs are established on a strong footing and remain part of the culture of the school in the event that outside resources for their administration are either reduced or eliminated. The proposed rule also allows for consideration of a smaller program when an applicant can provide evidence that it has the resources (both financial and human) to locally implement and sustain the program. (See Sections 65.120 and 65.130.)
- Provide for local flexibility in determining the amount of time that the beginning teacher and mentor would spend in face-to-face contact by reducing the current requirement of 60 hours – which became a ceiling that programs would not go beyond – to 40 hours. The 40 hours are intended to be a starting point that can be increased depending on the goals and needs of each beginning teacher. (See Section 65.130.)
- Flesh out the requirements for the receipt of funding in years two and beyond and tying receipt of continuation funding to the program’s continuous improvement based on the Illinois Induction Program Continuum. (New Section 65.155 and Appendix B.)
- Remove a funding priority for “hard to staff” schools, since the focus of a high-quality proposal should be on its alignment with the Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs (see Appendix A).
- Strengthen the criteria used to evaluate proposals to align to the Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs and reflect the best practices of high-quality induction and mentoring programs.

Staff shared the proposed amendments to Part 65 with the State Educator Preparation and Licensure Board at its meeting on June 1, 2012.

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

Policy Implications. Please see "Background" above.
Budget Implications. While the Beginning Teacher Induction Grant Program was not funded in FY 2012 (a $1 appropriation was approved), the State Board has included in its FY 2013 budget a request for $3,157,000 for both teacher and administrator mentoring programs. Additionally, teacher induction and mentoring will be a central activity for school districts participating in the federal Race to the Top 3 (RTTT 3) program. Therefore, it is appropriate to move forward with the rulemaking at this time so that the new requirements can be in place should the General
Assembly appropriate funding for the program and used to align the induction and mentoring activities of the RTTT 3 participating schools to those required under the state program.

**Legislative Action.** None.

**Communication.** Please see “Next Steps” below.

**Pros and Cons of Various Actions**
As noted under “Budget Implications” above, moving forward with the proposed amendments now ensures that the new requirements will be in place for RTTT 3 grant recipients, as well as in the event that the agency receive state funding to implement programs under Article 21A of the School Code. The proposed changes will strengthen the provision of induction and mentoring at the local level and ensure continuity among programs so that the agency can evaluate and improve the program. Without changing the rules, the agency would be unable to require that beginning teacher induction programs align their efforts to the induction standards adopted by the State Teacher Certification Board or to provide the flexibility needed at the local level to design and implement meaningful and effective programs that address the particular needs of the grantee’s beginning teachers.

**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:

- New Teacher Induction and Mentoring (23 Illinois Administrative Code 65),

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 b: PERSONNEL

PART 65
NEW TEACHER INDUCTION AND MENTORING

SUBPART A: GENERAL PROVISIONS

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65.10 Purpose and Scope
65.20 Requirements of the Plan; Program Specifications

SUBPART B: BEGINNING TEACHER INDUCTION GRANT PROGRAM

Section
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65.120 Eligible Applicants
65.130 Program Specifications
65.140 Initial Application Procedure
65.150 Criteria for the Review of Initial Applications
65.155 Application Content and Approval for Continuation Programs
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65.170 Terms of the Grant

65.APPENDIX A Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs
65.APPENDIX B Illinois Induction Program Continuum


SUBPART A: GENERAL PROVISIONS

Section 65.10 Purpose and Scope

This Subpart A establishes the fundamental requirements that shall apply to each program of induction for new teachers for which approval or grant funds pursuant to Article 21A of the School Code [105 ILCS 5/Art. 21A] are sought. For the purposes of this Part, “beginning teacher” shall have the same meaning as that set forth for “new teacher” in Section 21A-5 of the School Code [105 ILCS 5/21A-5].

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

Section 65.20 Requirements of the Plan; Program Specifications

a) When State funding is available to support new proposals for any initiative under Article 21A of the School Code, the State Superintendent of Education shall issue a Request for Proposals (RFP) (or, in the case of noncompetitive funding, other application materials) in order to solicit applications from eligible entities. As used in this Part, a “proposal” or “application” means relevant portions of a plan for an induction and mentoring program that meets the requirements of Section 21A-20 of the School Code [105 ILCS 5/21A-20], accompanied by the additional materials applicants will be required to submit, as described in the relevant Subpart of this Part.

1) When the level of funding is insufficient to provide grants to each eligible entity in the state, then a Request for Proposals (RFP) will be issued to solicit applications from eligible entities, and applications will be considered for funding based on the extent to which they meet the criteria set forth in Section 65.150 of this Part.

2) When the level of funding is sufficient to fund all eligible entities in the state, then a Request for Applications will be issued and each school district whose plan meets the requirements of Article 21A of the School Code and this Part will receive a grant in an amount equal to at least the amount specified in Section 21A-25 of the School Code.

b) In accordance with Section 21A-20 of the School Code [105 ILCS 5/21A-20], each plan approved for a beginning teacher induction grant shall conform to the requirements of Section 21A-20 of the School Code.
1) assign a mentor teacher to each beginning teacher for a period of at least 2 school years, providing sufficient time for the beginning teacher and mentor to engage in mentoring activities;

2) align with the Illinois Professional Teaching Standards, content area standards and the employing entity’s existing local school improvement and professional development plans, if any. In order to demonstrate the alignment required by this subsection (b)(2) of Section 21A-20(2) of the School Code, each plan shall discuss the relationship among the services and experiences that will be available to beginning new teachers, the content-area standards applicable to their respective fields of certification or licensure endorsement, as applicable, or assignment (see 23 Ill. Adm. Code 26 and 27), and the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24), and the employing entity’s existing plans for school improvement and professional development;

3) address all of the following elements and how they will be provided:

   A) Mentoring and support of the beginning teacher;

   B) professional development specifically designed to ensure the growth of the beginning teacher's knowledge and skills and accelerate the beginning teacher’s practice, and

   C) formative assessment designed to ensure feedback and reflection, which must not be used in any evaluation of the beginning teacher; and

4) describe the role of mentor teachers, the criteria and process for their selection, and how they will be trained, provided that each mentor teacher shall demonstrate the best practices in teaching his or her respective field of practice. A mentor teacher may not directly or indirectly participate in the evaluation of a new teacher pursuant to Article 24A of this Code or the evaluation procedure of the public school.

c) Each plan shall meet the Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs set forth in Appendix A of this Part and further amplified in Section 65.150 of this Part.

(Source: Amended at 36 Ill. Reg. ______, effective ____________)
SUBPART B: BEGINNING TEACHER INDUCTION GRANT PROGRAM

Section 65.110 Purpose and Applicability

This Subpart B establishes the application procedure and criteria for selection by the State Board of Education of the applicants that will receive grant funds under the Beginning Teacher Induction Grant Program as authorized by Section 21A-25 of the School Code [105 ILCS 5/21A-25]. The purposes of the grant program shall be to provide support for programs of intensive support and mentoring for beginning new teachers as specified in Section 65.130 of this Part and to gather information that will permit evaluation of the effects of these programs and provide for ongoing improvement and support of each program funded.

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

Section 65.120 Eligible Applicants

Eligible applicants for grant funding under this Subpart B shall be the entities identified in Section 21A-5 of the School Code [105 ILCS 5/21A-5], as well as public university laboratory schools 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)] (see Section 2-3.109a of the School Code [105 ILCS 5/2-3.109a]).

a) An eligible applicant may also be a partnership of eligible entities or a partnership of one or more eligible entities and one or more institutions of higher education, professional associations, regional offices of education, or not-for-profit providers of educational services.

1) If a joint application is submitted, then an administrative agent shall be designated, and the application shall be signed by the authorized official of each entity that is a participant.

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

b) No application shall be considered unless it includes a written statement by the authorized representative of the collective bargaining unit, if any, of each participating entity concurring with its submission.
c) Each eligible applicant shall propose to serve at least 20 beginning teachers. Eligible applicants with fewer than 20 beginning teachers may participate as part of a joint application. (See Section 65.130(b) of this Part.)

d) An eligible entity may contract with one or more institutions of higher education, professional associations, regional offices of education, or not-for-profit providers of educational services to assist in implementing the program. (See Section 21A-15 of the School Code.)

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

Section 65.130 Program Specifications

a) Each program supported with grant funds under this Subpart B shall incorporate:

1) mentoring for beginning new teachers that is provided by experienced teachers who have received training to equip them for this role;

2) professional development for recipient teachers, mentors, and administrators who have roles in the program; and

3) formative assessment of beginning new teachers’ practice with respect to the Illinois Professional Teaching Standards and the content-area standards relevant to their respective fields of assignment; and

4) the Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs. (See Appendix A of this Part.)

b) Each program shall serve no fewer more than 20 beginning new teachers. If fewer than 20 teachers are proposed to be served, then the applicant may either:

1) participate in a beginning teacher induction program as part of a joint application; or

2) provide in its application unless a specific rationale for the reduction is provided that demonstrates that the applicant has sufficient resources, in addition to funding received under this Subpart B, and adequate personnel to continue the program and provide how each beginning new teacher with will receive comparable and adequate attention and support comparable to what would be provided in a larger program.
c) Each beginning new teacher shall, at the time he or she begins the program, have, at the time he or she begins the program, less than two years’ teaching experience and hold an initial or a provisional early childhood, elementary, secondary, special K-12, or special preschool-age 21 certificate issued pursuant to Article 21 of the School Code [105 ILCS 5/Art. 21] or a professional educator license issued pursuant to Article 21B of the School Code [105 ILCS 5/Art. 21B], as applicable. An individual seeking a professional educator license under the provisions of Section 21B-35 of the School Code [105 ILCS 5/21B-35] and holding an educator license with stipulations endorsed for provisional educator also may participate if he or she has less than two years’ teaching experience.

d) Each program shall be designed to ensure that each beginning new teacher spends no less than 40-60 hours in face-to-face contact with the mentor assigned, either one on one or in another configuration, including both classroom observation of the beginning new teacher by the mentor and other interactions between these individuals. Each mentor who provides at least 60 hours of mentoring service in a grant year shall be paid $1,200 from grant funds awarded pursuant to this Part.

e) Each program shall provide for the development of an individual learning induction plan for each beginning new teacher served and for the provision of professional development that is directly related to the needs identified in the individual learning plan.

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

Section 65.140 Initial Application Procedure

Each applicant that is proposing a program that has not received funding in the year previous to the current application, to include all applications from eligible entities that received funding under this Part previous to FY 2012, shall submit to the State Board of Education an application that includes the components specified in this Section. For purposes of this Subpart, the terms “proposal” shall have the same meaning.

a) Grants for initial programs shall be offered in years in which the level of available funding is such that one or more new programs can be supported, along with those currently funded programs that seek continuation funding in accordance with Section 65.155 of this Part.
b) When State funding is available for new grants under this Subpart, the State Superintendent of Education shall issue the applicable application materials (see Section 65.20(a) of this Part) a Request for Proposals (RFP) in order to solicit applications from eligible entities.

c) The application materials RFP shall describe the format that applicants will be required to follow and the information they will be required to submit, including a description of the proposed program, identification of the specific schools in which the induction program will be conducted, and the number of beginning new teachers and mentors involved. (Also see Section 65.150 of this Part for information relative to the contents of the proposal.)

d) The application materials RFP shall indicate the amount or expected amount of the appropriation for the program and shall describe the allowable expenditures and the basis for awarding grants. If matching funds or resources will be required of applicants, the RFP shall describe these requirements.

e) The application materials RFP shall include a budget summary and payment schedule, as well as a narrative budget breakdown, i.e., a detailed explanation of each line item of expenditure.

f) The application materials RFP shall identify the data recipients will be required to collect and report regarding the activities conducted with grant funds and the results of those activities, as well as the timelines for reporting.

1) The applicant shall propose a specific method for collecting and maintaining data specific to program implementation and the induction program’s impact on beginning teachers’ performance, based on the induction program standards and continuum (see Appendices A and B of this Part), for the purpose of program improvement and evaluation.

A) Program records shall at least include a roster of mentors and beginning teachers that includes the frequency (number of interactions) and duration (number of hours) of contact between each mentor and beginning teacher.

B) Program records shall at least include information about each beginning teacher’s performance evaluation rating awarded pursuant to Section 24A-5 of the School Code [105 ILCS 5/24A-5] and 23 Ill. Adm. Code 50 (Evaluation of Certified Employees
under Articles 24A and 34 of the School Code) and retention status of each beginning teacher during his or her participation and after completion of the program.

2) The applicant shall describe a process that is consistent with continuous program improvement for using any data collected under subsection (f)(1) of this Section.

g) The application materials RFP shall include such certifications and assurances and program-specific terms of the grant as the State Superintendent may require, to be signed by each applicant that is a party to the application and submitted with the proposal. (Also see Section 65.170 of this Part.)

h) The application materials RFP shall specify the deadline for submission of proposals, which shall provide potential applicants with at least 30 days to respond.

Separate applications shall be required for renewal of grant funding. Each application for renewal shall include at least:

1) a description of expenditures and activities during the year just concluded, demonstrating that the project has been implemented in conformance with the approved grant agreement and that the recipient continues to exhibit need for grant funds for this purpose; and

2) an updated budget summary and payment schedule for the renewal year, including a narrative budget breakdown.

Incomplete proposals shall not be considered.

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

Section 65.150 Criteria for the Review of Initial Applications

Applications for initial funding shall be evaluated to determine the extent to which each meets in accordance with the criteria set forth in this Section. When considering substantially equal proposals, the State Superintendent of Education shall give preference to programs that will take place in hard-to-staff schools, i.e., Illinois public schools that rank in the upper third among public schools of their type (e.g., elementary, middle, secondary) in terms of the rate of attrition among teachers.
a) Program Goals and Design and Resources (20 points)

1) The proposal articulates goals for the program that focus on the improvement of beginning teacher practice, retention, and student achievement as well as the continuous improvement of the program.

2) The proposal articulates the requirements for beginning teachers to successfully complete the program.

3) The proposal contains a plan for effective communication among all stakeholders.

4) The proposal articulates how the program is aligned with school and district improvement plans, other teaching effectiveness initiatives, and other professional learning opportunities.

5) The proposal identifies and allocates adequate resources to ensure the successful implementation of the program design.

6) The proposal provides for specific practices and policies, such as reduced course load for mentors, reduced course load for beginning teachers, release time, substitute pay, mentor stipends and access to resources, that will permit the participants in the program to devote the time necessary to reach the goals of the program.

b) Induction Program Leadership, Administration and Support (15 points)

1) The proposal identifies the individuals who will lead the program and clearly delineates their roles in planning, implementing, evaluating and refining the program. The roles and responsibilities of the program leaders are appropriate for the scope and complexity of the proposed program.

2) The proposal includes strategies that will be used in providing oversight for the program to permit ongoing analysis of its effectiveness, allow for necessary programmatic modifications and provide communication with all stakeholders.

3) The proposal identifies how the induction program leadership will
encourage and facilitate communication and collaboration between all stakeholders to ensure support of the program.

c) Site Administrator’s Roles and Responsibilities (15 points)

1) The detailed description of the role and responsibilities of the program’s site administrator (e.g. principal) suggests that each administrator will have ongoing participation in and provide leadership for the program so as to engender positive teaching and learning conditions for beginning teachers.

2) The proposal presents a plan for professional development for site administrators that provides a minimum of at least four hours of training specific to the site administrator’s role in understanding, designing and implementing high-quality beginning teacher induction programs.

d) Mentor Selection, Assignment, Training and Ongoing Development (20 points)

1) The proposal describes a comprehensive strategy for recruiting teachers who are suited to the role of mentor.

2) The proposal describes the criteria for mentor selection, which shall include at least the following:

   A) a record of the mentor’s effective teaching practice and professional conduct, including at least three years of teaching experience and a performance evaluation rating of “proficient” or “excellent” from each of the mentor’s last two performance evaluations conducted pursuant to Section 24A-5 of the School Code and 23 Ill. Adm. Code 50 (Evaluation of Certified Employees under Articles 24A and 34 of the School Code);

   B) demonstrated commitment of the mentor to his or her own professional growth and learning, including the ability to be reflective and articulate about his or her teaching practice;

   C) ability of the mentor to relate and communicate effectively with colleagues:
D) the mentor’s professional commitment to improving the induction of beginning teachers; and

E) knowledge of effective professional development for beginning teachers and effective adult learning strategies.

3) The proposal describes the foundational training for mentors, which shall include or incorporate at least the following topics:

A) adult learning theory and/or instruction relative to the implementation of the Standards for Professional Learning (2011) published by Learning Forward, 504 South Locust Street, Oxford, Ohio 45056 and posted at http://www.learningforward.org/standards/index.cfm; no later amendments to or editions of these standards are incorporated by this Section;

B) foundations of mentoring;

C) formative assessment;

D) coaching and observation strategies; and

E) analysis of student work and data.

4) The proposal provides a plan for mentor training that is ongoing, with at least monthly opportunities for mentors to interact with other mentors via a mentor learning community to build mentors’ skills through problem-solving and reflection so that they can better assist beginning teachers in the development of their teaching skills and professional practices. The sessions will enable participating mentors to share experiences and strengthen their ability to employ mentoring tools, protocols and formative assessment to support mentoring effectiveness.

5) The proposal provides a detailed description of the process to be used for assessment of mentor practice and mentor accountability.

e) Beginning Teacher Development and Formative Assessment (15 points)

1) The proposal describes plans for the timely orientation of the beginning teachers to the induction program before the start of their teaching
assignments and for a formal network to provide novice colleagues with at least quarterly learning opportunities and ongoing support;

2) The proposal provides for the professional development of beginning teachers, which include at least the development of an individual learning plan for each beginning teacher served and for the provision of professional development that is directly related to the needs identified in the individual learning plan;

3) The proposal clearly articulates a method for the formative assessment of beginning teachers’ practice and describes how that information will be used in the individual learning plan;

4) The proposal includes quarterly plans for incorporating issues of pedagogy, classroom management and content knowledge into professional development for beginning teachers and for ensuring alignment of this material with the Illinois Professional Teaching Standards, the participants’ specific identified needs and local instructional priorities; and

5) The program is designed to afford at least one opportunity during each semester to observe teaching practices modeled by experienced teachers and discuss selected aspects of teaching practice with these teachers.

f) Program Impact and Implementation (Evaluation) (15 points)

1) The proposal identifies information to be collected and reported on the performance and retention of beginning teachers that will add to an understanding of the effects of more intensive induction programs as compared to the results of more typical models.

2) The evaluation is designed to assess the effectiveness of particular initiatives or components of the program and will likely produce data that can be used to improve the program.

3) The applicant identifies a method for tracking the continued service of the teachers served after the project ends so that longitudinal data can be compiled.

a) Program Design (45 points)
1) The proposal identifies specific practices and policies such as reduced course load for mentors, release time, and access to resources that will permit the participants in the program to devote the necessary time to induction and mentoring.

2) The proposal describes plans for timely orientation of the new teachers to the induction program and for a formal network of the novice colleagues that will provide them with ongoing learning opportunities and support.

3) The proposal clearly articulates methods for collecting evidence related to the new teachers’ practice and describes how that information will be used in planning for professional development and other support for the new teachers.

4) The proposal includes specific plans for incorporating issues of pedagogy, classroom management, and content knowledge into professional development for the new teachers and for ensuring alignment of this material with the Illinois Professional Teaching Standards, the participants’ specific identified needs, and local instructional priorities.

5) The proposal presents coherent allocation and scheduling of the participants’ time and is cost-effective in light of the level of resources requested and the number of new teachers to be served.

b) Mentor Recruitment and Support (25 points)

1) The proposal describes a comprehensive strategy for recruiting experienced teachers who are suited to the role of mentors, including:

   A) the involvement of parties with an interest in teacher quality and retention;

   B) thorough outreach and communication regarding the availability of positions for mentors;

   C) clear criteria for the skills and experience sought; and

   D) consideration of multiple sources of information in identifying the candidates to be selected.
2) The proposal provides for formal orientation of the mentors selected, for fundamental training of these individuals at the beginning of the program, and for professional development during the course of the program that is designed to strengthen their ability to employ mentoring tools, protocols, and formative assessment in response to the needs of beginning teachers.

3) The proposal describes a systematic approach to establishing a “community of mentoring practice” that will enable the participating mentors to share experiences and strategies and support each other’s work within the induction program.

e) Evaluation Design (20 points)

1) The proposal identifies information to be collected and reported on the performance and retention of new teachers that will add to an understanding of the effects of more intensive induction programs as compared to the results of more typical models.

2) The proposal suggests how the effects of particular initiatives or components of the program will be measured.

3) The applicant proposes a method for tracking the continued service of the teachers served after the project ends so that longitudinal data can be compiled.

d) Leadership and Direction (10 points)

1) The proposal demonstrates that the individuals who will direct or coordinate the induction program have experience in this endeavor or a commitment to it, as evidenced by their history of involvement or professional development.

2) The management structure described is appropriate to the scope and complexity of the program, the specific responsibilities of the on-site administrator are evident, and the roles and contributions of collaborating entities, if any, are clearly delineated.

3) The proposal includes strategies that will be used in providing oversight for the program to permit ongoing analysis of its effectiveness, necessary
programmatic modifications, integration of various relevant professional
development plans, and communication structures that respect the need for
confidentiality when applicable.

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

Section 65.155 Application Content and Approval for Continuation Programs

The requirements of this Section shall apply to those applicants seeking funding to continue beginning teacher induction programs beyond the initial grant period.

a) In order to continue to operate a Beginning Teacher Induction Grant Program, a grantee each year shall submit an application for continuation. The application shall include at least the following:

1) a description of expenditures and activities conducted during the year just concluded, demonstrating that the project has been implemented in conformance with the approved grant agreement and that the recipient continues to exhibit a need for grant funds for this purpose (i.e., the expected number of beginning teachers to be served);

2) an overview of the program to be conducted in the continuation period, addressing the program components outlined in Section 65.130 of this Part;

3) a summary of progress the applicant has made in implementing the standards and criteria listed in Appendix A of this Part during the previously funded grant period; the summary shall:

   A) be based on the induction program continuum contained in Appendix B of this Part; and

   B) list any strategies to be employed during the continuation period to improve the induction program and advance the applicant along the induction program continuum for one or more standards or criteria;

4) budget summary and payment schedule as well as a budget breakdown, i.e., a detailed explanation of each line item of expenditure; and
5) the certifications and assurances and program-specific terms of the grant referred to in Section 65.140(f) of this Part applicable to the continuation period.

b) A Beginning Teacher Induction Grant Program shall be approved for continuation provided that:

1) a need continues to exist for the program, as evidenced by the number of beginning teachers to be served;

2) the program components proposed will be effective in assisting and improving the practice of beginning teachers and are based on the areas identified for program improvement pursuant to subsection (a)(3) of this Section;

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: Added at 36 Ill. Reg. _____, effective _____________)

Section 65.160 Allocation of Funds

a) The State Superintendent of Education shall approve initial applications for competitive funding and make final determinations regarding the amounts to be provided based upon the total funds appropriated for this initiative, the amounts necessary to fund the top-ranked proposals, and the need to distribute the benefits of innovative induction models on a statewide basis. The minimum grant to be awarded will range from $1,200 to $1,500 for each teacher served in a program that has been approved for funding under this Part.

b) It is the intention of the State Board of Education to approve continuation funding for projects under this Part prior to providing funding for new applicants. Funding for existing grantees for each year shall be contingent upon the availability of funds for the program and evidence presented in renewal proposals that the projects have been implemented in accordance with the approved grant.
agreements and that the recipients continue to need additional State resources in order to implement their programs. If funds remain available for new programs, an RFP shall be issued as provided in Section 65.140 of this Part.

c) In accordance with Section 21A-25 of the School Code, in years when sufficient funding is available for a statewide implementation of the beginning teacher induction grant program, then the minimum grant to be awarded will be $1,200 for each teacher served in a program approved for funding under this Part.

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

Section 65.170 Terms of the Grant

a) The grantee shall participate in external reviews and statewide data collection, as determined by the State Superintendent of Education, to be used to assess the overall effectiveness of induction and mentoring in the State and understand the effects of intensive induction programs on beginning teacher practice and effectiveness.

b) The grantee shall participate in State-provided technical assistance activities and State-developed trainings related to the use of the Illinois Standards of Quality and Effectiveness for Beginning Teacher Programs and the Illinois Induction Program Continuum. (See Appendix A and Appendix B of this Part.)

c) Reporting. The grantee shall submit data and information about the beginning teacher induction program each year to the State Superintendent of Education in a format specified by and according to the timeline set forth by the State Superintendent. The report shall include, at a minimum, an assessment of the grantee’s progress towards meeting any locally established goals for the program, as set forth in the approved application, and the number of beginning teachers and mentors served during the grant period.

d) Each grantee shall submit to the State Board of Education by December 31 of each grant year a final count of the teachers to be served in the beginning teacher induction program for the respective grant period. In instances where the final count is less than the number of teachers proposed to be served in the approved application, the State Board of Education shall reduce grant proceeds not yet received by an amount equal to the difference between the proposed and actual number of teachers served multiplied by the per teacher amount awarded pursuant to either Section 65.160(a) or (c) of this Part, as applicable.
Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs set forth a clear framework to assist in the development of research-based programs that meet local needs and are responsive to local contexts. The standards are broad and interdependent, describing a vision of a comprehensive and dynamic program for beginning teachers and those who support them. The intent of these standards is to foster thoughtful, high-quality growth and development. Each program funded under this Part shall meet the standards set forth in this Section.

Standard 1: Induction Program Leadership

The induction program has an administrative structure with specified leaders who plan, implement, evaluate and refine the program through data analysis, program evaluation, and stakeholder communication linked to relevant standards.

Criterion 1.1: Program leadership is selected and their role is clearly defined to include being responsible for program planning, operation, oversight and use of data.

Criterion 1.2: Program leadership, program partners and all stakeholders have the time, fiscal resources and authority to implement and support the program.

Criterion 1.3: Program leadership, program partners and all stakeholders create a culture of commitment to beginning teacher induction and improving student achievement.

Criterion 1.4: Program leadership engages in initial and ongoing professional development to understand, design and implement high-quality induction and mentoring.

Standard 2: Program Goals and Design

Local program design is focused on beginning teacher development, support, retention and improved student learning. The goals are guided by current induction research.
effective practices, standards contained in this Section, the district and school improvement plans and local concerns and context.

Criterion 2.1: Program design includes learning outcomes for beginning teacher participants that recognize a continuum of teacher development and a focus on student learning with clearly defined participant expectations for program completion.

Criterion 2.2: Program design provides for effective communication among program leadership, mentors, beginning teachers, and site administrators and is consistently integrated into district and school improvement goals and ongoing professional development initiatives.

Criterion 2.3: Program design includes high-quality mentor selection, training, assessment and evaluation, and ongoing support in a mentor learning community.

Criterion 2.4: Program design defines essential activities, including beginning teacher formative assessment, written documentation of beginning teacher and mentor work, analysis of beginning teacher instruction and student learning, and professional development for all stakeholders.

Criterion 2.5: Program goals and outcomes for teacher development, retention, support, and student learning are reviewed and revised as necessary by designated program leaders and stakeholders based on the analysis of multiple sources of program evaluation data.

Standard 3: Resources

Program leadership allocates and monitors sufficient resources to meet all goals and deliver program components to all participants.

Criterion 3.1: Program leadership, program partners, and all stakeholders allocate adequate resources to ensure an appropriate distribution of funds to support components defined in the program design and in alignment with the district’s improvement plan.

Criterion 3.2: Program leadership, program partners, and all stakeholders access and coordinate existing professional development resources to effectively align and coordinate those resources with the induction program.
Criterion 3.3: Program leadership, program partners, and all stakeholders allocate sufficient, sanctioned, protected time for mentoring to foster high-quality mentoring for beginning teachers.

Criterion 3.4: Formative program leadership, program partners, and all stakeholders monitor resource allocations on a regular basis in order to make necessary adjustments as needed during the year.

Criterion 3.5: Summative program leadership, program partners, and all stakeholders support the development of fiscal reports to document allocations of resources as necessary for accountability and to promote ongoing program improvement.

Standard 4: Site Administrators Roles and Responsibilities

Site administrators lead efforts to create a positive climate for the delivery of all essential program components. Site administrators and program leadership collaborate to ensure that they are well-prepared to assume their responsibilities for supporting beginning teachers in the induction program.

Criterion 4.1: Program leadership, program partners, and all stakeholders collaborate to design effective professional development for site administrators and promote their full involvement in program operations to maximize ongoing program improvement.

Criterion 4.2: Program leadership, program partners, and all stakeholders collaborate with site administrators to ensure positive working environments for beginning teachers.

Criterion 4.3: Program leadership, program partners, and all stakeholders collaborate with site administrators to foster the development of collaborative learning communities to promote a program of support for all staff.

Criterion 4.4: Program leadership, program partners, and all stakeholders support site administrators to provide ongoing high-quality communications regarding induction program design and implementation.

Criterion 4.5: Program leadership, program partners, and all stakeholders engage with site administrators to ensure positive mentoring experiences and to uphold the relationship between mentor and beginning teacher as confidential.
Criterion 4.6: Program leadership, program partners, and all stakeholders collaborate with the site administrator to align their work in support of beginning teachers with the standards for administrators.

Standard 5: Mentor Selection and Assignment

Mentors are recruited, selected and assigned using a comprehensive strategy that includes a clearly articulated, open process and specific criteria that are developed by and communicated to all stakeholder groups.

Criterion 5.1: Program leadership, program partners and all stakeholders are guided by clear rigorous selection criteria and processes to ensure that beginning teachers will receive high-quality mentoring throughout their participation in the induction program.

Criterion 5.2: Program leadership, program partners, and all stakeholders ensure that the matching of beginning teachers and mentors is based on multiple relevant factors to establish effective pairing of mentors with beginning teachers.

Criterion 5.3: Program leadership, program partners, and all stakeholders define and implement a process to address changes or make necessary adjustments in mentor and beginning teacher matches.

Standard 6: Mentor Professional Development

Mentor professional development provides a formal orientation and foundational mentor training before they begin their work with beginning teachers and should continue over the course of the mentor’s work with beginning teachers. Mentors have time, supported by the program, to engage in this mentor learning community and are consistently supported in their efforts to assist beginning teachers in their development, with a focus on student learning.

Criterion 6.1: Program leadership, program partners, and all stakeholders collaborate to provide foundational training for mentors to develop basic knowledge, skills, and attitudes for high-quality mentoring.

Criterion 6.2: Program leadership, program partners, and all stakeholders facilitate the development of a professional learning community for mentors to regularly reflect on, improve, and refine their practice.
Criterion 6.3: Program leadership, program partners, and all stakeholders collaborate to provide ongoing professional development for mentors to advance induction practice and promote beginning teacher development.

Standard 7: Development of Beginning Teacher Practice

Beginning teachers have regularly scheduled time, provided during the two-year program, to participate in ongoing professional development that is focused on their professional growth to support student learning.

Criterion 7.1: Program leadership, program partners, and all stakeholders collaborate to provide beginning teacher orientation to clarify district school and induction programs and ensure high levels of beginning teacher participation.

Criterion 7.2: Program leadership, program partners, and all stakeholders collaborate to design and implement formal support of networking opportunities for beginning teachers to ensure their participation in collaborative cultures focused on professional learning and ongoing support.

Criterion 7.3: Program leadership, program partners, and all stakeholders implement ongoing professional development to ensure high-quality beginning teacher development.

Criterion 7.4: Program leadership, program partners, and all stakeholders provide and support sanctioned time for induction and mentoring processes to ensure sufficient support for high-quality professional development experiences for beginning teachers.

Standard 8: Formative Assessment

Beginning teachers and mentors participate in formative assessment experiences, collaboratively collecting and analyzing measures of teaching progress, including appropriate documentation, mentor observations and student work, to improve classroom practices and increase student achievement. The formative assessment is an ongoing, non-evaluative, evidence-based measurement of growth over time, involving a variety of sources of data, that is used to inform ongoing professional development.

Criterion 8.1: Program leadership, program partners, and all stakeholders ensure that mentors use formative assessment tools collaboratively with beginning
teachers for initial self-assessments and development of individual learning plans to guide weekly visits and determine the scope, focus, and content of professional development activities.

Criterion 8.2: Program leadership, program partners, and all stakeholders ensure that mentors utilize a wide range of formative assessment tools in order to establish multiple measures of teaching from which to promote further professional development.

Criterion 8.3: Program leadership, program partners, and all stakeholders establish and maintain procedures for documenting confidential use of formative assessment to gather evidence of reflective processes that impact student learning and practice.

Criterion 8.4: Program leadership, program partners, and all stakeholders develop and follow policy regarding use of formative assessment and documentation to protect their use for program purposes only and not for evaluation of beginning teachers or for employment decisions.

Standard 9: Program Evaluation

Programs operate a comprehensive, ongoing system of program development and evaluation that involves all program participants and other stakeholders.

Criterion 9.1: Program leadership, program partners, and all stakeholders develop and implement an ongoing process for program evaluation based on multiple internal and external sources with formal and informal measures to ensure ongoing program improvement.

Criterion 9.2: Program leadership, program partners, and all stakeholders analyze multiple sources of data and share results with stakeholders in a systematic way.

Criterion 9.3: Program leadership, program partners, and all stakeholders implement a process for mentor accountability in a supportive environment through a defined process of communication and documentation.

Criterion 9.4: Program leadership, program partners, and all stakeholders participate in external reviews and statewide data collection designed to examine and improve program quality and effectiveness and to inform policy makers and stakeholders.
Section 65. Appendix B  Illinois Induction Program Continuum

a) The Illinois Induction Program Continuum describes four levels of program implementation for each criterion of the standards set forth in Appendix A of this Part. The levels outline the progress of improvement new induction programs are expected to make and provide the basis for the development, support and evaluation of induction programs. The levels of program implementation are as follows.

1) Establishing Programs are learning about the induction program standards and establishing program components. Limited involvement of all stakeholders occurs at this level.

2) Applying Programs have some experience and are applying knowledge of induction program standards and moving toward full implementation of program components. The program is shared with additional stakeholders.

3) Integrating Programs are more experienced with induction program standards and accomplished in implementation of program components. They are working collaboratively with an expanded group of stakeholders on a regular basis.

4) Systematizing Programs collaborate regularly with all stakeholders to integrate induction program standards and program components throughout the district or consortia. The program is beyond compliance and embodies innovative practices by contributing to the broader educational community.

b) The Illinois Induction Program Continuum assists with continuous program improvement through:

1) the provision of a common language to describe and discuss program development and ongoing improvement;

2) assistance to program leadership and partners to collaboratively design, implement and assess the quality and effectiveness of their programs;
3) assistance to program leadership in setting clear, evidence-based goals and planning for program development and improvement; and

4) identification of program needs for resources and supports.

(Source: Added at 36 Ill. Reg. _____, effective ____________)
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Assistant Superintendent
Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 25 (Certification)

Materials: Recommended Rules

Staff Contacts: Linda Jamali and Vicki Phillips, Division Administrators

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

Relationship to/Implications for the State Board’s Strategic Plan
This proposal relates to Goal 2 (highly prepared and effective teachers and school leaders), as it addresses various sections of rules governing certification and approval of educator preparation programs.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 25.

Background Information
P.A. 97-607 (SB 1799), effective August 6, 2011, repealed (or will repeal next year) major portions of Article 21, which addresses educator certification. The law establishes the Illinois educator licensure system, beginning July 1, 2013; requirements for that system are set forth in new Article 21B. Changes specific to the licensure system and other significant portions of the law (e.g., alternative certification, lapsed certificates) will be proposed later in the year, as agency staff begin to implement changes necessary to make the transition to the new system.

The majority of the changes in this rulemaking are technical in nature, including updating statutory citations, revising the name of the licensure board, and modifying requirements to conform to the new law. Other proposed modifications that reflect policy changes or provide further refinement to statutory requirements are explained below.

The proposed amendments were published April 6, 2012, in the Illinois Register to elicit public comment; 11 comments were received. A summary and analysis of the public comment, along with any recommendations for changes in the proposed amendments as a result, is attached.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: The proposed changes summarized below are presented in the order in which they appear in the rulemaking.

**New Section 25.32:** This new section redesigns the teacher leader endorsement to align it to the requirements of Section 21B-25(2)(E) of the School Code and recommendations from the Illinois P-20 Council. The new section defines the role and responsibilities of a teacher leader, establishes program requirements for institutions of higher education and not-for-profit entities wishing to offer programs, and establishes the process for program approval. The existing requirements for the teacher leader endorsement are contained in Section 25.30 and that section will be amended to note the endorsement’s automatic repeal date of January 1, 2013.

**Section 25.100, introduction:** A technical change is being proposed to remove a reference to the court orders issued in the matter of Corey H., et al., v. Board of Education of the City of Chicago and instead place into Appendix E the endorsements currently available for teachers of special education. On August 22, 2011, peremptory rules took effect that placed into Part 25 the requirements for special education certification ordered by the federal court; therefore, Part 25 can be updated to appropriately present these credentials in sections of the rules not affected by the original court orders.

**Section 25.710:** Several new language proficiency tests for transitional bilingual education are being added (Burmese, Lithuanian, Nepali, Telegu (Telugu) and Ukrainian). Language proficiency tests are added to the rules as they become available.

Additionally, updates are being made to include other new tests (e.g., principal, test of academic proficiency) that will replace certain existing tests (e.g., general administrative, basic skills test) and the dates upon which each will first be available.

**New subsection 25.720(e):** This subsection places into the rules the requirement of Section 21B-30 of the School Code that any candidate completing a teacher preparation program on September 1, 2015, or after pass an "evidence-based assessment of teacher effectiveness". Certification staff are recommending the use of the Teacher Performance Assessment (TPA) for this purpose. The TPA is being developed by Stanford University researchers, in conjunction with Pearson Education Inc., and is currently being field-tested. It will be available nationwide and is designed to be a portfolio-based assessment that is subject-specific.

Under the law, institutions of higher education with approved teacher preparation programs will be required to begin piloting the TPA no later than July 1, 2013. It is proposed that the rules provide that before the full implementation date of September 1, 2015, an institution may only require the passage of the TPA for program completion if it implements the requirement for all of its teacher candidates. In this way, candidates participating in the pilots and completing their programs earlier than September 1, 2015, will not be unfairly penalized. Given the performance-based nature of the assessment, the TPA will be conducted during a candidate’s student teaching experience.

Additional amendments are being proposed in Section 25.720:
- Clarifies that the score from the basic skills test that an individual has taken for an Illinois certificate is not subject to the five-year limitation imposed by P.A. 97-607 when he or she is seeking additional certificates or endorsements;
- Changes from 120 to 60 days the time period after which an individual may retake a computer-based test; this is in keeping with the schedule offered by the testing companies; and
• Clarifies that a score that is voided or that an applicant cancels still counts toward the number of times that a candidate may take any given certification test. (Also see companion changes in Section 25.755.)

**Budget Implications:** None.
**Legislative Action:** None needed.
**Communication:** Please see “Next Steps” below.

**Pros and Cons of Various Actions**
Overall, this set of proposed amendments updates existing requirements to conform to new legislation and changes in agency policy.

Not proceeding with the rulemaking would result in public policy not being set forth in the rules, which could lead to challenges by applicants and others to the agency’s authority to prescribe such standards.

**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:

Certification (23 Illinois Administrative Code 25),

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.
Comment

A commenter expressed concern about the lack of a “transition plan” for candidates currently enrolled in teacher leadership endorsement programs and scheduled to complete their program before September 1, 2012, when the new requirements of proposed Section 25.32 take effect. She also indicated institutions will be unable to redesign existing teacher leader endorsement programs so that they conform to the provisions of Article 21B of the School Code, which take effect for candidates entering the program starting in fall 2012. Finally, the commenter asked that the teacher leader endorsement programs be aligned to the “new national model teacher leadership standards”.

Analysis

P.A. 97-607, effective August 26, 2011, amended Section 21-7.5 of the School Code to phase out currently approved teacher leadership programs by September 2012. The law allows individuals completing those programs to receive a current teacher leadership endorsement provided they complete the program by August 31, 2012, and apply for the endorsement no later than December 31, 2012. Agency staff routinely meet with the Illinois Association of Colleges of Teacher Education (which has been informed of the changes) and an advisory group made up of representatives from educator preparation institutions. Notice of the new requirements will be provided to each. Additionally, institutions with currently approved programs to actively inform their candidates of the new deadlines that apply to receive the endorsement under existing requirements.

Institutions currently offering the endorsement have been aware of the change in the law and have been planning accordingly in the last year. Section 21B-25 of the School Code, which outlines the new requirements for teacher leader endorsements, provides the general areas of focus that each teacher leader program must include. Additionally, the Illinois P-20 Council issued a report detailing its recommendations for the new programs in November 2011. The proposed rules simply provide more detail to the focus areas listed in the statute and incorporate the recommendations of the Council rather than incorporating additional requirements that have not been communicated elsewhere.

Regarding the standards used for program design, the writer is probably referring to the Teacher Leader Model Standards, developed by the Teacher Leadership Exploratory Consortium. While the proposed rules do not require alignment to these standards, the domains and more specific functions under each gird the requirements set forth in the rules, as the standards informed the work of the Illinois P-20 Council in developing its recommendations. Postsecondary institutions and not-for-profit entities wishing to establish teacher leader endorsement programs are encouraged to refer to the Teacher Leader Model Standards when designing and implementing their programs.

Recommendation

No changes are recommended in response to these comments.
A school psychologist protested a statutory change made two years ago that would require individuals seeking a principal endorsement to have four years of teaching experience in order to qualify. Currently, anyone wishing to receive a general administrative endorsement, which is required of principals, must have two years of teaching experience either on a valid teaching or school service personnel certificate. The individual characterized his experience working in schools as “just as valuable” as teaching experience in preparing him to serve as a school administrator.

**Analysis**

P.A. 96-903, effective in July 1, 2010, established standards and requirements for programs that prepare principals and that law will phase out the general administrative certificate as of 2014. These new requirements were added to Part 25 last year and the sections of the rules affected (Sections 25.335 and 25.337) are not part of the current rulemaking. While experience other than teaching in schools may be valuable, principals must be instructional leaders and will be required to evaluate teachers relative to their ability to teach. For these reasons, the requirement to have teaching experience in order to receive the principal’s endorsement, as is set forth in the law, is relevant.

**Recommendation**

No change is recommended in response to this comment.

**Comment**

A student questioned the wisdom of requiring that candidates for an educator license pass the test of content area knowledge before they are eligible to begin their student teaching or other residency or internship experiences. (See Section 25.720(c).) He is studying to be a school counselor and indicated that the experiences he would gain during his internship working with students and under the leadership of a certified school counselor would assist him in successfully completing the content-area test. This same concern was expressed by faculty at seven universities offering school counselor endorsement programs.

**Analysis**

P.A. 97-607 amended the law to add the requirement that candidates pass the content-area test before working with students in the classroom or as school service personnel; therefore, staff cannot change that requirement through administrative rules. Further, staff believe that a candidate should have a firm grasp of the subject matter specific to his or her area of certification or licensure before working in a school and with students. As for whether a candidate’s chances for passage of the content-area test for school counseling is enhanced through the experiences gained during an internship, most school counseling programs also include practicum that candidates complete before entering the internship, which is the culminating portion of the preparation program. These practicum enable a candidate to observe various situations that he or she may encounter as a school counselor; these observations should assist the candidate in successfully completing the content-area test.

**Recommendation**

No change is recommended in response to this comment.
Comment

The majority of the comments received focused on the new Teacher Performance Assessment (TPA) to be administered as part of a candidate’s student teaching experience. Several individuals pointed out that requiring students to pass the TPA in order to complete their program of study was unfair. Passage of this assessment, in addition to its cost, could discourage students from considering teaching as a profession, they pointed out. In addition, students who fail the assessment would not only have to retake the TPA but would need to repeat the student teaching portion of the educator preparation program, one commenter also pointed out. In these situations, the student would incur additional testing and tuition costs and most likely would be unable to graduate in a timely manner.

A professor in agriculture education pointed out numerous difficulties his students would encounter when completing the assessment. He explained that candidates serving as student teachers teach full time and participate in after-school and other leadership activities that are required in this field. He also questioned whether the TPA addresses the content of career and technical education (CTE), of which agriculture is a part. Two other commenters stated that evaluating a video taken of the student teacher would be misleading, since it is only a snapshot of candidates’ performance that could be altered or misinterpreted. Both urged that the TPA include an evaluation from the candidate’s supervising teacher. Having out-of-state reviewers assess the student teacher’s performance on the TPA limits the ability of faculty at both the institution and the school to rate a candidate’s performance during the student teaching experience, another person said.

Analysis

Section 21B-35 of the School Code requires that each candidate completing a teacher preparation program pass an “evidence-based assessment of teacher effectiveness”. The test to be administered during the candidate’s student teaching experience is selected by the State Board of Education. As the commenters noted, the law requires that the candidate not only pass the assessment in order to qualify for a teaching license but also to complete the educator preparation program. This requirement was put in place to acknowledge that a candidate who fails the assessment should not be given credit for the student teaching portion of the program, which is a critical component of an educator preparation program required under the law for receipt of a teaching certificate or license. For students who fail the assessment, it will be up to the educator preparation program whether to award a degree to the student in a field other than education or to require that the student repeat the student teaching portion of the preparation program.

As the name implies, the TPA is an instrument that is used to evaluate the performance of the student teacher as he or she is providing instruction. According to its website, the TPA includes “video clips of instruction, lesson plans, student work samples, analyses of student learning, and reflective commentaries” that are gleaned from a three-to-five-day “learning segment with a class of students”. For this reason, the TPA can only be administered during the time in which the candidate is completing student teaching.

It is true that the subject areas that the TPA currently addresses do not include CTE areas of instruction; however, the TPA will continue to add additional subject areas to the assessment. That being said, CTE coursework in areas such as technical studies and engineering, marketing and computer sciences, agriculture and health sciences rely on a solid foundation in the core
subject areas of mathematics, sciences, and English language arts. Additionally, the primary focus of the TPA is not to test subject matter knowledge (which is measured through the content-area test) but to ascertain a candidate’s ability to teach.

In addition to the artifacts collected as part of the TPA, higher education institutions also will assess the performance of their candidates by observing the candidate during his or her student teaching experience. While institutions will be required to administer the TPA, it is expected that each also will continue to use multiple assessments to evaluate candidates throughout their programs. The TPA, however, will serve as the one assessment of teaching skills that is consistently applied and used across all programs.

The TPA only is being piloted in Illinois and other states beginning in the fall; therefore, it will not be required for all teacher candidates until September 1, 2015. The piloting process will allow the states and test developers to modify the assessment, as appropriate, to address the types of concerns raised by the commenters, as well as the experiences reported during the piloting phase.

**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 b: PERSONNEL

PART 25
CERTIFICATION

SUBPART A: DEFINITIONS

Section 25.10 Accredited Institution

SUBPART B: CERTIFICATES

Section 25.11 New Certificates (February 15, 2000)
25.15 Standards for Certain Certificates (Repealed)
25.20 Requirements for the Elementary Certificate (Repealed)
25.25 Requirements for “Full” Certification
25.30 Endorsement in Teacher Leadership (Through December 31, 2012)
25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies (Repealed)
25.37 Acquisition of Subsequent Teaching Certificates (2004)
25.40 Requirements for the Special Certificate (Repealed)
25.43 Standards for Certification of Special Education Teachers
25.45 Standards for the Initial Special Preschool-Age 12 Certificate – Speech and Language Impaired
25.46 Special Provisions for the Learning Behavior Specialist I Endorsement
25.47 Special Provisions for the Learning Behavior Specialist I Approval
25.48 Short-Term Emergency Certification in Special Education
25.50 General Certificate (Repealed)
25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects (Repealed)
25.65 Alternative Certification
25.67 Alternative Route to Teacher Certification
25.70 Provisional Vocational Certificate
25.72 Temporary Provisional Vocational Certificate
25.75 Part-time Provisional Certificates
25.80 Requirements for the Early Childhood Certificate (Repealed)
25.85 Special Provisions for Endorsement in Foreign Language for Individuals Currently Certified
25.86 Special Provisions for Endorsement in Foreign Language for Individuals Prepared as Teachers But Not Currently Certified
25.90 Transitional Bilingual Certificate and Examination
25.92 Visiting International Teacher Certificate
25.95 Majors, Minors, and Separate Fields for the Illinois High School Certificate (Repealed)
25.99 Endorsing Teaching Certificates (Repealed)
25.100 Endorsing Teaching Certificates (2004)
25.105 Temporary Substitute Teaching Permit

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

Section
25.110 System of Approval: Levels of Approval (Repealed)
25.115 Recognition of Institutions and Educational Units, and Approval of Programs
25.120 Standards and Criteria for Institutional Recognition and Program Approval (Repealed)
25.125 Accreditation Review of the Educational Unit (Repealed)
25.127 Review of Individual Programs (Repealed)
25.130 Interventions by the State Board of Education and State Educator Preparation and Licensure Teacher Certification Board
25.135 Interim Provisions for Continuing Accreditation and Approval – July 1, 2000, through Fall Visits of 2001 (Repealed)
25.137 Interim Provisions for Continuing Accreditation and Approval -- July 1, 1999, through June 30, 2000 (Repealed)
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**SUBPART D: SCHOOL SERVICE PERSONNEL**

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AUTHORITY: Implementing Articles 21 and 21B and Section 14C-8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21, Art. 21B, 14C-8, and 2-3.6].

SUBPART A: DEFINITIONS

Section 25.10 Accredited Institution
As used in this Part, “institution” means either a regionally accredited institution of higher learning (i.e., college or university) as specified in Section 21B-105 of the School Code [105 ILCS 5/21B-105] when referring to an institution located within the United States or a not-for-profit entity approved by the Illinois Board of Higher Education [105 ILCS 5/21B-105]. Accordingly, any coursework required for, or counted towards fulfilling the requirements for, a credential issued pursuant to this Part, if completed at an institution located within the United States, shall be completed at or accepted by a regionally accredited institution or an approved not-for-profit entity, and approval of preparation programs under Subpart C of this Part shall be available only to regionally accredited institutions or approved not-for-profit entities. Coursework completed in another country shall be subject to the provisions of Section 25.425 of this Part.

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

SUBPART B: CERTIFICATES

Section 25.11 New Certificates (February 15, 2000)

Section 21-2 of the School Code [105 ILCS 5/21-2] established a new system of teaching certificates effective February 15, 2000. A complete list of the certificates that were available as of that date is found in Appendix B to this Part. The transition to the new system affects certified individuals and candidates for certification as set forth in this Section. No certificate-holder shall be penalized in the exchange of certificates. That is, upon exchange, each individual shall receive all the credentials he or she held prior to that time. Each endorsement held by a certificate-holder prior to February 15, 2000, shall be recorded on the appropriate certificate received pursuant to this Section.

a) Special Education

Except as provided in Sections 25.46, 25.47, and 25.48 of this Part, qualifications accepted for particular teaching assignments prior to February 15, 2000, shall continue to be acceptable for those assignments. Special provisions apply to the exchange of certificates by individuals who are special education teachers as defined in Section 25.807 of this Part or who hold credentials that qualify them to serve as special education teachers.

1) Any individual whose certificate is due to be exchanged as of July 1, 2002, shall have the option of making the exchange as of July 1, 2001.
2) Any speech-language pathologist who exchanged a certificate pursuant to this subsection (a) prior to July 1, 2001, shall be permitted to exchange the standard certificates so received for a school service personnel certificate endorsed for non-teaching speech-language pathology, provided that he or she requests this exchange on or before June 30, 2002, to be effective July 1, 2002. No additional registration fee shall be owed for the exchange, and the certificate received shall be valid until the date on which the standard teaching certificates surrendered in the exchange would have expired.

3) Any speech-language pathologist who exchanges a certificate pursuant to this subsection (a) on or after July 1, 2001, may choose to receive:

   A) a standard special preschool-age 21 certificate endorsed for speech-language pathology;

   B) both a standard elementary and a standard secondary certificate endorsed for speech-language pathology; or

   C) a school service personnel certificate endorsed for non-teaching speech-language pathology.

4) In the event that a certificate exchanged pursuant to subsection (a)(2) or (3) of this Section bears one or more other endorsements, it shall be re-issued minus the speech-language pathology endorsement.

5) For purposes of this subsection (a), the term “speech-language pathologist” includes individuals holding endorsements or approvals for “speech correction” issued before 1980, as well as individuals holding endorsements for “speech and language impaired”.

b) Holders of certain Illinois teaching certificates received, or shall receive, corresponding standard teaching certificates. Certificates subject to exchange are listed in Appendix C to this Part; see also Sections 25.400 and 25.450 of this Part. Out-of-state candidates who qualify for Illinois teaching certificates pursuant to Section 25.425 of this Part and who pass the applicable examinations (see Section 25.720 of this Part) shall receive either initial or standard teaching certificates, and, except as provided in subsection (b)(3) of this Section, those who receive initial certificates shall be subject to the requirements of subsection (d) of this
Section in terms of their subsequent receipt of standard teaching certificates. An out-of-state applicant who does not qualify for an initial or standard certificate may qualify to receive a provisional certificate subject to the provisions of Section 21-10 of the School Code [105 ILCS 5/21-10].

1) Standard certificates will be issued to candidates who present evidence of at least four years of teaching experience on a valid certificate issued by a state, territory, or possession of the United States. (Section 21-2(b-5) of the School Code [105 ILCS 5/21-2(b-5)])

2) Initial certificates will be issued to qualified candidates with fewer than four years of teaching experience.

A) A recipient of an initial certificate pursuant to this subsection (b)(2) shall be eligible to apply for a comparable standard certificate when he or she has accumulated a total of four years’ teaching experience on a valid certificate, including the time taught outside Illinois.

B) Pursuant to Section 21-2(b-5) of the School Code, the 12 semester hours of graduate-level coursework needed to complete the option discussed in Section 25.905(d) of this Part and the 60 continuing professional development units (CPDUs) needed to complete the option discussed in Section 25.905(e) of this Part shall be reduced in proportion to the amount of teaching time a candidate needs to accumulate in Illinois in order to complete four years of teaching. The number of hours or CPDUs required shall be reduced by one-fourth for each full year of teaching completed outside Illinois.

C) Beginning on July 1, 2003, to qualify for an initial teaching certificate endorsed in any of the special education areas established in 23 Ill. Adm. Code 28 (Standards for Certification in Special Education), the content-area test subject matter assessment shall be a valid and reliable examination based on mastery of the relevant standards set forth in that Part. The State Board of Education shall take all necessary steps to ensure that the examination for the Learning Behavior Specialist I endorsement shall be developed and available for use no later than January 1, 2003.
3) *The requirements of Subpart K of this Part shall not apply to an individual who holds a second-tier certificate from another state.* (Section 21-2(b-5) of the School Code) A “second-tier certificate” is one that is issued after a teacher has:

A) held a prerequisite teaching certificate that was valid for the same area or areas of assignment, other than an emergency, provisional, or substitute certificate; and

B) met specified additional requirements for professional development or induction to the profession of teaching.

4) Certificates will be endorsed in accordance with the provisions of Sections 25.100 and 25.425 of this Part.

c) A candidate completing an approved Illinois teacher preparation program may qualify for an initial teaching certificate by passing the applicable examinations (see Section 25.720 of this Part).

d) An individual who has completed four years of teaching on an initial certificate (or on another certificate that was issued in conjunction with an initial certificate) may qualify for a comparable standard certificate as set forth in Subpart K of this Part.

1) All endorsements shall be carried forward from an initial to the comparable standard certificate.

2) *A holder of an initial certificate who has not completed four years of teaching within four years may renew and register the certificate for additional four-year periods without limitation.* (Section 21-14(b) of the School Code [105 ILCS 5/21-14(b)])

3) A candidate who has taught for four years on an initial certificate but has not met the requirements of Subpart K of this Part may not receive another comparable initial teaching certificate. For example, a holder of an initial elementary certificate will not be eligible to receive another initial elementary certificate. *However, such an individual may receive a reinstated certificate, valid for one year,* as defined in Section 25.450(c) of
this Part, during which he or she may complete the option chosen as a means of qualifying for the standard teaching certificate. (Section 21-14(b) of the School Code) The reinstatement period shall begin July 1 of the year in which the initial certificate expires. No initial certificate-holder may receive a reinstated certificate more than once pursuant to this subsection (d)(3).

4) When an individual completes four years of teaching experience on an initial certificate, that certificate shall become invalid on the following June 30.

e) A holder of an Illinois teaching certificate who has teaching experience on a valid certificate as required by Section 21-11.2 of the School Code [105 ILCS 5/21-11.2] may receive an additional certificate of another type as set forth in Section 25.37 of this Part, unless the additional certificate is to be issued based on comparable out-of-state certification. Once an individual has received a standard teaching certificate, any other subsequently issued early childhood, elementary, secondary, special K-12, or special preschool–age 21 certificate shall also be a standard certificate, with the exception of any master certificate for which the individual also qualifies.

f) “Four years of teaching experience” means the equivalent of four years’ full-time employment, i.e., eight semesters of scheduled full-time teaching, which may, however, be accumulated in any combination of increments. That is, it need not be accumulated through full-time teaching. To permit timely processing of applications for standard certificates, the State Superintendent of Education may accept applications from individuals who are at least midway through their final semester of required teaching experience, provided that each such individual submits either data obtained from the State Board of Education’s electronic recording system for teachers employed in Illinois public schools or a letter that otherwise meets the requirements of subsection (g) of this Section but indicates that:

1) the individual has completed 3½ years of teaching plus the required portion of the final semester; and

2) the representative of the employing entity knows of no reason why the individual will not complete four years of teaching experience during the then-current semester.
g) “Evidence of teaching experience” may be satisfied in one of the following ways.

1) Verification of the teacher’s experience obtained from the State Board of Education’s electronic recording system for teachers employed in Illinois public schools.

2) By submission of a letter signed by the chief administrator or other designated official of the employing school district or nonpublic school (or other employing entity, if applicable to the holder of an early childhood certificate; also see subsection (g)(4) of this Section) documenting the nature and duration of the candidate’s teaching.

3) A letter signed by an official of the state education agency in another state may be substituted for an employer’s letter when the latter cannot be secured.

4) Early childhood teaching experience shall be understood as contributing to the fulfillment of this requirement if gained in a position for which an early childhood certificate was required pursuant to the rules of the State Board of Education at 23 Ill. Adm. Code 235 (Early Childhood Block Grant).

5) Experience gained while teaching in a home school shall not be applicable to the fulfillment of this requirement.

h) For purposes of this Section, “valid certificate” means a certificate equivalent to an Illinois master, standard, initial, or provisional early childhood, elementary, secondary, or special certificate.

i) Upon application, a holder of certification issued by the National Board for Professional Teaching Standards (NBPTS) shall be issued a comparable Illinois master certificate.

1) Endorsements comparable to those held by the individual shall appear on the master certificate. Any individual who, on or after July 1, 2012, has been issued a Master Certificate pursuant to Section 21-2 of the School Code [105 ILCS 5/21-2] or a National Board for Professional Teaching Standards designation on a Professional Educator License pursuant to
Section 21B-65 of the School Code may work as a teacher only in an area for which he or she holds the required Illinois endorsement. Any individual who, prior to June 30, 2012, has been issued an endorsement for a particular area on a Master Certificate may work as a teacher in that area even without having been issued the required Illinois endorsement. [105 ILCS 5/21B-65]

2) The State Board shall make available the list of NBPTS certifications for which Illinois master credentials are available and shall update that list as the NBPTS expands its areas of certification.

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

Section 25.30 Endorsement in Teacher Leadership (Through December 31, 2012)

Beginning July 1, 2007, endorsement as a teacher leader shall be available to persons who fulfill the requirements of this Section. The teacher leader endorsement shall be an optional, advanced credential and shall not be subject to the provisions of Section 25.100 of this Part, except that payment of the fee specified in Section 21B-40 21-12 of the School Code [105 ILCS 5/21B-40 21-12] of the School Code shall be required. In order to qualify for the teacher leader endorsement under this Section, a candidate shall complete all of the program requirements on or before August 31, 2012, to ensure application for and receipt of the endorsement by December 31, 2012. (See 105 ILCS 5/21-7.5)

a) The teacher leader endorsement shall include a designation identifying the area of the individual’s master’s degree in teacher leadership, if any, or reflecting the content area in which the individual holds certification from the National Board for Professional Teaching Standards (NBPTS), holds a master’s degree, or has completed a major field of specialization and demonstrates the leadership experience called for in subsection (d) of this Section. Additional subject-specific designations may be added to a teacher leader endorsement in accordance with the provisions of subsection (g) of this Section.

b) Eligibility of Teachers

Each applicant for endorsement as a teacher leader shall hold a standard or master early childhood, elementary, secondary, special K-12, or special preschool-age 21
certificate, including an alternative certificate of one of these types, or an administrative certificate that is valid for teaching.

c) Strand of Coursework

Only Illinois institutions of higher education that conduct approved teacher preparation programs shall be eligible to offer the “specially designed strand of teacher leadership courses” discussed in Section 21-7.5 of the School Code [105 ILCS 5/21-7.5].

1) Each institution’s strand of coursework shall include a range of graduate-level courses addressing subject-specific content knowledge and pedagogy, as well as professional development and curriculum design and implementation. In order to avoid duplicating an individual’s prior preparation or experience in these areas, the institution shall select the specific courses from the approved strand that will make up the required program for that individual.

2) In order to receive approval for its proposed strand of coursework, an institution shall submit to the State Superintendent of Education, in a format required by the State Superintendent, a program description that:

A) identifies the group of courses that will make up the strand;

B) describes the institution’s method for selecting coursework and experiences from the approved strand for particular individuals in light of those individuals’ prior preparation and achievements, in order to ensure that recipients of the teacher leader endorsement are prepared to understand and interpret research in their individual fields, exercise leadership in curriculum development and implementation, and provide professional development to other teachers to assist them in strengthening their teaching practice; and

C) indicates how the institution will determine that individuals who complete the teacher leader endorsement program have demonstrated the dispositions necessary to become effective instructional leaders.
3) The institution may be asked to clarify or revise aspects of its proposal as necessary. The State Superintendent of Education shall seek a recommendation from the State Educator Preparation and Licensure Teacher Certification Board regarding approval of the proposal, shall present the recommendation to the State Board of Education, and shall provide a response to the institution within 90 days after receipt of the proposal or the last revisions to it. If the State Board of Education disapproves the proposal, the State Superintendent’s response shall identify the specific deficiencies upon which disapproval is based. When the State Board has approved a proposal, the institution shall be authorized to recommend individuals who complete its teacher leadership program for the teacher leader endorsement with the individuals’ original subject-area designations, as well as any additional subject-area designations for which individuals qualify under subsection (g) of this Section.

d) Proven Teacher Leader

To be considered a “proven teacher leader” for purposes of this Section, an individual shall provide letters signed by the chief administrators or other designated officials of the employing school districts or nonpublic schools documenting that the individual has no fewer than four semesters’ experience in service in any of the following capacities, in any combination:

1) department or grade-level chair;

2) mentor or peer coach;

3) member of a school improvement team; or

4) leader of a curriculum development team.

e) When an institution recommends an individual for the teacher leader endorsement based on his or her completion of an approved strand of coursework, the recommendation shall signify that the institutional representative has also verified:

1) either:
A) that the applicant’s name appears on the composite list of teachers who hold certification from the National Board for Professional Teaching Standards (NBPTS) that is posted by the NBPTS; or

B) that an official transcript or, in the case of an individual prepared at an institution outside the United States, a statement from an evaluation service approved under Section 25.425 of this Part, shows that the applicant holds a master’s degree in any field and that the individual has presented evidence that he or she qualifies as a “proven teacher leader” under subsection (d) of this Section;

and

2) that the candidate has successfully completed all the requirements of Section 21-7.5 of the School Code and this Section.

f) Master’s Degree in Teacher Leadership

An individual seeking the teacher leader endorsement based on completion of a master’s degree program in teacher leadership on or before August 31, 2012 shall submit an application accompanied by the required fee and an official transcript showing that he or she holds an advanced degree in teacher leadership from an Illinois teacher preparation institution or a comparable degree granted by an out-of-state institution that prepares teachers.

g) Additional Designations

An individual who earns a teacher leader endorsement in one subject area by meeting the applicable requirements of this Section may add further designations denoting those additional subject areas in which he or she is considered “highly qualified” pursuant to Appendix D to this Part. For additional designations sought by application to the State Superintendent of Education after issuance of the original teacher leader endorsement, the fee required by Section 21B-40 21-12 of the School Code shall apply.

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

The Section establishes the requirements for the receipt of a teacher leader endorsement and for approval of education preparation programs to provide the program required for receipt of the endorsement. The teacher leader endorsement is intended to increase the quality of leadership, as well as teaching and learning practices, and recognize the critical importance that leadership by teachers brings to the overall school improvement mission of the school and its personnel. The teacher leader endorsement will create a career path to retain and develop high-performing teachers for leadership roles; formalize, define, and build the competencies necessary for high-quality leadership to improve student learning; and recognize and encourage shared leadership and decision-making in schools to maximize outcomes for children.

a) For the purposes of this Section, a teacher leader is defined as an individual with the capacity and skills to:

1) harness the collective knowledge of teachers to have a positive impact on teaching and learning and school and student success;

2) promote shared governance and leadership in schools by working effectively with the principal and other adults in the school, with a consistent focus on student learning and achievement;

3) model excellence in teaching with a strong foundation in improving the climate of the school and classroom, curriculum, instruction, assessment and intervention;

4) provide guidance, coaching, mentoring, influence, direction and support to teachers to improve the effectiveness of teaching and learning; and

5) promote and influence change to improve school and student outcomes.

b) A teacher leader may serve in a variety of roles within the school district, including but not limited to:

1) curriculum specialist (i.e., identifying, designing and implementing curriculum and school and district improvement);

2) coach (i.e., providing coaching to other teachers and staff on instructional practice and methods);
3) mentor teacher (i.e., providing mentoring to new teachers or others in need of assistance);

4) department chair or lead teacher;

5) content specialist (i.e., leading instructional programs in a specific content area);

6) teacher leaders responsible for supervising others, provided that a supervisory endorsement is not required pursuant to 23 Ill. Adm. Code 1.705 (Requirements for Supervisory and Administrative Staff) for the position to which the teacher leader is assigned;

7) program leaders (i.e., relative to the climate of the school and classroom, curriculum, instruction or assessment); and

8) other areas of responsibility as identified by school districts.

c) Beginning September 1, 2012, a teacher leader endorsement on a professional educator license will be available to persons who fulfill the requirements of Section 21B-25(2)(E) of the School Code [105 ILCS 5/21B-25(2)(E)] and this Section. In order to receive a teacher leader endorsement, a candidate holding a professional educator license shall:

1) have obtained a master’s degree or higher from a regionally accredited institution; and

2) have completed a program that meets the requirements set forth in this Section.

d) Only institutions of higher education and not-for-profit entities that have been recognized under Subpart C of this Part to conduct educator preparation programs may apply to the State Board of Education for approval to offer a teacher leader endorsement program. Each program shall address at least the coursework listed in Section 21B-25(2)(E) of the School Code and this subsection (d).

1) Leadership, to address:
A) knowledge of leadership frameworks and models of shared governance;

B) understanding teacher evaluation models and training;

C) ability to hold self and others accountable for results; and

D) ability to lead teams in setting goals and achieving results.

2) Designing professional development to meet teaching and learning needs, to include:

A) understanding, applying, and evaluating the specific needs of new teachers for induction and mentoring;

B) ability to coach teachers and staff;

C) ability to understand, apply, and evaluate models of effective professional development; and

D) ability to observe instruction and provide coaching, mentoring or professional development feedback to teachers.

3) Building school culture that focuses on student learning, to address:

A) understanding diverse learners (including students with Individualized Education Programs, English language learners, students who are underrepresented in the school population, and other at-risk students) and their families and communities;

B) ability to analyze and interpret data around school culture, working and learning conditions, and climate;

C) understanding the impact of instructional models and practices on improving learning, as well as the culture and climate of the school and classrooms; and
D) ability to understand and apply to the learning environment the Illinois Social and Emotional Learning Standards set forth at 23 Ill. Adm. Code 555.Appendix A.

4) Using assessments to improve student learning and foster student achievement.

5) Building collaboration with teachers and stakeholders.

e) A request for program approval shall be submitted to the State Superintendent for consideration in accordance to the requirements of Section 25.145 of this Part.

f) Actions following upon the recommendation of the State Educator Preparation and Licensure Board shall be as described in Section 25.160 of this Part.

g) An approved teacher leader program shall be subject to the review process set forth in 23 Ill. Adm. Code 25.Subpart C.

(Source: Old Section repealed at 29 Ill. Reg. 15831, effective October 3, 2005; new Section added at 36 Ill. Reg. _____, effective ____________)

Section 25.70 Provisional Vocational Certificate

  a) Each applicant for a provisional vocational certificate shall present evidence of having completed 60 semester hours of college coursework from a regionally accredited institution and 2,000 hours of work experience outside the field of education in each area to be taught. The required evidence of this work experience shall be written statements from former supervisors who can be reached for verification or, in cases in which supervisors are no longer available to verify the individual’s employment, affidavits by the applicant describing the work experience.

  b) Each provisional vocational certificate issued on or after July 1, 2009 shall be valid for five years and shall be renewable contingent upon the certificate-holder’s fulfillment of the applicable requirements set forth in this Section.

  c) Each provisional vocational certificate issued on or before June 30, 2009 shall be valid for five years from the date of issue or the date of its most recent registration, whichever is later. When the any such certificate is next registered...
after June 30, 2009, the registration shall be for a five-year period of validity, and renewal of the certificate after that five-year period shall be contingent upon the certificate-holder’s fulfillment of the applicable requirements of this Section.

d) For purposes of this subsection (d), coursework shall be considered “related to education” if it leads to teaching, administrative, or school service personnel certification or endorsement or if it relates to the field of an individual’s current teaching assignment or any other field of teaching assignment. Each affected certificate-holder shall complete:

1) eight semester hours of undergraduate or graduate-level coursework related to education, of which no fewer than two semester hours must address advancing the certificate-holder’s knowledge and skills as a teacher in relation to the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24.100) and the content-area standards in his or her area of certification, endorsement, or assignment; or

2) 120 continuing professional development units (CPDUs) in accordance with Section 25.875 of this Part; or

3) any combination of the types of activities described in subsections (a)(1) and (2) of this Section, provided that the total effort represents the equivalent of 120 CPDUs, and provided that one semester hour of college credit shall be considered the equivalent of 15 CPDUs; or

4) an advanced degree from a regionally accredited institution in an education-related field; or

5) all required activities in pursuit of certification or recertification by the National Board for Professional Teaching Standards (NBPTS); or

6) four semester hours of graduate-level coursework on the assessment of one’s own performance in relation to the Illinois Professional Teaching Standards; or

7) four semester hours of graduate-level coursework in preparation for meeting the requirements for certification by the National Board for Professional Teaching Standards.
e) Each professional development activity used to fulfill the requirements of this Section, other than those identified in subsections (d)(4)-(7) of this Section, shall be required to address one or more of the purposes identified for the renewal of standard and master certificates in Section 21-14(e)(2) of the School Code [105 ILCS 5/21-14(e)(2)]. At least 20 percent of the units required must address the purpose identified in Section 21-14(e)(2)(E) of the School Code.

f) CPDUs shall be generated for completion of activities in accordance with provisions of Section 25.875 of this Part, provided that the activity described in subsection (h) of that Section shall not be used to generate CPDUs for holders of the provisional vocational certificate and references to Section 21-14 of the School Code [105 ILCS 5/21-14] are not applicable in the case of the provisional vocational certificate.

g) The provisions of Sections 25.855, 25.860, 25.865, and 25.872 of this Part shall apply to the awarding of CPDUs for activities offered by providers, provided that:

1) the references to Section 21-14 of the School Code are not applicable to the provisional vocational certificate; and

2) references to Subpart J of this Part shall be understood as referring to this Section where necessary to the context.

h) Each provisional vocational certificate shall be maintained as “valid and active” or “valid and exempt” for each semester of its validity. Periods of exemption and proportionate reductions in the requirements for continuing professional development shall be determined as discussed in Section 25.880(a) of this Part. In addition, the number of continuing professional development units needed to renew the certificate shall be reduced by 50 percent for any amount of time during which the certificate-holder has been employed and performing services on a part-time basis, i.e., for less than 50 percent of the school day or school term.

i) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate’s validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.

j) Each certificate-holder shall:
1) maintain the required form of evidence of completion for each activity throughout the period of validity that follows the renewal of the certificate based on completion of the activities documented; and

2) present the evidence of completion upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under Section 25.840 of this Part.

k) Each holder of a provisional vocational certificate shall apply for renewal of that certificate as set forth with respect to standard teaching certificates in Section 25.830 of this Part, including the submission of a statement of assurance that conforms to the requirements of subsection (b) of that Section, except that:

1) each application for certificate renewal shall be submitted to the regional superintendent of schools, regardless of whether a local professional development committee is in operation in the employing district; and

2) references to standard certificates in that Section shall be understood to apply to provisional vocational certificates as necessary to the context.

l) Within 14 days after receiving an application for the renewal of a provisional vocational certificate, the regional superintendent shall forward to the State Educator Preparation and Licensure Teacher Certification Board a recommendation for renewal or nonrenewal on a form prescribed by the State Superintendent of Education.

1) The regional superintendent shall transmit a list identifying all the certificate-holders with respect to whom the regional superintendent is recommending renewal of provisional vocational certificates, along with verification that:

A) each certificate-holder has completed professional development or otherwise qualifies for certificate renewal in accordance with this Section; and

B) each certificate-holder has submitted the statement of assurance required in accordance with subsection (k) of this Section.
2) If the recommendation is not to renew the certificates held, or if information provided on the application makes the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part, the certificate-holder’s copy shall be sent concurrently by certified mail, return receipt requested. Each recommendation for nonrenewal shall include the regional superintendent’s rationale.

m) A certificate-holder with respect to whom a regional superintendent has recommended nonrenewal of the provisional vocational certificate may appeal to the State Educator Preparation and Licensure Teacher Certification Board in accordance with the provisions of Section 25.835(h) of this Part, except that references to the requirements of Section 21-14 of the School Code shall not apply in the case of the provisional vocational certificate.

n) The State Educator Preparation and Licensure Teacher Certification Board shall review regional superintendents’ recommendations regarding the renewal of provisional vocational certificates and notify the affected certificate-holders in writing as to whether their certificates have been renewed or not renewed. This notification shall take place within 90 days after the State Educator Preparation and Licensure Teacher Certification Board receives regional superintendents’ recommendations, subject to the right of appeal set forth in this subsection (n).

1) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent’s recommendation for nonrenewal, the State Educator Preparation and Licensure Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.

2) The certificate-holder shall submit to the State Educator Preparation and Licensure Teacher Certification Board any such additional information as the Certification Board determines is necessary to decide the appeal.

3) The State Educator Preparation and Licensure Teacher Certification Board may request that the certificate-holder appear before it. The certificate-holder shall be given at least ten days’ notice of the date, time, and place of the hearing.

4) In verifying whether the certificate-holder has met the renewal criteria set forth in this Section, the State Educator Preparation and Licensure Teacher
Certification Board shall review the recommendation of the regional superintendent of schools and all relevant documentation.

o) The State Educator Preparation and Licensure Teacher Certification Board shall notify the certificate-holder in writing, within seven days after completing its review, as to whether the certificate has been renewed. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the certificate, the notice to the certificate-holder shall be transmitted by certified mail, return receipt requested, and shall state the reason for the decision. The decision of the State Educator Preparation and Licensure Teacher Certification Board is final and subject to administrative review as set forth in Section 21B-70 21-24 of the School Code [105 ILCS 5/21B-70 21-24].

p) An individual whose certificate is not renewed because of his or her failure to meet the requirements of this Section may apply for a reinstated certificate valid for one year, as defined in Section 25.450(c) of this Part. The reinstatement period shall begin July 1 of the year in which the certificate expires. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable provisional vocational certificate only if he or she presents evidence of having:

1) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and

2) earned five additional semester hours of credit from a regionally accredited institution of higher learning relevant to the field of certification.

q) The provisions of Section 25.840(d) of this Part shall apply to the renewal of the provisional vocational certificate.

r) The application for renewal shall identify by certificate number all the certificates the person holds, including any certificate that was issued after the beginning of the validity period of the provisional vocational certificate being renewed and is therefore not yet due to expire.

1) If the provisional vocational certificate that is due to expire is renewed, then any more recently issued certificates, including additional provisional vocational certificates, shall be renewed at the same time, thereby
establishing the same five-year period of validity for all the certificates held.

2) If the provisional vocational certificate that is due to expire is not renewed, the original period of validity of any more recently issued certificate shall continue to apply to that certificate only.

s) An individual who performs services on a provisional vocational certificate and concurrently also on some other type of certificate that is subject to renewal requirements shall be subject to the provisions of Section 25.475 of this Part.

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

Section 25.75 Part-time Provisional Certificates

The part-time provisional certificate will no longer be issued starting July 1, 2012. Anyone holding a part-time provisional certificate at that time may continue to teach on that certificate until June 30, 2013.

a) Pursuant to Section 21-10 of the School Code [105 ILCS 5/21-10], a part-time provisional certificate valid for teaching no more than two courses of study in grades 6-12 shall be issued to professionals and craftsmen who present evidence of meeting one of the following requirements:

1) 60 semester hours of credit from a recognized institution of higher learning, 9 semester hours of which are to be in the skill to be certified for teaching, or

2) 4,000 hours of work experience in the skill to be certified for teaching.

b) A skill area shall be certified for teaching if:

1) The skill area is identified by a school district as part of its curriculum, and

2) The skill area evidenced by coursework or experience is one taught to students in grades 6-12 (e.g., a craftsman jeweler may be issued a part-time provisional certificate for teaching a course on jewelry design as part of a 6-12 art program).
c) The holder of a part-time provisional certificate may teach no more than two courses of study.

d) Pursuant to Section 21-10 of the School Code, a part-time provisional teacher’s certificate shall be valid for 2 years and may be renewed at the end of each 2 year period.

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

Section 25.90 Transitional Bilingual Certificate and Examination

Requirements for the Transitional Bilingual Certificate, issued pursuant to Section 14C-8 of the School Code, shall be as follows:

a) General Requirements. The applicant shall meet the following general requirements:

1) Be in good health.

2) Be of good sound moral character, as defined in Section 21B-15 of the School Code [105 ILCS 5/21B-15].

3) Be legally present in the United States and possess legal authorization for employment.

4) Comply with certification application procedures.

b) Requirements of Prior Education or Certification. The applicant shall:

1) Possess a current and valid certificate issued by the State of Illinois, or

2) Have possessed within five years prior to the date of application a valid teaching certificate or comparable legal authorization issued by a foreign country or by a state or possession or territory of the United States, or

3) Hold a degree from an institution of higher learning in a foreign country which the Licensure Certification Board determines to be the equivalent of a bachelor’s degree from a recognized institution of higher learning in the United States (Section 14C-8 of the School Code; 105 ILCS 5/14C-8).
The applicant must submit a certified transcript from the foreign institution. The Licensure Certification Board will determine equivalency by comparing the applicant's course of study to that required for a bachelor's degree from a recognized institution of higher learning in the United States on factors including:

A) the applicant's length of study at the foreign institution (which shall be equivalent to four years of postsecondary study after the age of eighteen);

B) the number of credit hours or similar units of instruction which the applicant has successfully completed (which shall be the equivalent of 120 semester hours);

C) the content of the applicant's courses and the distribution of courses among the various disciplines constituting a bachelor's degree program in the United States (which shall include the equivalent of a 32-semester-hour major field of study);

D) the applicant's grades or similar evidence of successful academic performance;

E) the foreign institution's accreditation status, if any.

c) Language Requirements

1) The applicant must demonstrate adequate speaking, reading, writing, and grammar skills in a non-English language in which transitional bilingual education is offered in Illinois. This requirement may be fulfilled in one of the following ways:

A) The applicant presents evidence of having graduated from a teacher preparation institution or an institution of higher education in which the medium of instruction was in a non-English language in which transitional bilingual education is offered in Illinois and for which certification is sought.

B) The applicant successfully completes the required examination (see Section 25.710 of this Part) in the non-English language in which
transitional bilingual education is offered in Illinois and for which certification is sought. If no examination for transitional bilingual education in the target language is listed in Section 25.710 of this Part, the required examination shall be another examination administered by the State Board of Education. The selection, development, and administration of each such examination shall conform to the requirements of Section 25.715 of this Part to the extent feasible in light of the rate of incidence of the target language in Illinois.

2) The applicant must demonstrate adequate speaking, reading, writing, and grammar skills in English. This requirement may be fulfilled in one of the following ways:

A) The applicant presents evidence of having graduated from an institution of higher education in which the medium of instruction was English.

B) The applicant successfully completes the English Language Proficiency Examination (see Section 25.710 of this Part).

3) An individual enrolled in an approved bilingual certification program who passed the Spanish language proficiency examination required by the program prior to July 1, 2001, shall be exempt from retaking a Spanish language proficiency test after that date, provided that:

A) the university that operates the program forwards to the State Board of Education no later than November 1, 2001, a list of the names and Social Security numbers of those persons in its program who have passed the examination;

B) the individual’s name appears on the list submitted by the university in whose program he or she is enrolled; and

C) the individual submits an application for bilingual certification based upon the institution’s recommendation for certification no later than June 30, 2006.

d) Appeals - Re-scoring
A limited appeal shall be available to applicants found ineligible for certification because of failure to meet the language requirements on the basis of an examination in a language not listed in Section 25.710 of this Part. An affected individual wishing to initiate such an appeal shall notify the State Board of Education in writing within six weeks after release of the test results to candidates. The appeal shall be limited to a request for re-scoring. The State Board of Education shall honor each such request for re-scoring unless no individual with the necessary language competency who was not involved in the original scoring is available for re-scoring.

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

Section 25.92 Visiting International Teacher Certificate

The procedure and requirements described in this Section shall apply when Illinois school districts conduct formal recruitment programs outside the United States to secure the services of qualified teachers.

a) The school district that is seeking to recruit teachers shall enter into a written agreement with the State Board of Education regarding its recruitment program, shall provide such assurances as the State Board may require regarding compliance with applicable procedures, training of representatives, and support for candidates employed under the program, and shall be responsible for preliminary verification that each candidate:

1) holds the equivalent of a bachelor’s degree issued in the U.S.;

2) has been prepared as a teacher at the grade level for which he or she will be employed;

3) has adequate content knowledge in the subject matter to be taught; and

4) has an adequate command of the English language.

b) A representative of the recruiting school district shall review the equivalence of each candidate’s degree to a bachelor’s degree earned in the U.S., the concentration of the candidate’s coursework in the area of potential teaching assignment, and the grade levels for which the candidate has been prepared, using
reports of foreign educational systems furnished by the National Association of Foreign Student Affairs (AFSA) and the American Association of Collegiate Registrars and Admission Officers (AACRAO).

e) A representative of the recruiting school district who has been trained by the State Board of Education or its designee in the use of the required instruments shall:

1) administer the Nelson-Denny Reading Assessment to evaluate each candidate’s English-language vocabulary and reading comprehension against a passing score expressed as the grade-level equivalent of 10.7; and

2) administer the Oral Proficiency Interview described in “ACTFL Proficiency Guidelines – Speaking” (1999), published by the American Council on the Teaching of Foreign Languages (ACTFL), 1001 North Fairfax Street, Suite 200, Alexandria VA 22314 6 Executive Plaza, Yonkers, NY 10701 (no later amendments to or editions of these standards are incorporated) and evaluate the candidate’s oral English-language proficiency against a minimum passing score of 2+ (Advanced Plus) on the rating rubric of the ACTFL.

d) The recruiting school district shall provide a report to the State Board of Education outlining the district’s conclusions regarding each candidate whose eligibility it considers to have been verified. This report shall provide or summarize at least:

1) the information that has led the district to conclude that the individual’s degree should be considered the equivalent of a bachelor’s degree earned in the U.S.;

2) how the district has identified the grade levels for which the individual has been prepared;

3) the information that has led the district to conclude that the coursework completed by the individual is at least comparable to a major in the field of specialization and that the individual has passed an examination that provides evidence of subject-matter competency; and
4) the scores achieved by the candidate on the Nelson-Denny Reading Assessment and the Oral Proficiency Interview.

e) Either the recruiting district or the candidate shall furnish to one of the evaluation services identified in Section 25.425(f) of this Part the candidate’s university transcript, his or her diploma reflecting the degree granted, and his or her results from the comprehensive terminal examination or the periodic formal examinations required by the university where he or she completed teacher preparation, as applicable, along with translations of all these materials into English.

f) The recruiting school district shall review and analyze the procedures that exist in the country where recruitment is being conducted for ascertaining individuals’ criminal history. The district shall provide the State Board of Education with a description of those procedures and shall affirm:

1) that the procedures have, to the district representative’s knowledge, been performed with respect to each potential candidate; and

2) that each potential candidate is of in good health and of sound moral character, as defined in Section 21B-15 of the School Code [105 ILCS 5/21B-15]; and

3) that no candidate recommended by the district as potentially eligible to teach in Illinois would be disqualified under Section 10-21.9(c) of the School Code.

g) Upon receipt of the information and documents identified in subsections (d) and (f) of this Section, confirmation of the individual’s eligibility from the evaluation service to which credentials were submitted under subsection (e) of this Section, and an application for the certificate from the individual, accompanied by the fee required by Section 21B-40 21-12 of the School Code, the State Board of Education shall issue a Visiting International Teacher Certificate endorsed for the field and grade levels the individual is qualified to teach. He or she shall not be required to pass any test that forms part of the Illinois Certification Testing System (see Subpart I of this Part) in order to qualify for this certificate. An individual may receive an additional endorsement on the Visiting International Teacher Certificate to teach his or her native language even if he or she was not
prepared as a teacher of that language, provided that it was the language of instruction in the program completed.

h) The Visiting International Teacher Certificate shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable. The certificate-holder shall pay the fee required by Section 21B-40 21-16 of the School Code to register the certificate with the regional superintendent in the region where the teaching will be done.

i) A holder of a Visiting International Teacher Certificate shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination (see Section 25.710 of this Part) or another test of writing skill in English if identified by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board.

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

Section 25.100  Endorsing Teaching Certificates (2004)

Beginning July 1, 2004, the structure of endorsements available on Illinois certificates was changed. Appendix E to this Part provides a list of the available endorsements, other than the endorsements in special education that are the subject of federal court orders of February 27 and August 15, 2001, in the matter of Corey H., et al., v. Board of Education of the City of Chicago, et al. Appendix E and shows for each new endorsement the related endorsements that were previously issued and were discontinued or replaced. Any semester hours of credit presented toward fulfillment of the requirements of this Section shall be posted on the candidate’s official transcript and may be taken earned in on-line or electronically-mediated courses, provided that college credit is provided awarded for the coursework by a regionally accredited institution of higher education. All professional education and content-area coursework that forms part of an application for certification, endorsement, or approval that is received on or after February 1, 2012, must have been passed with a grade no lower than “C” or equivalent in order to be counted towards fulfillment of the applicable requirements.

a) Subject-area “designations” shall be required in conjunction with some endorsements, as shown in Appendix E to this Part. Except in the case of foreign language, a certificate-holder shall be authorized to teach all the subjects encompassed by a particular endorsement, regardless of the designation or
designations received in conjunction with that endorsement. However, a certificate-holder may not teach honors courses, as these are defined by the employing district, or Advanced Placement courses in a subject for which he or she does not hold the specific designation, unless he or she holds an applicable master certificate. For example, a secondary science teacher with a biology designation may not teach honors physics or chemistry unless he or she holds a master certificate endorsed for sciences.

b) Endorsements at Time of Issuance

Pursuant to Section 21-1b of the School Code [105 ILCS 5/21-1b], all certificates initially issued under this Article...shall be specifically endorsed by the State Board of Education for each subject the holder of the certificate is legally qualified to teach.

1) For each application for certification received on or before September 30, 2004, the certificate issued shall be endorsed in keeping with the program completed and the related test passed by the candidate, as well as for any additional subject in which the candidate completed the required coursework.

2) For each application received on or after October 1, 2004, but no later than January 31, 2012, the certificate issued shall be endorsed in keeping with the program completed and the related content-area test or test of subject matter knowledge passed by the candidate and, except as provided in subsections (g), (h), (i), (j), (k), and (m) of this Section:

A) any additional area in which the individual has completed a major area of concentration, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual’s official transcript; and

B) any additional area in which the individual presents evidence of having accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge); and
C) any additional area for which the individual has met the applicable requirements of subsection (e) of this Section.

3) For each application received on or after February 1, 2012, the certificate issued shall be endorsed in keeping with the program completed and the related content-area test or test of subject matter knowledge passed by the candidate and for any other subject in which the individual:

A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or

B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more recognized regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, and has passed the applicable content-area test.

c) Pursuant to Section 21-4 of the School Code [105 ILCS 5/21-4], an individual who is eligible to receive a special certificate may elect to receive both an elementary and a secondary certificate, each endorsed as the special or special preschool–age 21 certificate would have been endorsed. An individual who elects to hold a special certificate may add endorsements to it by submitting an application pursuant to Section 21B-40 of the School Code and demonstrating that he or she has met the applicable requirements of subsection (f)(3) of this Section.

d) Endorsements issued under the system used prior to July 1, 2004, shall continue to be valid only for the specific subjects covered. An individual who wishes to teach other subjects in the same field shall be required to apply for the relevant new endorsement in keeping with Section 21B-40 of the School Code and meet the applicable requirements of this Section.

e) Certain endorsements or designations listed in Appendix E to this Part have no corresponding content-area test (see Section 25.710 of this Part). The provisions of this subsection (e) shall apply to the issuance of these endorsements and designations.
1) For an applicant who is receiving an Illinois teaching certificate, the institution that offered the approved program completed by the applicant shall indicate that the applicant has met the standards applicable to the endorsement or the particular designation, except that the requirements of subsection (n) of this Section shall apply to the issuance of endorsements in safety and driver education beginning with applications received on or after February 1, 2012.

2) An applicant prepared out of state, or an applicant who is already certified in Illinois and is seeking to add a new endorsement or designation in one of these subjects, other than an endorsement in safety and driver education, shall:

   A) present verification from an institution with an approved teacher preparation program that he or she is prepared in the area covered by the endorsement or designation sought; or

   B) present evidence of completion of nine semester hours of coursework in the area covered by the endorsement or designation sought; or

   C) present evidence of at least one year’s teaching experience on a valid certificate in the area covered by the endorsement or designation sought.

3) An applicant prepared out of state or an applicant who is already certified in Illinois and is seeking to add a new endorsement in safety and driver education shall be subject to the requirements set forth at 23 Ill. Adm. Code 1.730(q) through January 31, 2012. Beginning with applications received on or after February 1, 2012, the requirements stated in subsection (n) of this Section shall apply.

f) Addition of Endorsements to Previously Issued Certificates

Individuals seeking to endorse previously issued certificates shall apply for such endorsements, using a format specified by the State Superintendent of Education, in accordance with the provisions of Section 21B-40 21-42 of the School Code [105 ILCS 5/21B-40 21-42].
1) When an applicant qualifies for an endorsement, its issuance shall be reflected on the electronic certification system that is maintained by the State Superintendent of Education for use by applicants, school districts, and regional superintendents of schools.

2) Except as provided in subsections (g), (h), (i), (j), (k), and (m) of this Section, for applications received on or after July 1, 2005, but no later than January 31, 2012, an endorsement will be issued to each applicant who:
   
   A) has completed a major area of concentration, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual’s official transcript; or
   
   B) presents evidence of having accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge); or
   
   C) has met the applicable requirements of subsection (e) of this Section.

3) For applications received on or after February 1, 2012, an endorsement will be issued for any subject in which the individual:
   
   A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or
   
   B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, and has passed the applicable content-area test; any coursework to be considered (whether undergraduate or graduate level) shall be posted on the individual’s official transcript.
g) Special provisions shall apply to the addition of endorsements in self-contained general education. An individual who holds a secondary, special K-12, or special preschool–age 21 certificate, or an individual who holds an elementary certificate endorsed in some other field by virtue of having “split” a special or special preschool–age 21 certificate, may qualify for the endorsement in self-contained general education on that certificate only by completing an approved program for the elementary certificate in accordance with Section 25.37 of this Part and passing the elementary/middle grades test. Fulfillment of these requirements qualifies the individual for an elementary certificate with this endorsement. However, an individual with an early childhood or a secondary certificate may choose whether to receive the elementary certificate or to add the endorsement to his or her existing certificate, thereby restricting his or her capacity for assignment to the grade levels encompassed by that certificate. An individual who elects to receive a separate certificate pursuant to this subsection (g) shall be required to pass the test of basic skills and/or the applicable assessment of professional teaching if passage of one or both of these tests would be required for receipt of a subsequent certificate as explained in Section 25.720 of this Part.

h) Special provisions shall apply to the issuance of endorsements in the sciences and social sciences. The requirements of subsections (h)(1) through (h)(4) of this Section relate to endorsements and designations based on the standards found at 23 Ill. Adm. Code 27.140 through 27.260.

1) An individual seeking to add an endorsement and a designation in either of these fields who does not already hold that endorsement with one of its other available designations shall be required to pass the content-area test for the designation sought and either:

   A) be recommended for the endorsement and the designation by an institution with an approved program in the subject area based on having completed coursework sufficient to address the applicable content-area standards; or

   B) present evidence of having accumulated 32 semester hours of college coursework in the field, from one or more regionally accredited institutions, that meets the following requirements:
i) at least 12 semester hours of credit must have been earned in the subject area of the designation sought; and

ii) some portion of the coursework completed must have addressed at least two additional designations within the field; and

iii) in the case of the sciences, the coursework completed must have included both biological and physical science.

2) The requirement stated in subsection (h)(1) of this Section shall apply whenever an individual seeks to add his or her first endorsement in one of these fields.

3) An individual may receive a subsequent designation in the same field if he or she has:

   A) passed the applicable content-area test and, effective with applications received on or after February 1, 2012, completed 12 semester hours of coursework in the subject area of the designation; or

   B) completed a major in the content area of the designation.

4) An individual who holds an endorsement in the sciences or social sciences under the structure that was in effect prior to July 1, 2004, may receive an endorsement and a designation in that field under the new structure by passing the content-area test for the designation sought and, effective with applications received on or after February 1, 2012, completing 12 semester hours of coursework in the subject area of the designation. He or she may then qualify for additional designations in the field pursuant to subsection (h)(3) of this Section.

   i) Special provisions shall apply to the issuance of endorsements for reading teachers and reading specialists. A reading teacher is one whose assignment involves teaching reading to students, while a reading specialist is one whose assignment involves the provision of technical assistance and/or professional development to other teachers and may also include teaching reading to students.
1) Reading Teacher

This endorsement shall not be issued alone as an individual’s first teaching credential. An individual who holds an Illinois early childhood, elementary, secondary, or special certificate, or who receives one of these certificates endorsed for some field other than reading, shall be eligible to receive this additional endorsement on that certificate (and on any other certificate held or subsequently earned) when he or she presents evidence of:

A) having passed the applicable content-area test (or test of subject matter knowledge) and having been recommended for the endorsement by virtue of completing an approved reading teacher’s preparation program based on the standards set forth at 23 Ill. Adm. Code 27.110 that requires at least 24 semester hours of graduate or undergraduate coursework in reading (as posted on the individual’s official transcript), including a practicum involving clinical experience with two or more students and at two or more grade levels, at an institution that is recognized to offer teacher preparation programs in Illinois; or

B) having passed the applicable content-area test (or test of subject matter knowledge) and having completed 24 semester hours of graduate or undergraduate coursework in reading (as posted on the individual’s official transcript), including a practicum, at one or more regionally accredited institutions of higher education, provided that all the following areas were addressed:

i) foundations of reading

ii) content-area reading

iii) assessment and diagnosis of reading problems

iv) developmental and remedial reading instruction and support

v) developmental and remedial materials and resources
vi) literature appropriate to students across all grade ranges; or

C) having completed, on or before June 30, 2006, the 18 semester hours of college coursework in reading described at 23 Ill. Adm. Code 1.740(a), in which case the individual shall apply for the endorsement no later than March 31, 2010, and passage of the content-area test or test of subject matter knowledge shall not be required.

2) Reading Specialist

A) Each candidate for the reading specialist’s endorsement shall hold an Illinois early childhood, elementary, secondary, or special certificate and have at least two years of teaching experience on one or more of those certificates in an Illinois school. Each candidate shall be eligible to receive this endorsement on that certificate or on a separate special K-12 certificate when he or she presents evidence of having completed the required teaching experience.

B) Each candidate shall hold a master’s degree or higher degree awarded by a regionally accredited institution of higher education.

C) Each candidate shall have completed a K-12 reading specialist’s program approved pursuant to Subpart C of this Part that includes clinical experiences with five or more students at both the elementary (i.e., kindergarten through grade 8) and secondary levels and leads to the issuance of a master’s or higher degree, provided that a person who holds one master’s degree shall not be required to obtain a second one. For purposes of the clinical experiences, a candidate shall work with at least one student enrolled in elementary grades and at least one student enrolled in secondary grades and may work with students one on one or in a group. Each candidate shall have been recommended for the endorsement by the institution offering the program.

D) Each candidate shall be required to pass the content-area test for reading specialist.
3) An individual who qualifies for the reading specialist’s endorsement may receive the endorsement on his or her early childhood, elementary, secondary, or special certificate or may elect to receive a separate special K-12 certificate. In the latter instance, the individual shall be required to pass the test of basic skills and/or the applicable assessment of professional teaching if passage of one or both of these tests would be required for receipt of a subsequent certificate as explained in Section 25.720 of this Part.

j) Special provisions shall apply to the addition of endorsements and designations in foreign languages.

1) An endorsement and a designation for a foreign language may be added to an existing certificate when an individual has completed a major area of concentration in the language, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual’s official transcript.

2) An endorsement and a designation for a foreign language may be added to an existing certificate when an individual presents evidence of having accumulated 20 semester hours of college credit in the language, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge). The 20 semester hours may be calculated by including semester hours of study that were waived by the institution offering the coursework based on the individual’s prior learning, provided that the individual presents verification issued by the institution to this effect (i.e., a statement on the official transcript or a letter signed by the certification officer identifying the number of hours involved).

3) Each additional designation for a foreign language shall be subject to the requirements of this subsection (j).

4) Sections 25.85 and 25.86 of this Part set forth additional provisions for certification in foreign languages under specified circumstances.

k) The requirements of 23 Ill. Adm. Code 1.720 (Requirements for Teachers of Middle Grades), rather than the requirements of this Section, shall apply to
credentials and assignments in the middle grades, except that Section 1.720 shall be read in conjunction with this Section with respect to reading and library information specialist assignments in the middle grades. The requirements of 23 Ill. Adm. Code 1.780, 1.781, and 1.782, rather than the requirements of this Section, shall apply to credentials and assignments in the areas of bilingual education and English as a Second (New) Language.

l) Each individual who is first assigned to teach a particular subject on or after July 1, 2004, based on completion of the minimum requirements for college coursework in that subject that are set forth at 23 Ill. Adm. Code 1.737(b), 1.745(b)(3), or 1.755(c), as applicable, but who has not met the requirements of this Section for an endorsement in that subject area shall have three years after the date of first assignment to meet those requirements and receive the relevant endorsement. An individual who does not do so shall become ineligible to teach the subject in question in any subsequent semester, unless he or she later receives the endorsement.

m) An additional endorsement for “technology specialist” shall be issued only upon presentation of evidence that the applicant has completed at least 24 semester hours of college coursework demonstrably related to the subject area at one or more regionally accredited institutions of higher education and has passed the relevant content-area test.

n) Beginning with applications received on or after February 1, 2012, an endorsement in safety and driver education shall be issued when the applicant provides evidence of having completed 24 semester hours of college credit in the field, with at least 12 semester hours at the upper-division or graduate level (as posted on the individual’s official transcript), as defined by the institution offering the coursework, distributed as follows:

1) 3 semester hours in injury prevention or safety;

2) 12 semester hours in driver education that include:

   A) driving task analysis (introduction to driver education);

   B) teaching driver education in the classroom;
C) teaching the laboratory portion of the driver education course, including:
   i) on-street teaching under the supervision of a qualified driver education teacher;
   ii) the equivalent of at least one semester hour’s preparation in and use of driving simulation;
   iii) the equivalent of at least one semester hour’s preparation in and use of multiple-car programs; and
D) advanced driver education and emergency evasive driving;

3) 3 semester hours in first aid and cardiopulmonary resuscitation; and

4) 6 semester hours chosen in any combination from:
   A) the use of technology in instruction;
   B) safety issues related to alcohol and other drugs;
   C) driver education for students with disabilities; and
   D) any other safety-related area.

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

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

Section 25.115 Recognition of Institutions and Educational Units, and Approval of Programs

As used in this Subpart C, “institution” shall be defined as an Illinois institution of higher education, an out-of-state college or university granted authorization to operate by the Illinois Board of Higher Education as an out-of-state institution, an out-of-state college or university granted authorization to operate by the state in which it is located, or a not-for-profit educational entity 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].

a) In order for an institution to offer one or more programs that prepare professional educators, that institution must be recognized, and the educational unit responsible for the such programs must be recognized, by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board. “Educational unit” means the institution or college, school, department, or other administrative body within the institution that is primarily responsible for the initial and continuing preparation of teachers and other education professionals. Each program that is offered by a recognized institution must also be individually approved by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board. “Program” or “preparation program” means a program that leads to certification. Electronic transmission of written materials pursuant to this Subpart C is required.

b) In order to be considered for recognition under Section 25.155 of this Part, a degree-granting institution of higher education shall:

1) be regionally accredited;

2) be approved by the Illinois Board of Higher Education to operate as a postsecondary degree-granting institution under the provisions of the Private College Act [110 ILCS 1005] and the Academic Degree Act [110 ILCS 1010] or, if the out-of-state institution is not required to seek authorization to operate from the Illinois Board of Higher Education, be approved to offer educator preparation programs by the state that granted it operating authority; and

3) sponsor a course of study leading to a certificate issued under Article 21 of the School Code [105 ILCS 5/Art. 21] and this Part.

c) In order to be considered for recognition under Section 25.155 of this Part, an eligible not-for-profit educational entity shall conduct or propose to conduct at least one approved program that will prepare professional educators and leads to a certificate issued pursuant to Article 21 of the School Code and this Part.
d) In order to be considered for recognition under Section 25.155 of this Part, an educational unit shall meet the standards enumerated in “Professional Standards for the Accreditation of Teacher Preparation Institutions” (2008), published by the National Council for the Accreditation of Teacher Education (NCATE), 2010 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20036-1023 (no later amendments to or editions of these standards are incorporated by this Section).

e) In order to be considered for approval under Section 25.145 of this Part, a recognized institution shall propose a preparation program that:

1) meets the national content standards accepted by the State Board of Education and listed on the State Board of Education’s website at www.isbe.net or, if no national content standards are specified, then the applicable content standards set forth at 23 Ill. Adm. 23, 26, 27, or 29;

2) meets the standards set forth at 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) or 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 additions to or editions of these standards are incorporated by this Part), as applicable;

3) will produce candidates for certification in areas defined as “shortage areas” by the State Superintendent of Education (e.g., the number of individuals holding a particular certificate and the number of positions that are currently vacant or predicted to be available in the next five years; the number of approved programs in Illinois and their capacity). Evidence of need shall be presented in the application submitted under Section 25.145 of this Part; and

4) beginning July 1, 2014, meets the State Board of Education’s Social and Emotional Learning Standards set forth at 23 Ill. Adm. Code 555.Appendix A.

f) In the case of a not-for-profit entity, all advertising materials, candidate handbooks, catalogues, and candidate contracts shall display prominently the fact that the entity does not offer higher education credit and that there is no guarantee that the Illinois certificate or endorsement earned by the candidate will be honored or accepted for exchange in another state.
g) The recognition of an educational unit shall be subject to review every four years beginning in 2012. This cycle shall begin in accordance with a timeline established by the State Superintendent of Education or designee. The approval of the educational unit’s programs shall be subject to review in each year after the unit receives initial State recognition.

h) Each recognized educational unit shall submit a separate annual program report for each approved program to the State Superintendent of Education, in a format defined by the State Superintendent, no sooner than October 1 and no later than November 30. Subject-area designations (see Section 25.100(a) of this Part) shall be considered separate programs for reporting purposes. The annual program report shall:

1) update any information previously provided;

2) summarize data about the program’s overall structure, faculty, and candidates, and the results of various assessments, including the effectiveness of the completers of the program from the performance evaluations conducted under Article 24A of the School Code [105 ILCS 5/Art. 24A] (to be provided for principals beginning in 2014 and for teachers beginning in 2018):

A) If at least 80 percent of an institution’s teacher preparation program completers have passed the content area test and applicable form of the assessment of professional teaching (APT) in each of the preceding three years, the institution shall be deemed to be adequately addressing the Standards for All Illinois Teachers set forth at 23 Ill. Adm. Code 24;

B) If at least 80 percent of an institution’s administrative certification program completers have passed the applicable content-area examinations for administrative certification in each of the preceding three years, the institution shall be deemed to be adequately addressing the standards set forth in subsection (e)(2) of this Section; and
3) as relevant to the institution, report on all programs provided by the institution that have been approved as an alternative route to certification under Sections 25.65 and 25.67 of this Part.

i) In conjunction with the review set forth in subsection (g) of this Section, each educational unit shall submit a unit report to the State Superintendent, in a format specified by the State Superintendent, no sooner than October 1 and no later than November 30 of the academic year (i.e., September 1 through August 31) in which the review is scheduled. The report shall include:

1) a description of how the unit has addressed any concerns about applicable standards identified in any of the program reports produced pursuant to subsection (h) of this Section submitted in each of the last four years preceding the review;

2) any changes in the institution or in the educational unit that affects the operation of the unit;

3) any new programs approved in the last four years;

4) the percentage of individuals in the last four years who completed the program and received a certificate or endorsement who were hired into a related school position in the field for which the certificate or endorsement was issued; and

5) data regarding the effectiveness of the completers of the program from the performance evaluations conducted under Article 24A of the School Code [105 ILCS 5/Art. 24A] (to be provided for principals beginning in 2014 and for teachers beginning in 2018).

j) No later than April 7 of each year, each institution shall report to the State Board of Education, using a form supplied by the Board, on its program completers’ pass rates on the examinations required for initial certification pursuant to this Part and other information required by Title II of the Higher Education Act (20 USCA 1027). Further, each institution shall make this information readily available to the public on an annual basis and shall include it in or with publications routinely sent to potential applicants, school guidance counselors, and prospective employers of the institution’s program completers.
k) State Board of Education staff may visit a recognized institution at any time with one day’s advance notice and may ask to speak with faculty, candidates, or administrators. All records shall be made available to State Board of Education staff upon request.

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

Section 25.130 Interventions by the State Board of Education and State Educator Preparation and Licensure Teacher Certification Board

The provisions of this Section shall apply when the State Superintendent of Education receives information through the annual program report or unit report required under Section 25.115 of this Part, or by other means indicating that any educational unit recognized pursuant to this Subpart C or any approved preparation program may not be addressing any applicable standard or may otherwise be failing to offer candidates any of the learning opportunities that are necessary to their preparation as professional educators.

a) The State Superintendent or designee shall inform the affected educational unit of the areas of concern and invite the unit’s representatives to appear on a date specified by the State Superintendent before the State Educator Preparation and Licensure Teacher Certification Board (SEPLB) (“STCB”) to discuss the concerns identified.

b) If the SEPLB STCB determines, either after the educational unit’s appearance or in advance of the appearance, that the concerns raised were unfounded or that the issues have been remedied, the SEPLB STCB shall recommend to the State Superintendent that no further action is needed with regard to the matter, and the State Superintendent or designee shall notify the institution accordingly.

c) If the institution does not respond to or declines the invitation to appear before the SEPLB STCB, or if the SEPLB STCB concludes that the institution, after its appearance, has not satisfied the concerns raised, the SEPLB STCB shall recommend to the State Superintendent or designee that the program or unit and one or more of its programs be placed on probation. “Probation” is the period of time in which no new candidates shall be enrolled in the unit or any of its programs, regardless of whether an individual program has received “probation” status. The State Superintendent shall notify the institution of the probation status of the program or unit and one or more of its programs.
1) A program, a unit, or a unit and one or more of its programs placed on probation shall submit the applicable report required under subsection (c)(1)(A) or (c)(1)(B) of this Section (in a format to be specified by the State Superintendent) to the State Superintendent or designee, who shall forward the report to the SEPLB STCB for consideration. The required report shall be submitted within one year after the date on which the program or unit was scheduled to appear before the SEPLB STCB pursuant to subsection (a) of this Section. If no report is received within this year, then the approval of the program or recognition of the unit and approval of all of its programs shall be revoked. (See subsection (c)(2)(C) of this Section.)

A) In the case of one or more individual programs being placed on probation, each program about which concerns have been identified shall submit to the SEPLB STCB a program report, with special emphasis on the areas of concern identified by the SEPLB STCB and how those concerns will be addressed.

B) In the case of only a unit being placed on probation, the unit shall submit a report that details the concerns identified about any of the NCATE unit standards and the solutions that have been put into place to remedy those concerns.

C) In the case of both a unit and one or more of its programs being placed on probation, both subsections (c)(1)(A) and (B) of this Section shall apply.

2) The SEPLB STCB, after considering the report submitted by the program or unit and the actions the program or unit has taken in response to the concerns identified, shall:

A) determine that the concerns have been remedied and recommend to the State Superintendent that the program or unit and any of its programs for which concerns have been identified be removed from probation and that no further action is needed with regard to the matter, and the State Superintendent or designee shall notify the institution accordingly; or
B) determine that the concerns have been acted upon but have not been remedied and recommend to the State Superintendent that the probation period be extended for not more than an additional 12 months, beginning on the date on which the SEPLB STCB met to consider the report submitted under subsection (c)(1)(A) or (c)(1)(B) of this Section:

i) Within the 12-month extension period, the program, or the unit and any of its programs for which concerns have been identified shall resubmit the program proposal required under Section 25.145 of this Part or a report (in the case of a program or unit, respectively), and reappear before the SEPLB STCB;

ii) If at the time that the program or unit reappears before the SEPLB STCB or at the end of the 12-month extension period, the program or the unit and any of its programs for which concerns have been identified have not sufficiently addressed the concerns, then the SEPLB STCB shall recommend to the State Superintendent that approval of the program or recognition of the unit and approval of all of its programs be revoked pursuant to the provisions of subsection (c)(2)(C) of this Section; and

iii) The State Superintendent shall notify the program or the unit and each of its programs of any action taken pursuant to this subsection (c)(2)(B) (c)(1)(B); or

C) determine that the concerns have not been acted upon and that the program proposal or actions taken as identified in the report indicate that the standards are not being met or that the program or unit may be failing otherwise to offer candidates any of the learning opportunities that are necessary to their preparation as professional educators and that these concerns cannot be remedied before the end of the 12-month extension period and recommend to the State Superintendent that the State Board of Education revoke approval of the program or recognition of the unit and approval of all of its programs. The actions to be taken upon the recommendation of the SEPLB STCB to the State Superintendent...
under this subsection (c)(2)(C) shall be as described in Section 25.160 of this Part. Discontinuation of a program pursuant to revocation of its approval or revocation of recognition, in the case of an educational unit, shall be subject to the requirements of Section 25.165(b) of this Part.

3) The State Superintendent may accept, modify or reject any of the recommendations of the SEPLB STCB issued in accordance with this subsection (c) of this Section. In cases where the State Superintendent’s modification or rejection results in an action that has negative consequences for the program or the unit and one or more of its programs, then the actions to be taken shall be as described in Section 25.160 of this Part.

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

Section 25.145 Approval of New Programs Within Recognized Institutions

The procedures set forth in this Section shall apply to the initial approval of additional educator preparation programs established by institutions that are already recognized, including those that have been granted initial recognition.

a) The institution shall submit to the State Superintendent of Education a program proposal meeting the requirements set forth in this subsection (a), showing how each proposed program meets the applicable professional education and content-area standards established by the State Board of Education.

1) A description of the program’s alignment with the unit’s conceptual framework.

2) A description of the criteria for admission to, retention in, and exit from the program, including the required grade point average and minimum grade requirements for the institution and how the key assessments used in the program are derived from or informed by the unit’s assessment system (see Section 25.140 of this Part).

3) A description about how data on the candidates enrolled in the program and candidates completing the program will be used as part of the assessment system required under Section 25.142 of this Part. If a
program is offered at more than one level (i.e., baccalaureate, post-
baccalaureate, or graduate, or as an alternative program), data shall be
considered separately for each of these arrangements.

4) Identification of the faculty members with primary responsibility for
preparing professional educators in the program and their qualifications for
their positions.

5) A description of the course of study, including required courses, State
standards addressed, related field experiences or clinical practice as
applicable to specified courses, and the proportion of coursework offered
by distance learning or video-conferencing technology.

6) A description of the required field experiences and clinical practice,
including criteria, measures taken to ensure placements in diverse settings
and with diverse students, and the program’s requirements for faculty
supervision of these experiences.

7) A description of the key assessments that are required of candidates in the
program under Section 25.142 of this Part, including:

   A) the specific standards addressed by each assessment that is used to
      comply with the requirements of Section 25.142(a)(1) through (5)
      or Section 25.142(b)(1) through (5), as applicable;

   B) a summary of findings based on data from all the assessments
      described under subsection (a)(7)(A) of this Section, from the
      applicable content-area test identified in Section 25.710 of this
      Part, and from the Assessment of Professional Teaching, if
      applicable; and

   C) a discussion of how the assessment data demonstrate candidates’
      mastery of the identified standards.

8) A description of information related to two or three additional assessments
that address relevant standards, if inclusion of this information is desired
by the unit offering the program.
9) A description of the need for individuals holding the type of certification to be awarded upon program completion, including, but not limited to, evidence of a shortage of these types of educators (e.g., special education, math, science), either across the State or in certain geographical areas. If the shortage is specific to a certain area, describe the steps to be taken to recruit candidates from that area of the State or to place candidates in positions in schools located there.

b) After consideration of the proposal, the State Educator Preparation and Licensure Teacher Certification Board shall convey to the State Superintendent its recommendation that the State Board of Education:

1) Approve the proposed new educator preparation programs, thereby authorizing the educational unit to conduct the programs and to recommend candidates for certification by entitlement; or

2) Deny approval of the proposed programs, thereby prohibiting the conduct of the affected programs (a program denied by the State Board of Education will be allowed to resubmit its program proposal for reconsideration at a later time or, after notification of a denial recommendation, a program may withdraw its proposal from consideration within the timelines set forth in Section 25.160(b) of this Part, at which time no denial action will be taken).

c) Actions following upon the recommendation of the State Educator Preparation and Licensure Teacher Certification Board to the State Superintendent of Education shall be as described in Section 25.160 of this Part.

d) When a unit submits a proposal for an alternative program under any of Sections 21-5b, 21-5c, and 21-5d of the School Code [105 ILCS 5/21-5b, 21-5c, and 21-5d], or under Section 21B-50 and Section 21B-55 of the School Code [105 ILCS 5/21B-50 and 21B-55], that proposal shall not be considered a new program subject to this Section. The review of such a proposal shall be as delineated in Section 25.65, 25.67, or 25.313 of this Part, as applicable.

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

Section 25.147 Approval of Programs for Foreign Language Beginning July 1, 2003
a) Beginning July 1, 2003, approval of programs for foreign language shall no longer be specific to individual languages. That is, as of that date, an institution with an approved program in any language shall be considered as having approval for any combination of languages, subject to the provisions of this Section.

1) An institution with an approved foreign language program may add one or more languages to that program at the discretion of the educational unit, provided that the institution shall notify the State Superintendent of Education to this effect in writing no later than three months before instruction in that language is to begin, except when notification is required further in advance under subsection (a)(2) of this Section. The State Superintendent shall provide this information to the State Educator Preparation and Licensure Teacher Certification Board at the next available meeting of the State Educator Preparation and Licensure Teacher Certification Board.

2) An institution that intends to add one or more languages to its approved program for which no examination is listed in Section 25.710 of this Part shall notify the State Superintendent of Education no later than six months before instruction in that language is to begin, in order to allow time for the identification of an appropriate language proficiency examination if needed.

3) An institution that intends to delete one or more languages from its approved foreign language program shall be subject to the requirements of Section 25.165(a) of this Part.

4) An institution without an approved program in foreign language may apply for approval of a new program under Section 25.145 of this Part. The application for approval shall indicate which languages the program will initially offer. After initial approval of the program, the institution may add or delete languages as provided in this Section.

b) Each foreign language program shall, as a requirement for program completion on or after July 1, 2004, require its candidates for certification, other than candidates in Latin and Classical Greek, to complete the Oral Proficiency Interview described in “ACTFL Proficiency Guidelines – Speaking” (1999), published by the American Council on the Teaching of Foreign Languages (ACTFL), 1001 North Fairfax Street, Suite 200, Alexandria VA 22314 6 Executive Plaza, Yonkers, NY
(no later amendments to or editions of these standards are incorporated by this Section) and to attain a score at the “intermediate high” level. As an alternative to the ACTFL interview, a program may administer another measure of oral proficiency, provided that approval for that measure is first obtained from the State Board of Education based on evidence that it permits identification of proficiency equivalent to the “intermediate high” level on the ACTFL interview.

c) Pursuant to the standards set forth in 23 Ill. Adm. Code 27.340 (Foreign Language), beginning July 1, 2003, each approved preparation program in foreign language shall lead to candidates’ eligibility for a special K-12 certificate. Beginning July 1, 2004, each individual completing an Illinois approved program shall be required to take and pass the assessment of professional teaching relevant to the special certificate. However, passage of the APT relevant to the secondary certificate prior to July 1, 2004, will be accepted for issuance of a special K-12 certificate. The provisions of Section 25.720 of this Part shall apply to each individual already certified in Illinois who seeks an additional certificate in order to teach a foreign language.

d) Beginning October 1, 2003, out-of-state applicants certified at the K-12 level shall be required to take and pass the assessment of professional teaching relevant to the special certificate. Beginning October 1, 2003, out-of-state applicants certified at the secondary level may take and pass either the APT relevant to the secondary certificate or the APT relevant to the special certificate and, if eligible, shall receive the applicable certificate. The validity of secondary certification in the language to be taught may be extended to the elementary level pursuant to Section 25.85(a)(2) of this Part.

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

Section 25.155 Procedures for the Initial Recognition of an Institution as an Educator Preparation Institution and Its Educational Unit

The procedures set forth in this Section shall apply to initial recognition of an institution and the concurrent recognition of the educational unit. The approval of the educator preparation programs within that institution shall follow the procedures set forth in Section 25.145 of this Part.

a) An institution shall notify the State Board of Education of its desire to initiate the initial recognition process by submitting a letter of intent to the State
Superintendent of Education. Within 30 days after receipt of the such a notification, the State Superintendent shall respond to the institution, identifying the staff member who will be responsible for assisting the institution and inviting the institution to submit its required materials to that individual.

b) The State Superintendent shall designate a time for a pre-visit or review visit conducted pursuant to subsection (h) of this Section. The institution shall agree:

1) for visits conducted in Illinois, to provide housing (including a work room) for the team chair and State consultant or designee in the case of a pre-visit or for all of the team members specified in subsection (i) of this Section, including the ex officio member, in the case of a review visit; or

2) for visits conducted out of state, provide housing (including a work room), transportation and meals for the team chair and State consultant or designee in the case of a pre-visit or for all of the team members specified in subsection (i) of this Section, including the ex officio member, in the case of a review visit.

c) The institution shall submit to the State Superintendent of Education, in the quantity and format specified by the State Superintendent, a report containing:

1) information indicating that the institution meets the conditions described in Section 25.115(b) and (c) of this Part;

2) a written description of the educational unit, including:

   A) identification of the unit, its mission, purposes, or goals, its authority and responsibilities for professional education, and its coordination of the institution’s various educator preparation programs;

   B) identification of the dean, chair, or director who is officially designated to represent the educational unit and is assigned the authority and responsibility for its overall administration and operation;

   C) a chart of the administrative and organizational structure of the unit;
D) an organizational chart of the institution, indicating the position of the unit and its reporting authority;

E) the written policies and procedures which guide the operations of the educational unit;

F) the unit’s policies for monitoring and evaluating its operations, the quality of its offerings, performance of candidates, and effectiveness of its graduates; and

G) the unit’s published criteria for admission to and exit from all initial and advanced preparation programs for professional educators, and provision for summary reports of candidate performance at exit; and

3) a complete description of how the unit will develop the unit’s conceptual frameworks that shall address each of the “structural elements” of conceptual frameworks found in the standards referred to in Section 25.115(d) of this Part.

d) Review of conceptual frameworks for institutions seeking initial recognition shall be conducted as needed by a panel convened by the State Superintendent. The State Superintendent or designee will provide notice of the review at least 10 days in advance of the date of the review. The review shall encompass all materials postmarked no later than six months prior to the date of the review, if a review date has been set. No later than 30 days after the panel completes its review, the State Board of Education shall notify the institution either that the description of its conceptual frameworks is adequate or that certain structural elements were not adequately addressed.

e) If the description of the conceptual frameworks is not found to be adequate, no further review of the institution shall occur unless the institution submits a revised conceptual framework. If the description of the conceptual frameworks is found to be adequate, a review visit pursuant to subsection (h) of this Section shall be scheduled at a time that is mutually agreed upon by the institution and State Superintendent or designee.
f) The State Educator Preparation and Licensure Teacher Certification Board shall consider the program proposal as required under Section 25.145 of this Part at the next meeting in which it considers recognition requests following the review visit pursuant to subsection (h) of this Section.

g) The institution shall submit to the State Superintendent an institutional report incorporating an overview of the institution, an overview of the unit’s conceptual frameworks, an overview of the information required under subsection (c) of this Section and evidence that it will meet each of the standards referred to in Section 25.115(d) of this Part. This report shall be submitted in a format and quantity prescribed by the State Superintendent of Education.

h) The State Superintendent of Education shall authorize the scheduling of an on-site review visit to the institution at the mutual convenience of the affected institution and the review panel when:

1) its conceptual framework is found to be adequate;

2) the institution has submitted the narrative required under subsection (g) of this Section; and

3) the program proposal required under Section 25.145 of this Part has been submitted.

i) From a pool of individuals who have been trained in the applicable standards and procedures, the State Superintendent shall empanel a team to conduct the review visit to verify the information provided by the institution as required by subsection (g) of this Section. A staff member of the State Board of Education or designee shall accompany the team, serving as a consulting, ex officio member to ensure that applicable standards, procedures, rules, and statutes are addressed.

j) The review team shall prepare a draft report during the review visit, incorporating an overview of the unit and its conceptual frameworks and summarizing information provided by the institution as required by subsection (g) of this Section. The draft report shall be provided to the institution within 30 business days after the conclusion of the visit for the purpose of allowing the institution 30 days to correct any factual errors. The team chair shall review the institution’s suggested revisions and make appropriate corrections in consultation with the ex officio consultant who is serving pursuant to subsection (i) of this Section. The
final report shall be submitted to the State Superintendent of Education by the team’s chair within 30 days after the chair’s receipt of the institution’s suggested corrections. The State Superintendent shall provide the final report to the institution within ten business days after receiving it.

k) Within 30 days after receipt of the final report, the institution shall submit to the State Superintendent either a letter stating agreement with the report’s findings or a rejoinder to those findings.

1) The rejoinder must indicate the grounds for disagreement with one or more of the team’s findings and include documentation to support the institution’s position.

2) All documentation must describe conditions that existed at the time of the review visit. (Changes made by the unit after the visit will not be considered.)

3) All documentation must relate directly to the standards and procedures that applied at the time of the review visit.

l) Staff of the State Board of Education shall convey to the State Educator Preparation and Licensure Teacher Certification Board the review team’s report, the institution’s letter of agreement or rejoinder, a response to that rejoinder provided by the team’s chair, and any other relevant documentation that was available to the review team.

m) The State Educator Preparation and Licensure Teacher Certification Board, after reviewing all the relevant materials, shall convey its recommendation to the State Superintendent that the State Board of Education:

1) Recognize the institution, recognize the educational unit, and approve one or more proposed educator preparation programs, thereby authorizing the educational unit to conduct the approved programs and to recommend candidates for certification by entitlement; or

2) Recognize the institution, recognize the educational unit, and deny approval of one or more proposed educator preparation programs, thereby authorizing the educational unit to conduct the approved programs and to recommend candidates for certification by entitlement for the approved
programs and prohibit the conduct of the proposed programs denied approval. Programs denied approval may resubmit a request for program approval at a later date; or

3) Deny recognition of the institution or recognition of the affected educational unit, and approval of one or more educator preparation programs, thereby prohibiting the conduct of the proposed programs.

n) Actions following upon the recommendation of the State Educator Preparation and Licensure Teacher Certification Board to the State Superintendent of Education shall be as described in Section 25.160 of this Part.

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

Section 25.160 Notification of Recommendations; Decisions by State Board of Education

a) The secretary of the State Educator Preparation and Licensure Teacher Certification Board shall notify an affected institution in writing not later than 10 days after action has been taken of the recommendation from the State Educator Preparation and Licensure Teacher Certification Board pursuant to the provisions of this Subpart C and, except as provided in this subsection (a), shall await the institution’s response (see subsection (b) of this Section) prior to forwarding that recommendation to the State Board of Education. The secretary of the State Educator Preparation and Licensure Teacher Certification Board shall not await a response from an institution if, as applicable to the nature of the review:

1) the State Educator Preparation and Licensure Teacher Certification Board has recommended the initial recognition of the institution, the initial recognition of its educational unit, and the approval of all of its proposed programs under Section 25.155(m)(1) of this Part;

2) the State Educator Preparation and Licensure Teacher Certification Board has recommended continuing the recognition of the educational unit and the approval of all the unit’s existing preparation programs under Section 25.130(b) or (c)(2)(A) of this Part;

3) the State Educator Preparation and Licensure Teacher Certification Board has recommended approval of each proposed new preparation program under Section 25.145(b)(1) of this Part; or
4) the State Educator Preparation and Licensure Teacher Certification Board
has recommended continuing approval of a preparation program under
Section 25.130(b) or (c)(2)(A) of this Part.

b) Within 10 days after receipt of written notification from the secretary of the State
Educator Preparation and Licensure Teacher Certification Board, an affected
institution may either submit a notice of objection to the State Educator
Preparation and Licensure Teacher Certification Board’s recommendation or
withdraw its application for approval. The institution’s narrative explanation of
its objections shall conform to the requirements for rejoinders stated in Section
25.155(k) of this Part but may also be based upon an objection to the State
Educator Preparation and Licensure Teacher Certification Board’s review; this
narrative and any supporting documentation shall be submitted to the State
Superintendent not later than 30 days after the institution submits its notice of
objection.

c) The State Superintendent shall forward to the State Board of Education for
consideration at its next available meeting the recommendation made by the State
Educator Preparation and Licensure Teacher Certification Board and the
institution’s narrative explanation of its objections and shall inform the State
Educator Preparation and Licensure Teacher Certification Board that these
materials have been submitted for the State Board’s consideration. The State
Board of Education may accept, modify or reverse a recommendation of the State
Educator Preparation and Licensure Teacher Certification Board.

d) No more than 30 days after the State Board of Education makes its decision, the
State Superintendent shall notify the institution in writing of the State Board’s
action.

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

Section 25.165 Discontinuation of Programs

a) An institution that intends to discontinue an approved program or cease offering
preparation programs altogether shall so notify the State Superintendent of
Education no later than 30 days prior to taking that action, except that voluntary
discontinuation of a program shall also be subject to the following additional
requirements:
1) The institution shall assure the State Superintendent that all candidates currently enrolled in any program scheduled for discontinuation will have an opportunity to complete the program.

2) The institution shall supply to the State Superintendent the names and Social Security numbers of all candidates currently enrolled in any program scheduled for discontinuation.

b) When approval of a program or recognition of an educational unit is revoked, the State Board of Education may require the continued operation of the affected programs for three additional academic years to permit currently enrolled candidates either to complete the program or to seek enrollment in another institution for that purpose. However, if the State Board determines in consultation with the State Educator Preparation and Licensure Teacher Certification Board that the program is unable to offer candidates learning opportunities that contribute to their competence as professional educators, the Board shall require that the program cease operating at the end of the then-current semester. The institution shall supply to the State Superintendent the names, anticipated dates of completion, and Social Security numbers of all candidates currently enrolled in any program whose approval, or the recognition of its educational unit, is revoked.

1) An educational unit that has had its recognition revoked may seek re-approval by completing the processes outlined in Section 25.155 for recognition and in Section 25.145 of this Part for each program for which it seeks approval.

2) A recognized educational unit that has had the approval of one or more of its programs revoked may seek re-approval of the programs by completing the process outlined in Section 25.145 of this Part.

c) A program in which no candidates have been enrolled for a consecutive three-year period shall be considered to have been discontinued. An institution desiring to resume offering the such a program shall be required to comply with the requirements for initial approval stated in Section 25.145 of this Part.

(Source: Amended at 36 Ill. Reg. _____, effective ____________)
SUBPART D: SCHOOL SERVICE PERSONNEL

Section 25.227 Interim Certification of School Counselor Interns (2004)

a) An individual who wishes to participate in an internship enabling him or her to meet the requirements described in Section 25.225 of this Part may obtain interim certification as a school counselor intern. Each applicant for this certification shall either:

1) have completed, as part of an approved program, all the coursework described in Section 25.225(d)(2) of this Part; or

2) hold a master’s or higher degree in the field of community counseling and be working toward completion of all requirements necessary for certification as a school counselor as described in Section 25.225 of this Part.

b) Each applicant shall be of good health and of sound moral character, as defined in Section 21B-15 of the School Code [105 ILCS 5/21B-15] and shall be a citizen of the United States or be legally present in the United States and possess legal authorization for employment.

c) Each applicant shall submit the required fee along with an application to the State Board of Education and a transcript indicating compliance with subsection (a) of this Section.

d) Interim certification as a school counselor intern shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable.

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

Section 25.252 Certification of Non-Teaching Speech-Language Pathologists

Certain individuals may qualify for a school service personnel certificate with a non-teaching speech-language pathologist’s endorsement, as provided in Section 14-1.09b of the School Code [105 ILCS 5/14-1.09b].

a) Each applicant shall hold one of the licenses identified in Section 14-1.09b(b)(1) of the School Code [105 ILCS 5/14-1.09b(b)(1)].
b) Each applicant shall hold a master’s or doctoral degree earned through completion of a program that meets the requirements of Section 14-1.09b(b)(2) of the School Code [105 ILCS 5/14-1.09b(b)(2)]. For the purposes of this subsection (b), a course of study or program approved or accredited (Section 14-1.09b(b)(2) of the School Code) includes those courses of study or programs that hold either accreditation or the status of “accreditation candidate” issued by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association at the time that the applicant completed the program.

c) Each applicant shall have met the requirements of Section 14-1.09b(b)(3) of the School Code [105 ILCS 5/14-1.09b(b)(3)].

1) A program of study that meets the content-area standards for speech-language pathologists approved by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board is a relevant preparation program that has been approved pursuant to Subpart C of this Part.

2) A comparable out-of-state program is one that leads to qualification as either a teaching or a non-teaching speech-language pathologist.

3) A comparable out-of-state certificate is one authorizing employment in the public schools in either capacity.

4) The required 150 clock hours of supervised, school-based professional experience shall consist of activities related to the aspects of practice that are addressed in the content-area standards for speech-language pathologists (see Section 25.250 of this Part and 23 Ill. Adm. Code 28 (Standards for Certification in Special Education)) with respect to:

   A) planning and intervention;
   
   B) the learning environment;
   
   C) service delivery;
   
   D) professional conduct and ethics; and
E) facilitation and advocacy.

5) The required evidence of completion for the 150 clock hours of supervised, school-based professional experience shall be a letter signed by the chief administrator or other designated official of the employing school district or nonpublic school documenting the nature and duration of the individual’s experience with students with disabilities in a school setting. This letter shall indicate how the experience related to the knowledge and/or performance aspects of each of the standards identified in subsection (c)(4) of this Section.

d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part.

e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

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

### Section 25.255 Interim Certification of Speech-Language Pathologist Interns

An individual who has met the requirements of Section 14-1.09b(b)(1) and (b)(2) of the School Code and who wishes to participate in an internship enabling him or her to complete the supervised, school-based professional experience described in Section 14-1.09b(b)(3) of the School Code may obtain interim certification as a speech-language pathologist intern.

a) Each applicant for this certification shall be of in good health and of sound moral character, as defined in Section 21B-15 of the School Code [105 ILCS 5/21B-15] and shall be a citizen of the United States or be legally present in the United States and possess legal authorization for employment.

b) Each applicant shall submit an application to the State Board of Education along with:

1) the application fee required by Section 21B-40 21-12 of the School Code;
2) evidence that he or she meets the licensing requirements of Section 14-1.09b(b)(1) of the School Code; and

3) evidence that he or she holds an advanced degree in conformance with Section 14-1.09b(b)(2) of the School Code.

c) Interim certification as a speech-language pathologist intern shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable.

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

Section 25.275 Renewal of the School Service Personnel Certificate

The requirements set forth in this Section apply to renewal of school service personnel (SSP) certificates in accordance with Section 21-25 of the School Code [105 ILCS 5/21-25].

a) Pursuant to Section 21-25 of the School Code, the renewal of school service personnel certificates held by individuals employed and performing services in certain types of public schools is contingent upon certificate-holders’ presentation of evidence of continuing professional development. Renewal of any affected SSP certificate whose period of validity begins on or after July 1, 2008 shall require the certificate-holder’s:

1) possession of one of the State licenses identified in Section 21-25(e) of the School Code, that is:

   A) current licensure as either a clinical professional counselor or a professional counselor under the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107];

   B) current licensure as either a clinical social worker or a social worker under the Clinical Social Work and Social Work Practice Act [225 ILCS 20]; or

   C) current licensure as a speech-language pathologist under the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]; or
2) possession of one of the national certifications identified in Section 21-25(e) of the School Code; or

3) completion of sufficient professional development activities to satisfy the requirements of Section 21-25 of the School Code.

b) An individual who wishes to qualify for certificate renewal based on licensure or national certification as permitted by Section 21-25 of the School Code shall maintain documentation related to the relevant license or certificate, including its date of issue, period of validity, and issuing body. This information shall be included in the individual’s application for certificate renewal in place of the statement of assurance called for in subsection (k) of this Section.

c) Completion of the certification process conducted by the National Board for Professional Teaching Standards (NBPTS) may be used to fulfill the entire requirement for professional development under subsection (a)(2) of this Section for the renewal cycle during which completion occurs. Evidence of completion of this process shall be the inclusion of the certificate-holder’s name on NBPTS’ composite list of those who have completed the certification process (as distinct from having received certification).

d) Except as provided in subsections (b) and (c) of this Section, each professional development activity used to fulfill the requirements of this Section shall be required to address one or more of the purposes set forth in Section 21-25(e) of the School Code, and four of the five purposes must be addressed. No later than 60 days after the State Board of Education votes to establish or change the list of areas determined by the Board to be critical for all school service personnel (Section 21-25 of the School Code), the State Superintendent of Education shall notify each school district superintendent, each regional superintendent of schools, and any organization that requests this notification. The notice shall include a list of the areas and state the date upon which the list takes effect.

e) CPDUs shall be generated for completion of activities in accordance with the provisions of Section 25.875 of this Part, provided that, as necessary to the context:

1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;
2) references to teachers, teaching, and instruction shall be understood to mean holders of the school service personnel certificate and their performance of services;

3) references to the classroom shall be understood to mean the setting where services are provided;

4) references to classes directly taught by the certificate-holder (Section 25.875(e) and (n) of this Part) shall be understood to mean students directly served by the certificate-holder;

5) references specific to the supervision or preparation of candidates for teaching certificates (Section 25.875(h) and (m) of this Part) shall be understood to mean the supervision or preparation of candidates for the school service personnel certificate;

6) references to content-area standards (Section 25.875(i) of this Part) shall be understood to mean the relevant standards set forth at 23 Ill. Adm. Code 23 (Standards for the School Service Personnel Certificate); and

7) the reference to State priorities (Section 25.875(k) of this Part) shall be understood to mean the critical areas identified by the State Board of Education pursuant to Section 21-25(e)(2) of the School Code.

f) The provisions of Sections 25.855, 25.860, 25.865, and 25.872 of this Part shall apply to the awarding of CPDUs for activities offered by providers, provided that, as necessary to the context:

1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;

2) references to Subpart J of this Part shall be understood as referring to this Section; and

3) references to teachers shall be understood to include holders of the school service personnel certificate.

g) Each school service personnel certificate shall be maintained as “valid and active” or “valid and exempt” for each semester of its validity. Periods of exemption and
proportionate reductions in the requirements for continuing professional development shall be determined as discussed in Section 25.880(a) of this Part. In addition:

1) the number of continuing professional development units needed to renew the certificate shall be reduced by 50 percent for any amount of time during which the certificate-holder has been employed and performing services on a part-time basis, i.e., for less than 50 percent of the school day or school term; and

2) a certificate-holder who is employed as a substitute on a part-time basis or a day-to-day basis shall only be required to pay the registration fee in order to renew his or her certificate (Section 21-25(e) of the School Code).

h) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate’s validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.

i) Each certificate-holder shall:

1) maintain the required form of evidence of completion for each activity throughout the period of validity that follows the renewal of the certificate based on completion of the activities documented; and

2) present the evidence of completion upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section.

j) An Illinois master SSP certificate shall have a ten-year period of validity. When an individual receives an Illinois master SSP certificate, any other SSP certificate held by the same individual shall be renewed as of the date of issuance of the master certificate. Any other SSP certificate shall automatically qualify for renewal at the end of its five-year period of validity, as long as the individual continues to hold the master certificate.
1) When an Illinois certificate-holder successfully renews his or her National Board certification, he or she shall be entitled to renew the Illinois master SSP certificate and any other SSP certificate held if the applicable requirements of this Section have also been met.

2) The holder of an Illinois master certificate whose certification through the NBPTS is not renewed shall nevertheless be entitled to renew the master certificate when it expires, provided that the applicable requirements of this Section have been met during the master certificate’s period of validity.

k) Each holder of an SSP certificate shall apply for renewal of that certificate as set forth with respect to teaching certificates in Section 25.830 of this Part, including the submission of a statement of assurance that conforms to the requirements of subsection (b) of that Section, except that:

1) each application for certificate renewal shall be submitted to the regional superintendent of schools, regardless of whether a local professional development committee is in operation in the employing district; and

2) references to “standard” certificates in that Section shall be understood to apply to SSP certificates.

l) Within 14 days after receiving an application for the renewal of a school service personnel certificate, the regional superintendent shall forward to the State Educator Preparation and Licensure Teacher Certification Board a recommendation for renewal or nonrenewal on a form prescribed by the State Superintendent of Education.

1) The regional superintendent shall transmit a list identifying all the certificate-holders with respect to whom the regional superintendent is recommending renewal of SSP certificates, along with verification that:

A) each certificate-holder has completed professional development or otherwise qualifies for certificate renewal in accordance with the requirements of Section 21-25 of the School Code and this Section; and
B) each certificate-holder has submitted the statement of assurance required in accordance with subsection (k) of this Section.

2) If the recommendation is not to renew the certificates held, or if information provided on the application makes the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part, the certificate-holder’s copy shall be sent concurrently by certified mail, return receipt requested. Each recommendation for nonrenewal shall include the regional superintendent’s rationale.

m) A certificate-holder with respect to whom a regional superintendent has recommended nonrenewal of the SSP certificate may appeal to the State Educator Preparation and Licensure Teacher Certification Board in accordance with the provisions of Section 25.835(h) of this Part, except that the requirements of Section 21-25 of the School Code shall be understood to apply rather than those established by Section 21-14 of the School Code.

n) The State Educator Preparation and Licensure Teacher Certification Board shall review regional superintendents’ recommendations regarding the renewal of SSP certificates and notify the affected certificate-holders in writing as to whether their certificates have been renewed or not renewed. This notification shall take place within 90 days after the State Educator Preparation and Licensure Teacher Certification Board receives regional superintendents’ recommendations, subject to the right of appeal set forth in this subsection (n).

1) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent’s recommendation for nonrenewal, the State Educator Preparation and Licensure Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.

2) The certificate-holder shall submit to the State Educator Preparation and Licensure Teacher Certification Board any such additional information as the Licensure Certification Board determines is necessary to decide the appeal.

3) The State Educator Preparation and Licensure Teacher Certification Board may request that the certificate-holder appear before it. The certificate-
holder shall be given at least ten days’ notice of the date, time, and place of the hearing.

4) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-25 of the School Code, the State Educator Preparation and Licensure Teacher Certification Board shall review the recommendation of the regional superintendent of schools and all relevant documentation.

o) The State Educator Preparation and Licensure Teacher Certification Board shall notify the certificate-holder in writing, within seven days after completing its review, as to whether the SSP certificate has been renewed. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the certificate, the notice to the certificate-holder shall be transmitted by certified mail, return receipt requested, and shall state the reason for the decision. The decision of the State Educator Preparation and Licensure Teacher Certification Board is final and subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

p) An individual whose certificate is not renewed because of his or her failure to meet the requirements of Section 21-25 of the School Code and this Section may apply for a reinstated certificate if he or she has demonstrated proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with the educator's endorsement area and all back fees owed from the time of expiration of the certificate until the date of reinstatement are paid. [105 ILCS 5/21B-45], as defined in Section 25.450(c) of this Part, valid for one year. The reinstatement period shall begin July 1 of the year in which the certificate expires. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable SSP certificate only if he or she presents evidence of having:

1) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and

2) earned five additional semester hours of credit from a regionally accredited institution of higher learning relevant to the field of certification.
The provisions of Section 25.840(d) of this Part shall apply to the renewal of the school service personnel certificate.

If fewer than five years remain in the period of a certificate’s validity as of July 1, 2008, the number of CPDUs required in order to renew the certificate at the conclusion of that period shall be proportionately reduced.

An individual who performs services both on an SSP certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.

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

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE AND SUPERVISORY STAFF

Section 25.313 Alternative Route to Administrative Certification (Through August 31, 2013)

The purpose of the administrative route established under Section 21-5d of the School Code [105 ILCS 5/21-5d] is to provide an expedited means by which experienced administrators may acquire the knowledge and skill that will enable them to serve as public school administrators in positions other than principal and assistant principal. For purposes of this Section, and beginning with candidates who begin the course of study on or after January 1, 2010, the one year’s full-time administrative assignment that makes up the second phase of this program shall not consist of work performed as a principal or assistant principal and must include a range of tasks that are inherent to the roles covered by the endorsement sought. In accordance with Section 21-5d of the School Code, no one may be admitted to an alternative certification program under this Section after September 1, 2012, and those candidates must complete the program before September 1, 2013.

a) Section 21-5d of the School Code provides for the issuance of provisional alternative administrative certificates to eligible candidates, as defined in that Section, who successfully complete a course of study approved by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board.

b) Section 21-5d of the School Code further provides for the issuance of standard administrative certificates to candidates who, after completing the course of study
referred to in subsection (a) of this Section, complete an alternative program that also includes:

1) one year’s full-time administrative work in a school district’s central office;

2) a comprehensive assessment of the candidate’s performance; and

3) a favorable recommendation by the institution of higher education responsible for the course of study.

c) Proposals for the establishment of programs meeting the specifications of subsections (a) and (b) of this Section shall be approved if they comply with Section 21-5d of the School Code and this Section. In making this determination, the State Board of Education shall consult with the State Educator Preparation and Licensure Teacher Certification Board and the advisory panel established pursuant to Section 21-5d of the School Code. Proposals shall be addressed as follows:

State Board of Education
Alternative Certification Program
100 North First Street
Springfield, Illinois 62777-0001

d) Proposal Requirements

1) Each proposal shall describe the roles and responsibilities of the participating university and the school districts in which candidates will be assigned for the year of practice as full-time administrators.

2) Each proposal shall indicate how candidates who do not possess master’s degrees in management shall be determined eligible for the program based on life experience equivalent to a master’s degree. In making this determination, institutions shall take into consideration candidates’ length and breadth of experience in such areas as:

A) personnel management, supervision, and evaluation;

B) long-range planning and evaluation of program effectiveness;
C) community and public relations;

D) organizational development and improvement;

E) finance and budgeting; and

F) work involving public schools and other educational units.

3) Each proposal shall describe the proposed course of study.

A) Each proposal shall describe how individual candidates’ education and experience will be used in determining the portions of the course of study he or she will be required to complete.

B) Each proposal shall demonstrate how candidates will acquire knowledge of content and skills equivalent to the content and skills contained in the participating institution’s program approved pursuant to Subpart C of this Part with regard to:

   i) educational management;

   ii) governance and organization; and

   iii) planning.

C) Each program shall include a preservice assessment of each candidate’s performance to be conducted by the institution of higher education at the conclusion of the course of study in order to determine the candidate’s readiness for the year-long administrative assignment. Each proposal shall state the criteria for the institution’s determination of candidates’ readiness.

4) Each proposal shall describe the proposed arrangements for candidates’ assignment to administrative positions under this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school districts where candidates will practice. Each such agreement shall address the nature and intensity of the support to be provided to candidates by experienced
district-level administrators, university staff, and/or other professionals with relevant experience, including at least:

A) the qualifications and experience of these such individuals;

B) the estimated amount of time these individuals will devote to advising and assisting candidates; and

C) the specific roles of the assisting individuals.

5) Each proposal shall describe the proposed method of assessing candidates’ performance for the year referred to in this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school districts where candidates will practice. Each such agreement shall include:

A) the roles of all parties who will participate in the evaluation of candidates; and

B) assessment methods capable of demonstrating whether a candidate has acquired knowledge and skills equivalent to those required of candidates pursuing the respective institution’s program approved pursuant to Subpart C of this Part.

6) Each proposal shall delineate the criteria by which candidates will be recommended for certification by the participating institution of higher education.

e) Each alternative program established pursuant to this Section shall be subject to the review process Accreditation Review described in Subpart C of this Part.

f) The sponsoring institutions of programs established pursuant to this Section shall provide annual reports to the State Educator Preparation and Licensure Teacher Certification Board that describe the programs offered, the number and categories of the candidates who apply to each program, the completion rate for each program, and data regarding placement of individuals who complete each program.

(Source: Amended at 36 Ill. Reg. ______, effective ____________ )
Section 25.314 Alternative Route to Administrative Certification for Teacher Leaders

a) Section 21-5e of the School Code [105 ILCS 5/21-5e] provides for the issuance of administrative certificates to “teacher leaders”, i.e., teachers who:

1) hold certification from the National Board for Professional Teaching Standards (NBPTS); and

2) hold endorsements as teacher leaders under Section 25.30 of this Part; and

3) hold master’s degrees in teacher leadership.

b) Section 21-5e provides that a candidate for administrative certification who is eligible under subsection (a) of this Section shall complete a 15-semester-hour approved course of study leading to competencies for organizational management and development, finance, supervision and evaluation, policy and legal issues, and leadership. Proposals for the establishment of courses of study for this purpose shall be approved if they meet the requirements of subsection (c) of this Section. In making this determination, the State Board of Education shall consult with the State Educator Preparation and Licensure Teacher Certification Board. Proposals shall be addressed as required under Section 25.313(c) of this Part.

c) Each proposal shall describe the proposed course of study and demonstrate how candidates will acquire knowledge and skills equivalent to those addressed in a preparation program approved pursuant to Subpart C of this Part with respect to the standards described at:

1) 23 Ill. Adm. Code 29.100(c); and

2) 23 Ill. Adm. Code 29.120(a), (c), (d), and (f).

d) Section 21-5e also provides that an eligible candidate shall pass the “Illinois Administrator Assessment”. For purposes of this Section, the test identified as “General Administrative (Principal)” in Section 25.710 of this Part is the “Illinois Administrator Assessment”, and the general administrative endorsement shall be affixed to the certificate earned pursuant to this Section.
e) Each alternative program established pursuant to this Section shall be subject to the review process Accreditation Review described in Subpart C of this Part.

f) Institutions of higher education conducting programs approved pursuant to this Section shall provide annual reports to the State Educator Preparation and Licensure Teacher Certification Board that describe the programs offered, the number of candidates who apply to each program, the completion rate for each program, and data regarding placement of individuals who complete each program.

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

Section 25.315 Renewal of Administrative Certificate

The requirements set forth in this Section apply to renewal of administrative certificates in accordance with Section 21-7.1 of the School Code [105 ILCS 5/21-7.1].

a) Professional Development Required

Pursuant to Section 21-7.1 of the School Code, renewal of administrative certificates held by public school administrators who are serving in positions requiring administrative certification is contingent upon certificate-holders’ presentation of evidence of continuing professional education. For the purposes of this Section, the terms “continuing professional education” and “continuing professional development” shall be considered synonymous. Renewal of any affected administrative certificate whose period of validity begins on or after July 1, 2003, shall require the certificate-holder’s completion of professional development activities sufficient to satisfy the requirements of Section 21-7.1 of the School Code and presentation, upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section, of evidence of completion of the activities.

b) Each activity shall be required to address one or more of the following purposes:

1) improving the administrator’s knowledge of instructional practices and administrative procedures;

2) maintaining the basic level of competence required for initial certification; and
3) improving skills and knowledge regarding the improvement of teaching performance in clinical settings and assessment of levels of student performance. (Section 21-7.1 of the School Code)

c) Activities selected to fulfill the requirement for 100 hours of professional development (see Section 21-7.1(c-10) of the School Code) shall be subject to the provisions of this subsection (c).

1) Activities chosen for this purpose may include but need not be limited to:

   A) Completion of college/university courses;

   B) Participation in state and national conferences of professional organizations or in workshops, seminars, symposia, or other, similar training events;

   C) Teaching college/university courses or making presentations at conferences, workshops, seminars, symposia, or other, similar training events;

   D) Providing formal mentoring to one or more other administrators;

   E) Independent study; and

   F) Other activities related to the Illinois School Leader Standards and other applicable standards (see 23 Ill. Adm. Code 29) such as developing or revising school programs, participating in Administrators’ Academy courses, research, and other, similar projects.

2) Continuing professional development hours for the activities chosen pursuant to this subsection (c) shall be credited as follows.

   A) Fifteen hours shall be credited for each semester hour of college credit earned.

   B) One hour shall be credited for each hour of the administrator’s direct participation in a relevant activity other than college
coursework, as verified by a log the administrator shall maintain and present upon request by the regional superintendent or a representative of the State Board of Education, or if required as part of an appeal under this Section, describing what was done with respect to each activity, with dates and amounts of time spent in each case.

d) Required Administrators’ Academy Courses

1) An individual who fails to complete an Administrators’ Academy course in a given year as required by Section 21-7.1(c-10)(B) of the School Code shall be required to complete two courses for each one missed. He or she may make these up at any time during the remainder of the certificate’s validity or prior to the reinstatement of a certificate that has lapsed pursuant to Section 25.450 of this Part while holding a reinstated certificate pursuant to subsection (e)(5) of this Section.

2) Each administrator who completes an Administrators’ Academy course shall receive written, dated verification that indicates the title of the course and the number of hours to be credited toward the applicable requirement.

e) Application for Renewal of Certificate

1) Each application for renewal of an administrative certificate, other than an application of a regional superintendent of schools, shall be submitted to the regional superintendent and shall be accompanied by a verification format developed by the State Board of Education certifying that the required number of hours of professional development activities and the required number of Administrators’ Academy courses have been completed. (Section 21-7.1(c-10) of the School Code) A certificate-holder who fails to submit this material so as to ensure its receipt by the regional superintendent no later than April 30 may not be able to preserve his or her right of appeal under subsection (f) of this Section.

2) Based on the available information regarding the individual’s compliance with the requirements for certificate renewal set forth in this Section, the regional superintendent shall, within 30 days after receipt of an individual’s application, forward a recommendation for renewal or non-renewal of the administrative certificate to the State Superintendent of
Education and notify the certificate-holder in writing of that recommendation.

3) A certificate-holder who is a regional superintendent of schools shall submit the verification format referred to in subsection (e)(1) of this Section to the State Superintendent of Education along with his or her application for certificate renewal.

4) Within 30 days after receiving an application, the State Superintendent of Education shall notify the affected certificate-holder as to whether the administrative certificate has been renewed or not renewed, including the rationale for nonrenewal. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region’s institute fund.

5) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Section may apply for a reinstated certificate, as defined in Section 25.450(c) of this Part, valid for one year. The reinstatement period shall begin July 1 of the year in which the certificate expires. With respect to the year of reinstatement, completion of one Administrators’ Academy course and one or more additional professional development activities meeting the requirements of subsections (b) and (c) of this Section and totaling no fewer than 20 hours shall be required. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable administrative certificate only if he or she also presents evidence of having made up activities missed during the preceding renewal cycle by completing the requirements of subsection (e)(5)(A) of this Section, subsection (e)(5)(B) of this Section, or both, as applicable.

A) The certificate-holder shall complete two Administrators’ Academy courses for each year during which he or she failed to complete one, if not already made up as discussed in subsection (d)(1) of this Section.

B) If the certificate-holder failed to complete the applicable number of professional development activities or hours, he or she shall complete the balance of that requirement and ten additional hours
of professional development meeting the requirements of subsections (b) and (c) of this Section.

6) The period of validity of an administrative certificate issued after a year of reinstatement or held after the reinstatement of a teaching certificate shall be adjusted to coincide with the validity of the holder’s teaching certificate.

f) Appeal to State Educator Preparation and Licensure Teacher Certification Board

Within 14 days after receipt of notice from the State Superintendent that his or her administrative certificate will not be renewed based upon failure to complete the requirements of this Section, a certificate-holder may appeal that decision to the State Educator Preparation and Licensure Teacher Certification Board, using a form made available by the State Board of Education.

1) Each appeal shall state the reasons why the State Superintendent’s decision should be reversed and shall be sent by certified mail, return receipt requested.

A) Appeals shall be addressed to:

State Educator Preparation and Licensure Teacher Certification Board
Secretary
100 North First Street
Springfield, Illinois 62777

B) No electronic or facsimile transmissions will be accepted.

C) Appeals postmarked later than 14 calendar days after receipt of the non-renewal notice will not be processed.

2) In addition to the appeal letter, the certificate-holder shall submit the following material when the appeal is filed:

A) evidence that he or she has satisfactorily completed the required types and quantity of activities; and
3) The State Educator Preparation and Licensure Teacher Certification Board shall review each appeal regarding renewal of an administrative certificate in order to determine whether the certificate-holder has met the requirements of this Section. The Licensure Certification Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of:

A) the regional superintendent’s rationale for recommending nonrenewal of the certificate, if applicable;

B) any evidence submitted to the State Superintendent along with the individual’s application for renewal; and

C) the State Superintendent’s rationale for non-renewal of the certificate.

4) If the Licensure Certification Board holds an appeal hearing, it may request the certificate-holder to appear before it, in which case no less than ten days’ notice of the date, time, and place of the hearing shall be given to the affected individual.

5) The certificate-holder shall submit to the State Educator Preparation and Licensure Teacher Certification Board such additional information as the Licensure Certification Board determines is necessary to decide the appeal.

6) The State Educator Preparation and Licensure Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region’s institute fund.

7) The State Educator Preparation and Licensure Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the requirements of any of Sections 25.485 through 25.490 of this Part. The decision of the State Educator
Preparation and Licensure Teacher Certification Board is a final administrative decision and shall be subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

g) Proportionate Reduction; Part-Time Service

The requirements of this Section regarding continuing professional development are subject to reduction in accordance with Section 21-7.1(c-15) of the School Code.

1) The requirements of this Section shall be subject to reduction on the same annual basis as provided in Section 21-7.1(c-15) of the School Code in relation to years when a certificate-holder is not employed in a position requiring administrative certification.

2) The number of hours required under subsection (c) of this Section shall also be reduced by 50 percent with respect to periods of time when a certificate-holder is serving on an administrative certificate only and performing services for less than 50 percent of the school day or school term, unless the individual is one whose continued retirement status is subject to the limitations of Section 16-118 of the Illinois Pension Code. Each of these individuals shall be subject only to the requirement for completion of one Administrators’ Academy course for each year during which he or she is employed on the administrative certificate, provided that his or her employment does not exceed the limitations of Section 16-118.

h) An individual who performs services on an administrative certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.

i) Section 21-7.1(c-10) of the School Code provides that those persons holding administrative certificates on June 30, 2003 who are renewing those certificates on or after July 1, 2003 shall be issued new administrative certificates. The certificates that are subject to this provision include:

1) Limited Supervisory (Type 60);

2) All-Grade Supervisory (Type 61);
3) Limited Elementary Supervisory (Type 62);
4) Limited High School Supervisory (Type 63);
5) Life General Supervisory (Type 70); and
6) Life Supervisory (Type 71).

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

Section 25.338 Designation as Master Principal (Repealed)

An individual who has served as a principal for at least three years may participate in a program under this Section in order to qualify for a “master principal” designation, as provided in Section 21-7.10 of the School Code [105 ILCS 5/21-7.10]. The master principal designation shall be an optional, advanced credential and shall not be subject to the provisions of Section 25.100 of this Part, except that payment of the fee specified in Section 21-12 of the School Code [105 ILCS 5/21-12] shall be required. Each individual seeking the designation shall apply for admission to the program through a provider approved pursuant to this Section. An individual may transfer between programs approved under this Section.

a) Statewide organizations representing principals, institutions of higher education, regional offices of education, and a school district or organization representing principals employed in a school district organized under Article 34 of the School Code [105 ILCS 5/Art. 34] shall be eligible to apply for approval to offer the master principal program under this Section (see Section 21-7.10 of the School Code).

b) The approved program to be offered under this Section shall be designed to help public school principals increase their knowledge and skills related to their role in school leadership, including change management, teaching and learning, collaborative relationships, and accountability systems. The program will consist of a modular sequence of experiences lasting approximately two to three years for most participants and including a mixture of interactive, electronic professional development with structured face-to-face observations and working sessions. Participants will apply the approaches learned to specific, immediate and long-term issues within their schools.
c) Each entity that is approved as a provider under this Section shall have the following responsibilities:

1) receiving applications for admission to the program, verifying applicants’ eligibility to participate, and maintaining documentation of their eligibility;

2) delivering the standardized training program furnished by the State Superintendent of Education and owned by the State Board of Education as described in subsection (b) of this Section and in conformance with the prescribed sequence and timetable;

3) ensuring that participants meet the performance benchmarks throughout the program before they are allowed to progress to subsequent modules; and

4) verifying whether participants complete the entire program, recommending successful participants for the master principal designation, and maintaining records to substantiate these recommendations.

d) Each entity seeking approval to offer the program for purposes of this Section shall submit an application to the State Superintendent of Education, in a format prescribed by the State Superintendent. Each application shall be required to address:

1) the organization’s qualification for and experience with the provision of professional development to educators;

2) the organization’s capacity and plans for delivering the standard program as specified by the State Superintendent, including a description of relevant personnel and their expertise, available physical facilities, and telecommunications capabilities; and

3) the minimum number of principals the organization must enroll in order to offer the program cost-effectively, the maximum number the organization can serve, and any applicable geographic focus or limitations.
e) Approval of an entity as a provider of the master principal program shall be contingent upon the level of need in various parts of the State and the provider’s demonstration of:

1) on-going involvement with the work of public school principals;
2) the ability to deliver on-line instruction and interactive communication;
3) sufficient capacity for conducting the required face-to-face sessions, performing observations, and providing feedback to the principals served in one or more geographic areas of the State, in keeping with the requirements of the standardized program; and
4) access to trainers who hold administrative certification and have experience as public school principals within the previous five years.

f) Each approved entity shall be required to enter into a contract with the State Board of Education to offer the standard program on behalf of ISBE and to perform the duties enumerated in subsection (b) of this Section. An entity approved pursuant to this Section shall be authorized to charge a fee not to exceed $3,500 of each eligible individual who is seeking the master principal designation. No other entity shall be authorized to charge any fee for offering the standard program discussed in this Section.

g) The State Superintendent of Education may evaluate any approved provider at any time to ensure compliance with the requirements of this Section and Section 21-7.10 of the School Code. Each approved provider must permit ISBE staff to attend or observe any portion of the program at no charge to ISBE.

h) The State Superintendent of Education shall maintain a current list of approved providers for the master principal program on the web site of the State Board of Education. Notwithstanding the fact that the standard program is in the public domain, the master principal designation shall be available only to candidates who complete the program under the supervision of a provider approved under this Section. No other entity shall advertise or claim that the master principal designation is available under its auspices, and no other entity shall charge a fee of any individual for completing the program.

(Source: Repealed at 36 Ill. Reg. ______, effective ____________)
Section 25.400 Registration of Certificates; Fees

Section 21B-40 21-16 of the School Code [105 ILCS 5/21-16 21B-40] requires the registration of an individual’s teaching certificates and establishes the amount of the registration fee to be paid for each type of certificate. An individual shall register the license no later than six months after the date on which the license was issued and at the beginning of each renewal cycle (i.e., July 1). Registration fees and requirements applicable in specified situations shall be as set forth in this Section.

a) One Any fee paid to register a certificate for a period of validity (i.e., the time period during which the certificate is valid) given year shall cover the registration of all other certificates held by the same individual. An individual shall be required to register all certificates held but shall pay only one registration fee for any period of validity year.

b) An individual is required to register his or her certificate in each region where he or she teaches or in any county of the State, if the individual is not yet employed, but, except as provided in Section 21-9 of the School Code [105 ILCS 5/21-9], is required to pay a registration fee in only one region. Therefore, an individual who moves from one region to another after paying a registration fee for a particular period of time:

1) shall be required to register his or her certificates in the new region, but

2) shall not be required to pay any additional registration fee except as provided in subsection (c) of this Section.

e) Under Section 21-16 of the School Code, a holder of a substitute certificate is required to pay a registration fee in each region where the certificate is used. Therefore, a holder of such a certificate who moves from one region to another after paying a registration fee for a particular period of time:

1) shall be required to register his or her certificates in the new region, and

2) shall be required to pay a registration fee for the remaining years of the substitute certificate’s validity.
When a registration fee is paid, the amount due shall be the amount required to register the certificate for its entire period of validity, except that a life certificate may be registered for a maximum of five years (see Section 21-16 of the School Code).

Except as provided in subsection (e) (f) of this Section, an individual who receives and registers one or more additional certificates after paying a registration fee for a particular period of time shall not be required to pay an additional registration fee until the period covered by the original fee has elapsed. That is, no registration fee shall be charged for a new certificate as long as the current registration period of another certificate covers a portion of the new certificate’s registration period.

An individual who receives a standard certificate after paying a registration fee covering four years of teaching on an initial certificate without “using” all four of those years (e.g., an individual from another state who came to Illinois already having accumulated some teaching experience) shall be required to pay the registration fee for the new standard certificate’s five-year period of validity, less “credit” equaling the amount paid for the unused years for which the initial certificate was registered.

Pursuant to Section 25.450 of this Part, a certificate that has lapsed may be reinstated by payment of all accumulated registration fees. The amount due for each year shall be the fee that was in effect at that time, rather than the annual amount applicable at the time when the fees are paid.

The amount of the fee that was in effect for any given year shall remain in effect for that year, regardless of when the fee is paid.

The other provisions of this Section notwithstanding, no fee paid in connection with the registration of one or more certificates shall have the effect of extending the period of validity of any other certificate that is subject to additional renewal requirements that have not been met.

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

Section 25.425 Individuals Prepared in Out-of-State Institutions
An applicant who holds or is eligible to hold another state's or another country’s teacher, school service personnel, or administrative certificate may be granted a corresponding Illinois certificate if he or she meets all the generally applicable requirements of Article 21-21B of the School Code (e.g., age; good character; or citizenship or legal presence) and the requirements for the certificate sought, as specified in the applicable Sections of this Part. As used in each of those Sections, a “comparable program” is one that leads to eligibility for service in the same specific capacity in the public schools of the state where the program was completed. A program completed in the United States shall be considered comparable only if it was offered by a regionally accredited institution of higher education.

a) The certificate sought must be comparable to the out-of-state certificate for which the applicant is eligible. A comparable Illinois certificate is that which is most nearly like that of the other state (e.g., a K-6 certificate from another state most nearly approximates the Illinois elementary (K-9) certificate).

b) Each out-of-state applicant for an Illinois teaching certificate must have met certification requirements that are similar to Illinois requirements.

1) For those who have completed traditional preparation programs, these requirements include college coursework in professional education, including pre-student teaching clinical experiences or equivalent experience, student teaching or equivalent experience, and a major in a subject area that is relevant to the area of certification.

2) For those who have completed alternative certification programs, these requirements include graduation from a regionally accredited institution with a bachelor’s degree, an intensive course of study approved by that state for this purpose, and student teaching or another structured teaching experience that forms part of the approved alternative program.

3) An applicant who holds a certificate from another state, territory, or possession of the U.S. but has not completed a preparation program approved by that state shall be required to present a written statement, signed by a representative of the agency issuing the certificate indicating that, at the time when the applicant was certified, the state of certification had certification requirements related to general education, professional education, and an area of specialization for the certificate issued and the applicant met the requirements in all three areas.
c) An individual may receive additional endorsements on a teaching certificate by meeting the applicable requirements of Section 25.100 of this Part.

d) Special provisions apply to applicants from states that do not require certification of school psychologists or school social workers or do not require any certificate for administrative positions for which certification is required in Illinois. When an applicant presents evidence of having served in such a position of this type in a state where certification for the position is not required, eligibility for the Illinois certificate sought shall be contingent upon evidence that the applicant:

1) has met all applicable requirements of Illinois law relative to the certificate and endorsement sought;

2) has passed the Illinois test of basic skills and the relevant Illinois content-area test; and

3) has met any three of the conditions described in subsections (d)(3)(A) through (E) of this Section.

A) The individual has completed a degree program that prepares candidates for service in the endorsement area sought in the public schools of the state where the program was completed or the state where the service was provided.

B) The individual has completed a program at an institution that was accredited by NCATE at the time of completion.

C) The individual has completed a program that formerly served as a basis for certification in the state where the program was completed.

D) The titles or content descriptions of courses listed on the individual’s official transcript indicate that the courses were designed to address standards substantially comparable to those that apply to the Illinois certificate or endorsement sought.

E) The individual presents evidence of work experience in the public schools in the position for which Illinois certification is sought.
e) A candidate whose credentials were earned at an institution outside the United States shall submit the documents prepared by the foreign institution to a service whose evaluations are accepted by the State Board pursuant to subsection (f) of this Section.

1) After reviewing the documents submitted, the service shall provide to the State Superintendent of Education a statement identifying the degree held by the individual and indicating whether or not the individual has been prepared as an educator. The service shall also provide a list of the courses completed, with the credits earned equated to semester hours.

2) The transcript provided by the service pursuant to subsection (e)(1) of this Section shall be reviewed to determine whether the individual qualifies for a certificate; if so, he or she shall receive such a certificate with all endorsements indicated by the coursework completed.

3) If the review of the individual’s transcript indicates that he or she does not qualify for a certificate, he or she shall receive a notification of the deficiencies for the certificate.

f) Evaluation services shall be approved to review foreign credentials for purposes of Illinois certification if they demonstrate experience working on behalf of either the National Association of Foreign Student Affairs or the American Association of Collegiate Registrars and Admissions Officers. However, the State Board of Education may discontinue acceptance of evaluations from any service based on evidence of material inconsistencies in reviews. The State Board shall maintain an up-to-date list of all organizations whose reviews are being accepted and shall make this list readily available.

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

Section 25.442 Illinois Teacher Corps Programs (Through August 31, 2013)

Section 21-11.4 of the School Code [105 ILCS 5/21-11.4] establishes the Illinois Teacher Corps Program to permit school districts, colleges, and universities to enter into collaborative programs to educate and induct qualified professionals into elementary and secondary teaching as a second career. Beginning September 1, 2011, no candidate shall be admitted to an Illinois Teacher Corps Program.
a) Descriptions of Teacher Corps programs shall be submitted by a recognized teacher education institution or institutions, in collaboration with one or more school districts, to the State Superintendent of Education. The Superintendent, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, shall approve these such programs in accordance with the following requirements:

1) The participating teacher education institution must have existing approved programs in the areas for which Teacher Corps programs are proposed.

2) Each Teacher Corps program shall establish the following requirements:

   A) Program participants must earn a resident teacher certificate as defined in Section 21-11.3 of the School Code [105 ILCS 5/21-11.3] and must possess the certificate upon entry into the program.

   B) Program participants must possess a bachelor’s degree from a regionally accredited institution of higher education with at least a 3.00 out of a 4.00 grade point average or its equivalent.

   C) Program participants must:

      i) possess a minimum of five years of professional experience in the area in which the candidate wishes to teach; professional experience shall mean experience in the workforce directly related to a teaching field (e.g., five years of professional experience as a chemist would qualify for preparing to teach high school chemistry); or

      ii) participate in a one-year teacher preparation internship in a school district, which shall be developed collaboratively by the school district and the institution and approved by the State Educator Preparation and Licensure Teacher Certification Board.

   D) Program participants must pass the test of basic skills required by Section 21-1a of the School Code [105 ILCS 5/21-1a].
E) Program participants must be enrolled in a master’s of education degree program approved by the State Superintendent of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board.

3) Teacher Corps Program participants must complete a six-week summer intensive teacher preparation program designed by the participating teacher education institution or institutions and the participating school district or districts as the first component of a master's program.

4) Teacher Corps program participants must obtain a passing score on the subject matter knowledge test required by Section 21-1a of the School Code by the time of completing the Teacher Corps Program.

5) The participating school district must provide in a written and signed document the following support to Teacher Corps Program participants:

A) a salary and benefits package as negotiated through the teacher contracts,

B) a certified teacher who will provide guidance to one or more candidates under a program developed collaboratively by the school district and the participating teacher education institution, and

C) at least quarterly evaluations of each candidate performed jointly by the mentor teacher and the principal of the school or the principal’s designee.

b) Upon successful completion of the master's degree Teacher Corps Program and passage of the assessment of professional teaching (APT) relevant to the certificate sought, the participant shall be awarded a standard elementary, secondary, or special certificates certificate(s), as applicable, and all other general education academic coursework deficiencies shall be waived.

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

Section 25.444 Illinois Teaching Excellence Program
The annual payments and incentives established under Section 21B-70 Section 21-27 of the School Code [105 ILCS 5/21-27 21B-70] shall be subject to the requirements of this Section and shall be contingent upon the appropriation of sufficient funds (see subsection (a) of this Section). For purposes of this Section, “State Superintendent of Education” means the State Superintendent or a designee, and an “eligible individual” is one who holds the certificate or certificates specified in the portion of Section 21-27 of the School Code that applies to the payment sought. When permitted or required by the State Superintendent, documentation called for in this Section may be submitted via electronic means.

a) When the funding available in any fiscal year is inadequate to cover all the payments requested by “qualified educators” described in this Section, as defined in Section 21B-70(a) of the School Code, payments shall be paid in accordance with the priorities established under Section 21B-70 of the School Code prioritized as specified in this subsection (a). No funds shall be allotted for use under any subsection of this Section until all higher-priority expenditures have been covered. Therefore, although a qualified educator, as defined in Section 21B-70(a) of the School Code, “qualifying individual” is someone who meets the requirements for a particular payment, not all qualifying educators individuals in any given year will be assured of receiving the applicable payments.

1) As a first priority, funds shall be allotted for the annual stipends described in subsection (b) of this Section.

2) As a second priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(a)(3) of the School Code.

3) As a third priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(a)(2) of the School Code.

4) As a fourth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(a)(3) of the School Code.

5) As a fifth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(a)(2) of the School Code.
6) If funds remain after accounting for all the payments described in subsections (a)(1) through (5) of this Section, funds shall be allotted for the expenditures described in subsections (g) through (j) of this Section, in accordance with the order of priority established in Section 21-27(a)(4) of the School Code. The State Superintendent shall use funds appropriated for a given fiscal year to reimburse only individuals whose fees were paid during that fiscal year, as reflected in the electronic database maintained for this purpose on behalf of the State Board of Education.

7) If funds are available for use under a particular subsection of this Section but are insufficient to cover all the payments that would be due under that subsection, the State Superintendent shall prorate the amount available among all those who qualify, except as further specified in subsection (i) of this Section.

8) In order to facilitate the use of funds for payments in priority order for each fiscal year, the State Superintendent may establish deadlines for the submission of forms and other documentation required under this Section. An individual who fails to comply with any relevant deadline may forfeit his or her claim to the affected payment.

b) A qualified educator An eligible individual shall qualify for an annual payment as called for in Section 21B-70(c)(1), (c)(2) or (c)(3) Section 21-27(a)(1) of the School Code when for each school year during which:

1) He or she is employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, as the individual originally assigned to a full-year, full-time position whose functions:

   1A) Are specifically authorized by a teaching certificate and include the provision of instruction to students; or

   2B) Are specifically authorized by a school service personnel certificate endorsed for school counseling and include the provision of counseling services to students.
2) he or she was certified by NBPTS prior to October 1 and, as of October 1, was employed as specified in subsection (b)(1) of this Section, or was certified by NBPTS on or after October 1 and, as of January 1, was employed as specified in subsection (b)(1) of this Section, as verified by the employer using a format specified by the State Superintendent of Education, which shall be submitted by the individual as documentation of eligibility for the payment.

c) A qualified educator An eligible individual shall qualify for one or more incentive payments under Section 21B-70(c)(4) or (c)(5) 21-27(a)(2) or (a)(3) of the School Code for each year during which:

1) he or she is either:

   A) employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, in a full-year, full-time position whose functions meet the requirements of subsection (b)(1)(A) of this Section, as verified by the employer using a format specified by the State Superintendent of Education:

      i) the functions are specifically authorized by a teaching certificate and include the provision of instruction to students; or

      ii) the functions are specifically authorized by a school service personnel certificate endorsed for school counseling and include the provision of counseling services to students; or

   B) retired (i.e., drawing an annuity from either the Teachers’ Retirement System of the State of Illinois pursuant to Article 16 of the Illinois Pension Code [40 ILCS 5/Art. 16] or the Public School Teachers’ Pension and Retirement Fund - Cities Over 500,000 Inhabitants pursuant to Article 17 of the Illinois Pension Code [40 ILCS 5/Art. 17]); and

2) he or she agrees, in writing, using a format prescribed by the State Superintendent of Education, to provide at least 30 hours of mentoring or National Board for Professional Teaching Standards
professional development or both during the school year to classroom teachers or school counselors as described in Section 21B-70(c)(4) or (c)(5) of the School Code. (Section 21B-70(c)(4) or (c)(5) of the School Code) conforms to the requirements of Section 21-27(a)(2) or (a)(3) of the School Code and consists of:

A) high-quality professional development for new and experienced teachers or school counselors, as applicable; and/or

B) assistance to candidates for certification by the National Board for Professional Teaching Standards in completing that certification process. (Section 21-27(a)(2) of the School Code; Section 21-27(a)(3) of the School Code)

d) Requirements for Professional Development and Assistance to NBPTS Candidates

1) As verification that he or she qualifies for the applicable incentive payment, a qualified educator eligible individual who provides professional development to new or experienced teachers or school counselors under subsection (c) of this Section shall submit to the State Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent, demonstrating that he or she addressed one or more of the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) as relevant to the classroom-based needs of the recipient teachers, or one or more of the standards set forth in 23 Ill. Adm. Code 23.110 (Standards for the School Counselor), as applicable. Each recipient of professional development shall be identified by name, shall be working in an Illinois public educational setting, and shall sign the log as verification of the dates and hours of service indicated.

2) As verification that he or she qualifies for the applicable incentive payment, a qualified educator eligible individual who assists other Illinois educators in preparing for certification by the National Board for Professional Teaching Standards under subsection (c) of this Section shall submit to the State Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent. This record shall identify the activities performed and verify that these
activities addressed specific requirements candidates must meet for NBPTS certification.

e) Requirements for Mentoring or NBPTS Professional Development

1) Mentoring or professional development provided in accordance with subsection (c) of this Section shall be conducted either:

   A) as part of and in conformance with a mentoring or professional development program formally established by a school district; or

   B) under the terms of a written agreement among the mentor, the building administrator, mentor coordinator, or other responsible official of the school district employing one or more recipients, and those recipients, that describes the goals of the mentoring or professional development, the duration of the mentor’s involvement, and the amount of time expected to be devoted to each recipient.

2) Mentoring or professional development may be provided to recipients either individually or in groups, provided that the mentor must address one or more of the areas of practice enumerated in subsection (d)(1) of this Section as relevant to the needs of each recipient.

3) An individual who provides mentoring or professional development under this Section shall notify his or her employing district (if different from that of the recipients) to this effect and, as verification that he or she qualifies for the applicable incentive payment, shall submit to the State Superintendent of Education a written log that:

   A) meets the requirements of subsection (d)(1) of this Section; and

   B) discusses how the mentoring or professional development was related to the academic needs of the recipient teachers’ students or the needs of the students served by the recipient counselors, as applicable.

f) Certified teachers shall receive incentive payments only for providing mentoring and professional development to other teachers, and certified school counselors
shall receive incentive payments only for providing mentoring and professional
development to other school counselors. In any given school year, and in addition
to the annual payment discussed in Section 21-27(a)(1) of the School Code, a qualified educator particular individual may qualify for any combination of the payments discussed in Section 21B-70(c)(4) or (c)(5) of the School Code, as applicable, Section 21-27(a)(2) and (a)(3) of the School Code, provided that the logs submitted by the individual demonstrate that no portion of the individual’s service to other teachers or school counselors is counted toward more than one incentive payment.

g) First-Time Application Fees

If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of $2,000 or the actual amount of the application fee, whichever is less.

h) Take One! Subsidy

NBPTS permits an individual to submit one portfolio entry for review and scoring before making the decision to become a candidate for National Board certification. For purposes of reimbursement under this subsection (h), the schools deemed to be a priority by the State Board of Education (Section 21-27(a)(4)(B) of the School Code) shall be those in academic watch status, and teachers shall be considered members of cohorts whenever at least three from the same school sign up for Take One! If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of $395 or the actual amount of the Take One! fee, whichever is less.

i) Retake Subsidy

NBPTS permits a candidate to submit portfolio entries and assessment exercises as “retakes” if the required fee for each has been paid by the January 31 that follows the release of original scores in November. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual for the fees paid for as many as three portfolio entries or assessment exercises, in any combination. However, all qualifying individuals shall receive reimbursement for one retake before any
individual receives reimbursement for a second retake, and all qualifying individuals shall receive reimbursement for two retakes, as applicable, before any individual receives reimbursement for a third retake.

j) Renewal Subsidy

NBPTS establishes a schedule for certificate renewal and for payment of the required fee. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of $850 or the actual amount of the NBPTS renewal fee, whichever is less.

k) In the event that funds remain available for any fiscal year after accounting for all payments described in subsections (a) through (h) (j) of this Section and for necessary expenditures related to the electronic system identified in Section 21-27(c) of the School Code, those remaining funds shall be devoted to one or more initiatives under Section 21-27(d) of the School Code, as the State Superintendent may deem appropriate in light of the amount available and the needs of Illinois public schools.

1) “Candidate support” shall include efforts designed to support candidates in completing NBPTS’ certification process, such as mentoring and observation.

2) “Candidate recruitment” shall include efforts designed to increase the pool of candidates for certification by NBPTS, particularly in areas of shortage identified by the State Board of Education.

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

Section 25.450 Lapsed Certificates

a) A lapsed certificate, one that has not been registered or renewed for a period of six five or more months years since expiration of its last registration, shall be reinstated for a one-year period upon payment of all accumulated registration fees.

b) The Regional Superintendent shall notify the holder of a reinstated certificate of:

1) The specific time of reinstatement, including beginning and ending dates.
2) The requirement that, in order to renew the certificate at the end of the period of reinstatement, the certificate holder must:

A) Have earned, within the six-year period that encompasses the certification year of reinstatement and the five-year period immediately prior to the year of reinstatement, five semester hours of college credit from one or more regionally accredited institutions of higher learning in the field of professional education or in courses related to the holder's contractual teaching duties, or

B) Present evidence of holding a valid regular certificate of some other type, whether issued by Illinois or by another state, territory, or possession of the U.S.

c) As a reinstated certificate is a reissued certificate, the expiration of all reinstated certificates shall be on June 30 following the date of reinstatement in accordance with Section 21-22 of the School Code.

d) The Regional Superintendent shall stamp the back of a lapsed certificate with the date of reinstatement.

e) Standard Certificates issued between July 1, 1929, and July 1, 1951, do not lapse.

f) When a lapsed certificate that was issued prior to February 15, 2000, has been reinstated and then is to be renewed pursuant to this Section, it shall be exchanged for a comparable standard teaching certificate in accordance with Section 25.11 and Appendix C of this Part. The certificate holder shall thereupon become subject to the requirements of Sections 21-2 and 21-14 of the School Code and Subpart J of this Part regarding continuing professional development.

1) Subsequent renewals of such an individual’s certificate(s) shall be contingent upon his or her completion of continuing professional development activities in accordance with the requirements of Subpart J of this Part.

2) College credit earned pursuant to subsection (b)(2)(A) of this Section shall not be used to satisfy any portion of the continuing professional development requirements of Section 21-14 of the School Code.
Section 25.455 Substitute Certificates *(Repealed)*

Pursuant to Section 21-9 of the School Code [105 ILCS 5/21-9], a Substitute Certificate may be issued to an applicant who has had two years of teaching experience. Such an individual shall present evidence of having a minimum of 60 semester hours of college credit, including six semester hours in the field of professional education earned in a recognized institution of higher learning, effective July 1, 1966. Teaching experience for a Substitute Certificate is defined as teaching in an elementary or secondary school.

*(Source: Repealed at 36 Ill. Reg. ______, effective __________)*

Section 25.464 Short-Term Authorization for Positions Otherwise Unfilled

Subject to the provisions of this Section, an entity that is required to employ certified teachers may receive short-term approval to employ an individual who does not hold the qualifications required for a vacant teaching position, other than a special education teaching position, when the employing entity has been unable to recruit a fully qualified candidate for that position. Short-term authorization as described in this Section shall be available not only with respect to individuals who lack full qualifications in a subject area, but also with respect to individuals who have not completed the six semester hours of coursework specified at 23 Ill. Adm. Code 1.720 for teachers of middle grades (see Section 1.720(a)(2)(A) and (B)). The requirement expressed in subsection (a)(2) of this Section shall not apply when the employing entity’s need for short-term authorization has arisen due to the unforeseen departure of a teacher who was fully qualified for the assignment in question.

a) The employing entity shall file with the regional superintendent:

1) a description of the vacant position, including the subject area and the grade level;

2) evidence of inability to fill the position with a fully qualified individual;

3) a statement that the employing entity has not honorably discharged anyone in the past year who was fully qualified for the position;
4) the name and Social Security number of the individual the entity wishes to employ for the position, as well as a list of the certificate numbers and types held by that individual;

5) a written assurance that the district will provide the teacher to be employed with mentoring and high-quality professional development each year in the subject area to be taught;

6) one of the following:

   A) a written assurance from an institution of higher education that operates a program approved pursuant to Subpart C of this Part that leads to certification in the subject area to be taught that the individual who will be employed is enrolled in coursework that is designed to meet the standards applicable to that subject area;
   or

   B) a written assurance from the certification officer of another institution of higher education that offers one or more approved educator preparation programs that the individual is enrolled in courses that will enable him or her to qualify for the endorsement;
   or

   C) other evidence of enrollment in relevant coursework supplied by the individual who will be employed;
   or

   D) a written assurance signed by the individual who will be employed, indicating his or her intention to enroll in one or more identified courses at a specified institution of higher education in the next semester; and

7) a statement of intent, signed and dated by the individual who will be employed, stipulating that he or she will complete all requirements for an endorsement in the subject to be taught (see Section 25.100 of this Part or 23 Ill. Adm. Code 1.720, as applicable) within three school years after the issuance of authorization under this Section.

b) Short-term authorization pursuant to this Section shall be issued only when the individual identified by the employing entity:
1) holds an initial, standard, or master certificate that is valid for the grade level of the proposed assignment;

2) has successfully completed at least nine semester hours of college coursework in the subject area to be taught; and

3) has filed the statement of intent called for in subsection (a)(7) of this Section.

c) When the requirements of this Section have been met, the State Superintendent of Education shall issue to the employing entity a letter granting short-term authorization for the named individual to teach in the specific position for which the application was made.

1) The Such a letter shall constitute an authorization to the employing entity and not a credential issued to the individual. As such it shall not be transferable to any other individual, employing entity, or teaching assignment.

2) Each employing entity that receives an authorization pursuant to this Section shall maintain the State Superintendent’s letter on file and make it available for inspection by representatives of the State Board of Education upon request.

d) Short-term teaching authorization issued pursuant to this Section shall be issued with respect to a specific school year and shall expire on June 30 immediately following third full year after the authorization was issued of the third school year following the date of issuance.

e) After the end of the validity of authorization received under this Section, the individual shall not be eligible to teach in the subject area for which approval was granted unless he or she has received an endorsement for that subject.

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

SUBPART G: PARAPROFESSIONALS AND OTHER NONCERTIFICATED PERSONNEL

Section 25.510 Paraprofessionals; Teacher Aides
a) The terms “paraprofessionals” and "teacher aides" shall be used to refer to the noncertificated personnel authorized by Section 10-22.34 of the School Code [105 ILCS 5/10-22.34] to be employed to assist in instruction. The terms “paraprofessional” and “teacher aide” shall be considered synonymous.

b) Approval of Paraprofessionals

1) Employment as a paraprofessional requires a statement of approval issued by the State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, any certificate indicative of completion of at least a bachelor’s degree, or a provisional vocational certificate. Paraprofessionals first employed in programs for students with disabilities on or before June 30, 2005, shall be subject to this requirement as of July 1, 2007.

2) Each individual who is required to hold a statement of approval shall submit an application to the State Superintendent of Education, accompanied by evidence that he or she meets the requirements of subsection (c) of this Section. Each individual who wishes to serve as a paraprofessional in a targeted assistance program and is paid with federal funds provided under Title I, Part A, or in a school-wide program that is supported with those funds, other than an individual who holds a certificate indicative of completion of at least a bachelor’s degree or a provisional vocational certificate, shall submit an application for approval accompanied by evidence that he or she meets the requirements of subsection (d) of this Section. Each applicant who qualifies shall be issued a statement of approval, which shall indicate whether it applies to programs supported with federal Title I, Part A, funds.

c) Each paraprofessional shall be of good character, as defined in Section 21B-15 of the School Code and shall be a citizen of the United States or legally present and authorized for employment. Each paraprofessional shall be subject to that portion of Section 24-5 of the School Code [105 ILCS 5/24-5] that requires physical fitness and freedom from communicable disease, including evidence of freedom from tuberculosis. Each paraprofessional shall hold a high school diploma or its recognized equivalent. To receive approval to serve as a teacher aide, an individual shall:
1) present evidence of having completed 30 semester hours of college credit at a regionally accredited institution of higher education; or

2) pass the ParaPro test offered by the Educational Testing Service (ETS) with at least the score identified by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board; or

3) pass the Work Keys test offered by ACT with at least the score identified by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board.

d) In addition to meeting the requirements of subsection (c) of this Section, each paraprofessional employed to assist with instruction in a targeted assistance program and paid with federal funds provided under Title I, Part A, or employed in a school-wide program that is supported with these funds is subject to the additional requirements of Section 1119 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110; see also 34 CFR 200.58 (2003), no later editions of or revisions to these regulations are included). No paraprofessional may be assigned to serve in such a capacity after the deadline established in federal law for the group of which he or she is a member unless he or she holds a statement of approval that is specific for this purpose, any certificate indicative of completion of at least a bachelor’s degree, or a provisional vocational certificate. To qualify for this approval, an individual shall either have completed two years of study at an institution of higher education, hold an associate’s or higher degree, or successfully complete a formal State or local assessment.

1) Completion of “two years of study at an institution of higher education” means completion of at least 60 semester hours of college coursework at an accredited institution of higher education.

2) “Formal State assessment” means:

A) either of the tests discussed in subsections (c)(3) and (c)(4) of this Section; or

B) possession of a statement of approval issued under subsection (c)(1) or (c)(2) of this Section and presentation to the State
Superintendent of Education of evidence that the individual has accumulated 300 Professional Training Points (PTPs).

i) Work experience as a paraprofessional in a public or nonpublic school shall be credited at the rate of 30 PTPs per year, up to a maximum of 150 PTPs. The required evidence of completion for this experience shall be a letter signed by the chief administrator or other designated official of the employing district, other public entity, or nonpublic school documenting the nature and duration of the individual’s employment.

ii) College coursework shall be credited at the rate of 15 PTPs per semester hour. The required evidence of completion for college coursework shall be official transcripts issued by the institutions at which it was completed.

iii) Completion of the Paraprofessional Test Preparation Curriculum developed by the Illinois Community College Board in partnership with the Illinois State Board of Education shall be credited as 15 PTPs. The required evidence for completion of this curriculum shall be a certificate of completion issued to the individual.

iv) Additional training activities shall be credited at the rate of one PTP per hour of the individual’s direct participation, provided that training activities shall be creditable only if they address or enhance the paraprofessional’s ability to assist in the academic content areas of reading/language arts, writing, or mathematics or in reading readiness, writing readiness, or mathematics readiness. The required evidence of completion for each training activity that occurred prior to July 1, 2004, shall include a description of the event, including its subject, date, location, and provider if known; and, if available, a program, outline, or completion form supplied by the provider to indicate the individual’s attendance at the event. The required evidence of completion for each training activity that occurred on or after July 1, 2004, shall include a description of the event,
including its subject, date, location, and provider; a program or outline if available; and a completion form supplied by the provider to indicate the individual’s attendance at the event. In all cases the required evidence shall include a signed statement by the individual indicating the length of his or her participation and verifying that the activity addressed one of the areas required by this subsection (d)(2)(B)(iv).


e) Revocation or Suspension of Approval or other Permissible Sanction

1) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or paraprofessional has been designated as a “sex offender” as defined in Section 2 of the Sex Offender Registration Act [730 ILCS 150/2] or as a “child sex offender” as defined in Section 11-9.3 of the Criminal Code of 1961 [720 ILCS 5/11-9.3], or has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act [325 ILCS 5/Art.1], the State Superintendent may revoke an individual’s approval after the individual has had an opportunity for a hearing before the State Teacher Certification Board pursuant to Revocation, suspension or other permissible sanction may be initiated by the State Superintendent with respect to a paraprofessional approval for any of the bases set forth in Section 21B-75(b) of the School Code [105 ILCS 5/21B-75(b)] and any of these actions shall be governed by, and conducted in accordance with, 23 Ill. Adm. Code 475 (Contested Cases and Other Formal Hearings). The State Superintendent’s decision shall be considered an “administrative decision” for purposes of the Administrative Review Law [735 ILCS 5/Art. III].

2) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or
paraprofessional has been convicted of any sex offense or narcotics offense as defined in Section 21B-80 or 21B-80 (or has been convicted of first degree murder, attempted first degree murder, or a Class X felony, the State Superintendent shall forthwith revoke the individual’s approval. The State Superintendent’s decision shall be considered an “administrative decision” for purposes of the Administrative Review Law.

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

**SUBPART H: CLINICAL EXPERIENCES**

**Section 25.620  Student Teaching**

a) The State Educator Preparation and Licensure Teacher Certification Board recognizes and accepts student teaching only when it is earned after completion of the sophomore year.

b) Student teaching shall be structured as part of comprehensive field experiences and clinical practice, as a supervised part of a teacher preparation program approved pursuant to Subpart C of this Part, and in accordance with the standards referred to in Section 25.115(b) of this Part.

c) Student teaching shall be completed at the grade levels and in the area of specialization appropriate to the certificate sought. Additional student teaching may occur in areas for which the candidate meets the relevant requirements related to staff qualifications in 23 Ill. Adm. Code 1.

d) Student teaching must be done under the active supervision of a cooperating teacher who is certificated and qualified to teach in the area and who is directly engaged in teaching subject matter or conducting learning activities in the area of student teaching, unless the student teacher:

1) is serving on a transitional bilingual certificate, a provisional vocational certificate, or a temporary provisional vocational certificate; or

2) is working in a school that is not legally required to employ certified teachers and either has two years’ teaching experience at that school or presents to the employer the evidence described in Section 25.11(g) of this
Part documenting that he or she has two years’ teaching experience in one or more other schools exclusive of home schools; or

3) holds a substitute certificate and is not subject to the limitations of Section 21-9 of the School Code [105 ILCS 5/21-9].

e) In order for a recognized Illinois teacher education institution to award credit for student teaching, the following requirements must be met:

1) The student teacher must be enrolled in a student teaching course at the institution;

2) The student teaching placement and plans must have the prior approval of a designated representative of the teacher education institution; and

3) Plans for the student teaching experience must have been previously discussed and approved by the cooperating teacher if the involvement of such a teacher is required pursuant to subsection (d) of this Section.

f) An individual may receive credit for student teaching or pre-student teaching clinical experiences that are completed during the time for which the individual is paid as a teacher, unless the individual:

1) holds no certificate issued pursuant to the School Code [105 ILCS 5], performs the student teaching or pre-student teaching clinical experiences in a school district, and is not subject to the authorization for payment stated in Section 25(g) of the Grow Your Own Teacher Education Act [110 ILCS 48/25(g)] or Section 21-2.1 of the School Code [105 ILCS 5/21-2.1]; or

2) holds only a substitute certificate and is subject to the limitations of Section 21-9 of the School Code.

(Source: Amended at 36 Ill. Reg. _____, effective __________)

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section 25.710 Definitions
For the purposes of this Subpart, the following definitions apply:

"Passing raw score" is the minimum number of multiple choice items that must be answered correctly on a given test or the combination of required correct responses to multiple choice items and required numerical value of constructed responses.

"Passing score" is the minimum scaled score a person must obtain in order to pass a test.

"Re-scoring" means the process of reviewing an examinee's answers and the scores assigned to them to confirm that a test score reported to an examinee is the score earned by him or her.

"Retake" is the opportunity for a person who has taken a test of the Illinois Certification Testing System at one test administration to take the test in the same area as given at subsequent administrations.

"Scaled score" is the person's test score after the mathematical transformation of the number of test items the person answered correctly to a scale of numbers on which the minimum score, the maximum score, and the passing score are set. Through May 31, 2006, for the tests of subject matter knowledge and language proficiency, the minimum scaled score is 0, the maximum score 100, and passing score 70. Beginning in June 2006, for the tests of subject matter knowledge (content-area tests) and language proficiency, the minimum scaled score is 100, the maximum score 300, and the passing score 240. For the assessment of professional teaching, the basic skills test, and any new content-area test first administered after December 31, 2002, the minimum scaled score is 100, the maximum score 300, and the passing score 240.

"Subarea score" is the scaled score for the subset of test items on a subject matter test or content-area test that measures specific content, and, for any test administration for which scores are reported before September 30, 2010, the "subarea score" is the scaled score for each subset of test items on the basic skills test which measures specific content in reading comprehension, writing, language arts, and mathematics.

“Test” or “Tests/Examination” or “Examinations” refers to the test of basic skills, the assessment of professional teaching, the language proficiency tests, and the
tests/examinations of subject matter knowledge (or “content-area tests”) for the Illinois Certification Testing System. Through June 30, 2004, these tests/examinations are:

- Agriculture
- Art (K-12)
- Art (6-12)
- Assessment of Professional Teaching – Early Childhood
- Assessment of Professional Teaching – Elementary
- Assessment of Professional Teaching – Secondary
- Assessment of Professional Teaching – Special
- Basic Skills
  - Language Arts
  - Mathematics
  - Reading Comprehension
  - Writing
- Biological Science
- Blind and Partially Sighted
- Business/Marketing/Management
- Chemistry
- Chief School Business Official
- Computer Science
- Dance
- Deaf and Hard of Hearing
- Early Childhood
- Educable Mentally Handicapped (required through June 30, 2003)
- Elementary/Middle Grades (K-9)
- English
- English as a Second Language
- English Language Proficiency
- French
- General Administrative
- General Science
- General Supervisory (available through June 30, 2003)
- German
- Guidance
- Health
- Health Occupations
- Hebrew
History
Family and Consumer Sciences
Industrial Technology Education
Italian
Latin
Learning Disabilities (required through June 30, 2003)
Learning Behavior Specialist I (required beginning July 1, 2003)
Learning Behavior Specialist II/Behavior Intervention Specialist (available July 1, 2003)
Learning Behavior Specialist II/Bilingual Special Education Specialist (available July 1, 2003)
Learning Behavior Specialist II/Curriculum Adaptation Specialist (available July 1, 2003)
Learning Behavior Specialist II/Deaf/Blind Specialist (available July 1, 2003)
Learning Behavior Specialist II/Multiple Disabilities Specialist (available July 1, 2003)
Learning Behavior Specialist II/Technology Specialist (available July 1, 2003)
Learning Behavior Specialist II/Transition Specialist (available July 1, 2003)
Mathematics
Media
Music (K-12)
Music (6-12)
Physical Education (K-12)
Physical Education (6-12)
Physically Handicapped (required through June 30, 2003)
Physical Science
Physics
Reading
Russian
School Nurse
School Psychology
School Social Work
Social/Emotional Disorders (required through June 30, 2003)
Social Science
Spanish
Speech
Speech-Language Pathologist: Nonteaching (available May 1, 2002)  
Speech-Language Pathologist: Teaching (available May 1, 2002)  
Superintendent  
Theatre Arts  
Trainable Mentally Handicapped (required through June 30, 2003)  
Transitional Bilingual Education  
  Arabic  
  Cantonese  
  Greek  
  Gujarati  
  Hindi  
  Japanese  
  Korean  
  Lao  
  Mandarin  
  Polish  
  Russian  
  Spanish  
  Urdu  
  Vietnamese

Beginning July 1, 2004, the Illinois Certification Testing System shall consist of the following tests in addition to the content-area tests applicable to certification in special education. Beginning with score reports issued after September 30, 2010, “test” or “tests” will also refer to subtests (reading comprehension, writing, language arts, and mathematics) of the basic skills test.

Agricultural Education  
Assessment of Professional Teaching (through August 2014 June 2013)  
  Early Childhood  
  Elementary  
  Secondary  
  Special  
Assessment of Professional Teaching (prekindergarten through grade 12) (required beginning September July 1, 2014 2013)  
Basic Skills (through April 2012)  
  Reading Comprehension  
  Language Arts  
  Mathematics
Writing
Business, Marketing, and Computer Education
Chief School Business Official
Computer Science
Dance
Director of Special Education (required beginning July 1, 2005)
Drama/Theatre Arts
Early Childhood Education
Early Childhood Special Education
Elementary/Middle Grades (K-9)
English Language Arts
English Language Proficiency
English as a New Language
Family and Consumer Sciences
Foreign Languages
  Arabic (available in September 2008)
  Chinese (Cantonese or Mandarin)
  French
  German
  Hebrew
  Italian
  Japanese
  Korean
  Latin
  Russian
  Spanish
General Administrative (Principal) (through August 2014)
Guidance (through June 30, 2005)
Health Education
Health Careers
Learning Behavior Specialist I
Learning Behavior Specialist II/Behavior Intervention Specialist
Learning Behavior Specialist II/Bilingual Special Education Specialist
Learning Behavior Specialist II/Curriculum Adaptation Specialist
Learning Behavior Specialist II/Deaf/Blind Specialist
Learning Behavior Specialist II/Multiple Disabilities Specialist
Learning Behavior Specialist II/Technology Specialist
Learning Behavior Specialist II/Transition Specialist
Library Information Specialist
Mathematics
Music
Physical Education
Principal (beginning September 1, 2012)
Reading Teacher
Reading Specialist
School Counselor (beginning July 1, 2005)
School Nurse
School Psychologist
School Social Worker
Sciences
  Biology
  Chemistry
  Earth and Space Science
  Environmental Science
  Physics
Social Sciences
  Economics
  Geography
  History
  Political Science
  Psychology
  Sociology and Anthropology
Special Education General Curriculum (available May 1, 2005)
Speech-Language Pathologist: Nonteaching
Speech-Language Pathologist: Teaching
Superintendent
Teacher of Students who are Blind or Visually Impaired
Teachers of Students who are Deaf or Hard of Hearing
Technology Education
Technology Specialist
Test of Academic Proficiency (i.e., Illinois’ test of basic skills) (February 2012)
  Reading Comprehension
  Language Arts
  Mathematics
  Writing
Transitional Bilingual Education – Language Proficiency
  Arabic
"Test items" are specific questions asked on a test that require a person either to select the correct response from those alternative responses provided or to produce a written or oral response.

"Test objective" is a statement of the behavior or performance measured by test items.

“Unauthorized aids” are materials and devices that candidates are prohibited from bringing to a test administration. These include notes, calculators, calculator watches, calculator manuals, cellular phones, electronic communication devices, visual or audio recording or listening devices, and any other items whose use may compromise the security or validity of a test. However, any material or device that is permitted as part of an accommodation arranged pursuant to Section 25.740
of this Part shall not be considered an unauthorized aid. Furthermore, a calculator shall not be considered an unauthorized aid when its use is authorized pursuant to the current ICTS registration bulletin and the contractor’s web site.

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

Section 25.720 Applicability of Testing Requirement and Scores

a) It is the individual's responsibility to take the appropriate tests. Upon request, the State Board of Education shall assist individuals in identifying appropriate tests.

b) Basic Skills Test (Test of Academic Proficiency)

Except as provided in subsections (b)(1) and (2) of this Section, each candidate seeking his or her first Illinois certificate (teaching, administrative, or school service personnel) or license (professional educator license or educator license with stipulations), whether it is his or her first certificate or license or a subsequent certificate or license, shall be required to pass the test of basic skills authorized under Section 21B-30 of the School Code [105 ILCS 5/21B-30]. Further, Section 21B-30(c) 21-1a(d) of the School Code requires passage of this test as a prerequisite to enrollment in an Illinois teacher preparation program beginning with the 2002-2003 academic year.

1) A person who has passed the test of basic skills as a condition of admittance to an Illinois preparation program approved pursuant to Subpart C of this Part shall not be required to retake that test.

2) A person who has passed the basic skills test and has been issued an Illinois certificate or license on the basis of the test shall not be required to retake the basic skills test when seeking any subsequent endorsements or other educator licenses certificate.

3) A person who has passed another state’s test of basic skills as a condition of certification or admission to a teacher preparation program shall be required to take the Illinois basic skills test before receiving a certificate or license. [Section 21B-35 of the School Code] A person who passed another state’s test of basic skills as a condition of certification or of admission to a teacher preparation program shall not be required to pass
4) The provisions of subsection (b)(3) of this Section notwithstanding, any individual who has attempted the Illinois basic skills test without passing it shall be required to pass it in order to qualify for an Illinois certificate.

5) When a person who was not required to take the basic skills test pursuant to subsection (b)(3) of this Section seeks a subsequent Illinois certificate, he or she shall be required to pass the Illinois test of basic skills. However, a person applying for another Illinois certificate based on an additional out-of-state certificate or qualifications shall be treated as an out-of-state applicant and shall be subject to subsection (b)(3) of this Section.

4) The basic skills test will be administered as four separate subtests: reading comprehension, language arts, mathematics, and writing.

A) Individuals may take all four subtests or any combination of the individual subtests during a single test administration.

B) Scores on basic skills subtests can be “banked,” and an individual will not be required to take a subtest again once he or she has achieved a passing score on that subtest.

C) Each test administration of the basic skills test in which an examinee participates shall count toward the testing limit established under subsection (i)(4) of this Section, regardless of the number of subtests the examinee includes as part of that particular test administration.

c) Content-Area Tests

1) Each candidate seeking an Illinois certificate or professional educator license, whether his or her first certificate or license or a subsequent certificate or license, shall be required to pass a content-area test for each endorsement area for which there is an applicable test (see Section 21B-30(d) of the School Code; also see Section 25.710 of this Part).
required content area test is that which corresponds to the approved program completed or the endorsement for which the applicant otherwise qualifies. Further, Section 21B-30(d) of the School Code requires passage of this test before a candidate begins student teaching or an internship or residency required for licensure, or begins serving as a teacher of record for program completion. No waivers or exemptions are available.

2) A person who has passed a test of language proficiency, authorized under Section 21B-30 of the School Code, in order to qualify for a transitional bilingual certificate or an educator license with stipulations endorsed for transitional bilingual education, and received that certificate or license shall not be required to retake that test in order to qualify for a bilingual education credential on another certificate or professional educator license received later. A person who has passed a test of language proficiency as a condition of admission to an Illinois preparation program shall also not be required to retake that test.

d) Assessment of Professional Teaching (APT)

In order to complete an educator preparation program, each candidate seeking his or her first Illinois early childhood, elementary, secondary, or special certificate or a license endorsed in a teaching field shall be required to pass the APT relevant to the certificate or endorsement sought (see Section 25.710 of this Part). A candidate seeking a subsequent teaching certificate or endorsement on a license of one of these types must also pass the APT relevant to the certificate or endorsement sought, unless he or she either:

1) has already passed an APT that encompasses the grade levels of the subsequent certificate or endorsement sought; or

2) already holds another Illinois teaching certificate or a license endorsed in a teaching field that encompasses the grade levels of the certificate or endorsement sought.

e) Teacher Performance Assessment (TPA)
Beginning September 1, 2015, each candidate completing a teacher preparation program shall be required to pass the TPA (see Section 21B-30(f) of the School Code).

1) Each recognized institution offering approved teacher preparation programs shall administer the TPA during a candidate’s student teaching experience.

2) No later than July 1, 2013, each recognized institution offering an approved teacher preparation program shall begin using the TPA with at least some of its students; however, before September 1, 2015, an institution shall not require passage of the TPA as a condition for program completion for students participating in any limited implementation required under this subsection (e)(2) unless the institution requires that all candidates pass the assessment.

f) Except as provided in subsections (b)(1), (b)(2), (c)(2), and (d)(1) of this Section, for each person seeking an Illinois certificate or license, no passing score on a content area test or the APT required test may be more than five ten years old at the time of the test is taken and passed. The five-year ten-year period shall be calculated from the date the test was taken to the date of receipt of the application by the State Board of Education. Scores more than five ten years old will not be accepted as part of an application.

1) The five-year ten-year period discussed in this subsection (f) (e) shall apply to each score that forms part of an application received on or after July 1, 2012 2008.

2) The five-year ten-year period discussed in this subsection (f) (e) shall also apply to each score that forms part of an application that is pending as of June 30, 2012 2008, and to each score that forms part of an application for which an evaluation is still valid as of that date pursuant to Section 25.427 of this Part.

g) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (i) (h) of this Section, an individual who has taken a paper-and-pencil test may retake that test during any subsequent, regularly scheduled administration of that
test in paper-and-pencil format and may retake that test by computer during any subsequent computer-based test administration.

h) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (i) (h) of this Section, an individual who has taken a computer-based test may retake that test by computer after no fewer than 60 days but also may retake that test during any subsequent, regularly scheduled administration of the test in paper-and-pencil format.

i) Subsequent to January 12, 2010, no individual may attempt to pass the same test more than five times in any combination of the two formats (i.e., computer-based test or paper-and-pencil format). A score that is voided or cancelled under Section 25.755 of this Part shall be counted toward this five-time limit.

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

Section 25.728 Use of Test Results by Institutions of Higher Education

a) Beginning with the 2002-2003 academic year, each institution shall use the Illinois Certification Testing System's test of basic skills to satisfy the requirement of Section 21-2b of the School Code [105 ILCS 5/21-2b]—Teacher Education Program Entrance.

b) Until the beginning of the 2004-2005 academic year, an institution shall have the option of using an Illinois Certification Testing System subject matter test as a requirement for completion of a teacher education program approved pursuant to Subpart C of this Part or for candidates’ progression among the components of a program.

a) Beginning with the 2004-2005 academic year, each institution shall use the content-area tests in the disciplines relevant to individuals’ program completion as provided in Section 21-1a(d) of the School Code.

b) An institution shall have the option of using the Illinois Certification Testing System's assessment of professional teaching (APT) as a requirement for completion of a teacher education program or for candidates’ progression among the components of a program or requiring passage of the teacher performance assessment (TPA) before awarding credit for student teaching.
c) In using any test that forms part of the Illinois Certification Testing System, institutions shall abide by all the rules governing the Testing System set forth in this Subpart, including, but not limited to, passing score, registration, and fees; and shall make no requirement for the use or administration of this test beyond those set forth in this Subpart.

d) Institutions shall be responsible for informing their students of all requirements related to taking the tests and for providing students with registration materials and any other pertinent testing information in a timely manner. Neither the State Board of Education nor its testing contractor shall assume responsibility for any candidate’s inability to progress through or complete an approved program because of failure to take one or more certification tests in a timely manner.

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

Section 25.755 Cancellation of Scores; Voiding of Scores

a) A person shall have the right to cancel his/her test scores. A cancellation request must be submitted in writing and received by the State Superintendent of Education within seven calendar days after the date of the test. However, a person’s right to cancel his or her scores shall be superseded by the right of the State Superintendent of Education to void scores when subsection (b) or (c) of this Section applies.

b) A person's scores will be voided by the State Superintendent of Education due to violation by the person of any of the conditions of testing enumerated in Section 25.750(g) and (k) of this Part.

c) The Illinois State Superintendent of Education will also void any affected test score in situations such as, but not limited to, the following:

1) any person taking the test violates any of the rules of test participation or terms, conditions, or policies stated in the current ICTS registration bulletin and website, having the purpose or effect of:

   A) giving any person taking the test an unfair advantage over other examinees;
B) affecting, either positively or negatively, the performance of any person taking the test;

C) representing the performance of the named registered examinee by the performance of another person;

2) there is any testing irregularity that calls into question:

A) the accuracy of the test scores as measures of the actual performances of the examinees;

B) the validity of the test scores as measures of the performances of the examinees in light of the conditions and circumstances under which the test was administered.

d) The State Superintendent of Education shall notify the person of the action taken within six weeks after the test date. If any person’s test materials reveal irregularities that warrant further investigation, the State Superintendent shall forward those materials, including the person’s thumbprint, fingerprint, or palm print, as applicable, to the appropriate law enforcement authority and shall notify the affected person within ten days after taking that action. The State Superintendent of Education may require the person to provide a thumbprint or alternate print, if applicable, to the appropriate law enforcement authority for comparison with that provided on the personalized answer document and may void the test score earned by a person who refuses to do so.

e) No refund will be given to any person whose score is cancelled or voided.

f) If a score is cancelled or voided for any reason, it will not be reported or entered on any records but shall count toward the testing limit established in Section 25.720(i) of this Part. Cancellation of an individual’s score shall not limit his or her right to retake the test, except as provided in Section 25.720(i) of this Part. Voiding of an individual’s score shall not limit his or her right to retake the test unless subsection (g) of this Section applies or except as provided in Section 25.720(i) of this Part.

g) In some instances, scores are voided for reasons that render individuals ineligible for certification in Illinois. When an individual is found to have violated a condition of testing with the intent of falsifying his or her identity or unfairly
affecting his or her performance in the current or a future test administration, the violation shall be taken as evidence that the individual is not of good character as required by Section 21B-15 21-1 of the School Code [105 ILCS 5/21-1 21B-15].

1) In addition to voiding of the person’s score on the test at which the violation occurred, any other score achieved by the person during the same test administration shall be voided, and the individual shall be ineligible for any future certification testing in Illinois.

2) A person who is subject to this subsection (g) shall be ineligible to receive any certificate in Illinois.

3) If a person who is the subject to this subsection (g) already holds any Illinois certificate, the State Superintendent of Education may initiate the suspension or revocation of that certificate as provided in Section 21B-75 21-23 of the School Code [105 ILCS 5/21-23 21B-75].

h) In the instances described in subsection (g) of this Section, records of the individuals’ test responses may be maintained by the testing contractor and by ISBE for further investigation. In all other cases when scores are cancelled or voided, examinees’ answer documents, including electronic media, will be destroyed and will be irretrievable.

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

Section 25.760 Passing Score

a) The passing raw score will be established for each test by the State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, based upon the professional judgments and recommendations of committees of Illinois educators about the acceptable, minimal level of performance for entry-level educators in Illinois classrooms.

b) Through May 31, 2006, the raw score for each content-area test of subject matter knowledge and for each language proficiency test shall be transformed to a scaled score ranging from 0 to 100, with 70 established as the passing score. The passing raw score shall always be equal to a scaled score of 70. The following formula shall be used to transform raw scores to scaled scores, where MAX means the maximum raw score, CUT means the passing raw score and X means the number
of multiple choice items correctly answered or the number of holistic score points assigned to a constructed-response item or section, as applicable:

1) If X is greater than or equal to CUT, then the scaled score is $70 + 30\left[\frac{(X - \text{CUT})}{\text{MAX} - \text{CUT}}\right]$.

2) If X is less than CUT, then the scaled score is $70X/\text{CUT}$.

c) The raw score for the basic skills test and the assessment of professional teaching, and for new content-area subject matter knowledge tests first administered after December 31, 2002, shall be transformed to a scaled score ranging from 100 to 300, with 240 established as the passing score. Beginning June 1, 2006, the raw score for each test that forms part of the Illinois Certification Testing System shall be transferred to a scaled score ranging from 100 to 300, with 240 established as the passing score. The passing raw score shall always be equal to a scaled score of 240. The following formula shall be used to transform raw scores to scaled scores, where MAX means the maximum raw score, CUT means the passing raw score and X means the number of multiple choice items correctly answered or the number of holistic score points assigned to a constructed-response item or section, as applicable:

1) If X is greater than or equal to CUT, then the scaled score is $240 + 60\left[\frac{(X - \text{CUT})}{\text{MAX} - \text{CUT}}\right]$.

2) If X is less than CUT, then the scaled score is $100 + 140X/\text{CUT}$.

d) Scaled scores are rounded to the nearest integer except between 69 and 70 and between 239 and 240. To ensure that a score just below passing is not equated with a scaled score of 70 or 240, scaled scores between 69 and 70 will be considered 69, and scaled scores between 239 and 240 will be considered 239.

e) In order to pass the basic skills test, a person must receive a passing score on the test as a whole and must also receive at least the minimum acceptable score in each of the subtests subareas of reading comprehension, writing, grammar and language arts, and mathematics, and writing, at the same time.

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

SUBPART J: RENEWAL OF STANDARD AND MASTER TEACHING CERTIFICATES
Section 25.830 Application for Renewal of Certificate(s)

No sooner than September 1 and no later than April 1 of the final year of his or her certificate’s period of validity and using a form or format supplied by the State Board of Education, each certificate-holder shall submit to the responsible LPDC, if any, on a form provided by the State Board of Education, a unified application for the renewal of his or her standard teaching certificates certificate(s). (See Section 25.832 of this Part for additional provisions relating to master certificates.) Any individual for whom no responsible LPDC is in operation, including any individual who is not employed in the public schools at the time of application, shall submit the required materials to the regional superintendent of schools. Access to these documents shall be limited to the certificate-holder and to those members of local and regional committees and other individuals who are responsible for reviewing them pursuant to this Subpart J. Each individual who has access to these documents and the information contained in them shall maintain the confidentiality of the documents and information at all times.

a) The application shall identify by certificate number all the certificates the person holds, including any certificate that was issued after the beginning of the period covered by the plan and is therefore not yet due to expire.

1) If the standard certificates that are due to expire are renewed, any more recently issued standard certificate shall be renewed at the same time, thereby establishing the same five-year period of validity for all the certificates held.

2) When a master certificate is renewed, any standard certificates certificate(s) held by the same individual shall be renewed at the same time.

3) If the certificates that are due to expire are not renewed, the original period of validity of any more recently issued standard certificate shall continue to apply to that certificate only.

b) The application shall provide a statement of assurance regarding the professional development activities completed, including a list of the activities, the provider offering each, the number of credits earned for each, and the purpose or purposes to which each activity is attributed. (Section 21-14(e)(4) of the School Code [105 ILCS 5/21-14(e)(4)])
c) A certificate-holder who wishes to receive evidence of an LPDC’s receipt of his or her application shall include a receipt for the LPDC’s use.

d) Submission of this application form shall not entitle the certificate-holder to renewal of the certificate. Renewal of the holder's certificate shall be determined by the State Educator Preparation and Licensure Teacher Certification Board.

e) A certificate-holder who does not apply by April 1 may not be able to preserve his or her right of appeal regarding a recommendation for nonrenewal of his or her standard teaching certificates certificate(s).

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

Section 25.835  Review of and Recommendation Regarding Application for Renewal

a) An LPDC shall review each application it receives that conforms with the requirements of Section 25.830 of this Part and, within 30 days after receiving it, shall forward the application to the regional superintendent of schools accompanied by the LPDC’s recommendation regarding certificate renewal, provided on a form supplied by the State Board of Education.

b) If the recommendation is for nonrenewal of the affected certificates, notification to this effect shall be provided concurrently to the certificate-holder, including a return receipt and an explanation of the LPDC’s rationale for recommending nonrenewal.

c) The certificate-holder may appeal to the responsible RPDRC for consideration of his or her application for renewal if the LPDC does not respond within the time allowed under subsection (a) of this Section.

d) Within 14 days after receiving notice that a recommendation for nonrenewal has been forwarded by an LPDC, the certificate-holder may appeal the recommendation to the RPDRC. The appeal shall be transmitted on a form supplied by the State Board of Education, shall include a return receipt, and shall include:

1) the required evidence of completion for the activities upon which the appeal is based; and
2) any other relevant documents.

e) Within 45 days after receiving such an appeal, the RPDRC shall make a recommendation to the regional superintendent in keeping with the requirements of Section 21-14(g)(2) of the School Code [105 ILCS 5/21-14(g)(2)]. The RPDRC shall use a form provided by the State Board of Education for this purpose and shall include the rationale for its recommendation. To assist it in arriving at its recommendation, the RPDRC may require the submission of additional information or may request that the certificate-holder appear before it. The RPDRC shall also forward to the regional superintendent the material received from the certificate-holder under subsection (d) of this Section.

f) Within 14 days after receiving the last recommendation required under subsections (a) through (e) of this Section, the regional superintendent shall forward his or her recommendation to the State Educator Preparation and Licensure Teacher Certification Board along with the information required pursuant to Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)]. Forms supplied by the State Board of Education shall be used for this purpose. A copy of any recommendation for nonrenewal shall be sent to the certificate-holder concurrently. If the recommendation is not to renew the certificates held, or if information provided on the application makes the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part, the certificate-holder’s copy shall be sent by certified mail, return receipt requested.

1) The regional superintendent shall forward to the Secretary of the State Educator Preparation and Licensure Teacher Certification Board a list that identifies each certificate-holder with respect to whom the regional superintendent is concurring with an LPDC’s recommendation for certificate renewal or is recommending renewal without the involvement of any LPDC. This list shall be prepared on a form supplied by the State Board of Education.

2) If the regional superintendent is recommending certificate renewal despite a local or regional committee’s recommendation for nonrenewal, the regional superintendent shall forward to the Secretary of the State Educator Preparation and Licensure Teacher Certification Board:

A) the material received from the certificate-holder under subsection (e) of this Section;
B) the RPDRC’s recommendation and any additional material received by the RPDRC pursuant to subsection (e) of this Section; and

C) the regional superintendent’s rationale for recommending renewal.

3) If the regional superintendent is recommending nonrenewal (regardless of local and/or regional recommendations) the regional superintendent shall forward to the Secretary of the State Educator Preparation and Licensure Teacher Certification Board:

A) the LPDC’s recommendation, if any;

B) the RPDRC’s recommendation, the material called for in subsection (d) of this Section, and the material received pursuant to subsection (e) of this Section, if any; and

C) the regional superintendent’s rationale for recommending nonrenewal.

g) Within 14 days after receipt of notice that the regional superintendent has recommended nonrenewal of his or her certificates, the certificate-holder may appeal that recommendation to the State Educator Preparation and Licensure Teacher Certification Board, using a form provided by the State Board of Education.

1) The appeal must state the reasons why the recommendation of the regional superintendent should be reversed and must be sent by certified mail, return receipt requested.

A) Appeals shall be addressed to:

State Educator Preparation and Licensure Teacher Certification Board
Secretary
100 North First Street
Springfield, Illinois 62777
B) No electronic or facsimile transmissions will be accepted.

C) Appeals postmarked later than 14 calendar days following receipt of the nonrenewal notice will not be processed.

2) In addition to the appeal form, the certificate-holder may submit the following material when the appeal is filed:

A) evidence that he or she has satisfactorily completed activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable;

B) any other relevant documents.

h) Grounds for a recommendation that a certificate not be renewed shall be limited to the certificate-holder’s failure to satisfactorily complete activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable.

(Source: Amended at 36 Ill. Reg. _____, effective ___________)

Section 25.840 Action by State Educator Preparation and Licensure Teacher Certification Board; Appeals

a) The State Educator Preparation and Licensure Teacher Certification Board shall review each recommendation regarding the renewal of a certificate within the time allotted by Section 21-14(h) of the School Code [105 ILCS 5/21-14(h)] and verify that the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)], subject to the certificate-holder’s right of appeal as specified in that Section.

b) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent’s recommendation for nonrenewal, the State Educator Preparation and Licensure Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
1) The certificate-holder shall submit to the State Educator Preparation and Licensure Teacher Certification Board any such additional information as the Licensure Certification Board determines is necessary to decide the appeal.

2) The State Educator Preparation and Licensure Teacher Certification Board may request that the certificate-holder appear before it. (Section 21-14(h)(2) of the School Code [105 ILCS 5/21-14(h)(2)]) The certificate-holder shall be given at least ten days’ notice of the date, time, and place of the hearing.

3) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code, the State Educator Preparation and Licensure Teacher Certification Board shall review:

   A) the recommendation of the regional superintendent of schools;

   B) the Regional Professional Development Review Committee’s recommendation, if any;

   C) the Local Professional Development Committee’s recommendation, if any; and

   D) all relevant documentation.

c) The State Educator Preparation and Licensure Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal as set forth in Section 21-14(h)(2) of the School Code [105 ILCS 5/21-14(h)(2)]. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the individual’s certificates, the notification shall state the reasons for that decision.

1) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Subpart J may apply for a reinstated certificate if he or she has demonstrated proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with the educator’s endorsement area and all back fees owed from the time of expiration of the certificate until the date of
reinstatement are paid. [105 ILCS 5/21B-45], as defined in Section 25.450(e) of this Part, valid for one year. The reinstatement period shall begin July 1 of the year in which the certificate expires.

2) After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable standard certificate only if he or she presents evidence of having:

A) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and

B) earned five additional semester hours of credit in a recognized institution of higher learning in the field of professional education or in courses related to the holder's contractual teaching duties.

d) The State Educator Preparation and Licensure Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the requirements of any of Sections 25.485 through 25.490 of this Part. Any disciplinary action taken against a certificate-holder under any of those Sections shall be in accordance with the rules of the State Board of Education for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). The decision of the State Board of Education is a final administrative decision and shall be subject to administrative review as set forth in Section 21B-90 21-24 of the School Code [105 ILCS 5/21-24 21B-90].

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

Section 25.850 General Responsibilities of Regional Superintendents

a) Each regional superintendent of schools shall designate an employee who will be responsible for making all forms required pursuant to this Subpart J available to certificate-holders, members of local and regional professional development committees, and others who need to use them. Each regional superintendent of schools shall also designate an employee who will be responsible for tracking the receipt and distribution of the written materials called for in this Subpart J that are submitted to or through the regional office. Nothing shall preclude the same individual from fulfilling both the functions specified in this subsection (a).
b) Each regional superintendent shall determine the number of regional professional development review committees needed in the region.

1) The number of committees that will operate in a region shall be at the regional superintendent’s discretion, so long as the committees established are able to accomplish the functions assigned to them in accordance with the timelines set forth in this Subpart J.

2) Each regional superintendent may distribute responsibility among RPDRCs according to district, building, grade level, type of certificate, subject matter area, or any other factor the regional superintendent deems appropriate.

3) Each regional superintendent shall ensure that sufficient alternate members are available to the region’s RPDRC or RPDRCs to ensure that no member reviews any matter raised by an individual for whom he or she is either a supervisor or a subordinate and to avoid other potential conflicts of interest.

c) Each regional superintendent shall publicize the way in which certificate-holders can contact the RPDRCs. In each case, the address of the regional superintendent’s office shall be identified as the address of the RPDRC. If a schedule for RPDRC meetings is set, the regional superintendent shall publicize that schedule.

d) Each regional superintendent shall provide written information to members of the RPDRCs concerning the method for reimbursement of their expenses, identification of reimbursable items, and rates of reimbursement.

e) Each regional superintendent shall review all recommendations for certificate renewal or nonrenewal in light of the assurances and other information presented and, using a form supplied by the State Board of Education, shall forward those recommendations to the State Educator Preparation and Licensure Certification Board along with an indication of his or her concurrence or non-concurrence. The regional superintendent shall forward the documentation specified in Section 25.835(g) of this Part as applicable in each case.

f) If any individual’s application indicates that he or she may be or is out of compliance with Section 10-65 of the Illinois Administrative Procedure Act with
regard to child support payments, the regional superintendent shall separate this
any such application or applications from those pertaining to certificates that are
recommended for renewal and shall forward them to the Secretary of the State
Educator Preparation and Licensure Teacher Certification Board whenever he or
she forwards the remainder of the materials called for in subsection (e) of this
Section, calling the Secretary’s attention to the potential noncompliance.

g) Each regional superintendent shall notify all LPDCs and RPDRCs in his or her
region of the State priorities referred to in Section 25.810 of this Part.

h) Based upon information provided by the certificate-holders in his or her region,
each regional superintendent shall enter data into the centralized registry
indicating the valid and active or valid and exempt status of each certificate for
each semester of its validity.

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

Section 25.855 Approval of Illinois Providers

Illinois-based entities that offer professional development activities, such as training
organizations, institutions, school districts, regional offices of education, firms, teacher unions
and professional associations, and universities and colleges, may apply to the State Board of
Education and the State Educator Preparation and Licensure Teacher Certification Board for
approval to issue CPDUs for conferences, workshops, institutes, seminars, symposia, or other
similar training events whose goal is the improvement of teaching skills and knowledge. A
certificate-holder may not receive credit for CPDUs with respect to activities offered by Illinois-
based entities that are not so approved, unless the activity is offered under the auspices of the
State Board of Education or Section 25.872 of this Part applies.

a) Except as provided in subsection (b) of this Section, each provider wishing to
receive such approval shall submit an application on a form supplied by the State
Board of Education. For each area of professional knowledge or skill in which the
provider wishes to secure approval, the application shall include:

1) a description of the intended offerings in terms of relevant standards to be
addressed;

2) the qualifications and experience the provider will require of presenters to
be assigned in each area; and

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3) assurances that the requirements of subsection (c) of this Section and the requirements of Section 25.870 of this Part will be met.

b) An organization that has affiliates based in Illinois may apply for approval on their behalf.

1) 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.

2) 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.

3) The applicant organization shall notify the State Board of Education any time it determines that one or more affiliates should be added to or removed from the list of approved providers or that the areas of training should be changed for one or more of the affiliates. For affiliates to be added, the applicant organization shall supply the information required pursuant to subsection (a) of this Section.

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

c) Each provider approved to issue CPDUs shall:

1) verify attendance at its training activities, provide to participants the standard forms referred to in Section 25.865 of this Part, and require completion of the evaluation portion of these forms;

2) maintain participants’ evaluation forms for a period of not less than three years and make them available for review upon request by staff of the State Board of Education; and

3) maintain attendance 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, on behalf of the State Board of Education and the State Educator Preparation and Licensure Teacher Certification Board, shall respond to each application for approval no later than 30 days after receiving it.

f) A provider shall be approved to issue CPDUs for a given type of activity only if the provider’s application provides evidence that:

1) the activities and events it sponsors or conducts will be developed and presented by persons with education and experience in the applicable subject matter areas; and

2) there is an apparent correlation between the proposed content of the training activities, the relevant standards set forth in Subpart B of this Part, and one or more of the purposes the recipients are required to address in their continuing professional development plans pursuant to Section 21-14(e)(2) of the School Code.

g) The State Board of Education will maintain and publicize the list of all approved providers. The list shall indicate any limitations on the types of activities for which an entity has received approval.

h) Approval of a provider shall be valid for three years. To request renewal of approval, a provider shall, no later than March 1 of the year of expiration, submit an application on a form supplied by the State Board of Education and containing:

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

2) a certification that no significant such changes have occurred.

i) A provider’s approval shall be renewed if the application conforms to the requirements of subsection (h) of this Section, provided that the Boards have received no evidence of noncompliance with the requirements of this Subpart J.

j) The State Board of Education may evaluate any 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 training events, which the State Board may, at its discretion, monitor at any time.

1) In the event an evaluation indicates that applicable standards have not been met, the State Board of Education and the State Educator Preparation and Licensure Teacher Certification Board may jointly withdraw approval for one or more types of activities or of the provider.

2) Staff of the State Board of Education shall periodically report to the State Educator Preparation and Licensure Teacher Certification Board on the providers reviewed and any changes in their approval status.

3) Pursuant to Section 21-14(e)(3)(H) of the School Code [105 ILCS 5/21-14(e)(3)(H)], a teacher may not receive credit for any activity that is designed for entertainment, promotional, or commercial purposes or that is solely inspirational or motivational, and the State Board and the State Educator Preparation and Licensure Teacher Certification Board may jointly disapprove any activity found to be of this nature.

   A) When an activity is disapproved under this subsection (j)(3), the provider may continue to offer the activity but shall immediately revise all relevant notices and advertisements to indicate the nature of the activity. The provider shall be required to state in each such notice or advertisement that the activity generates no credit applicable to certificate renewal. Individuals who complete the activity once it is accurately described shall not claim credit for it.

   B) Individuals who have completed an activity that is later disapproved under this subsection (j)(3) shall not be penalized with respect to continuing professional development credit accrued for that activity.

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

Section 25.865 Awarding of Credit for Activities with Providers

The State Educator Preparation and Licensure Teacher Certification Board and the State Board of Education shall develop the requirements for a standard form that shall be used by approved providers. These forms shall serve two purposes: evaluation of the activity by the certificate-
holder and evidence of completion for the certificate-holder with respect to the activity. The State Board of Education shall make available information about the required format and contents of this form so that providers may generate them for their own use, other than providers who are subject to the requirements of Section 25.872 of this Part.

a) This form shall be provided to each participant who completes the activity, who shall maintain it as evidence of completion (see Section 25.875(k) of this Part). In the case of a conference, workshop, or other event having more than one session, each session shall be considered an “activity” for purposes of this Subpart J.

b) The provider shall complete the standard form to indicate the title, time, date, location, and nature of the event.

c) The number of CPDUs to be credited shall be in keeping with the provisions of Section 25.875(k) of this Part. Time spent on multiple topics at the same event may be combined to generate CPDUs.

d) If the certificate-holder’s records are audited pursuant to Section 21-14(e)(4) of the School Code, CPDUs claimed shall be affirmed only when the standard form is presented.

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

Section 25.872 Special Provisions for Interactive, Electronically Delivered Continuing Professional Development

The requirements of this Section shall apply to the approval of providers and the awarding of credit for activities that are electronically delivered, such as electronically mediated study groups, seminars, and conferences, interactive CD-ROMs, and on-line professional development curricula. The provisions of Sections 25.855, 25.860, and 25.865 of this Part shall apply to these such activities only to the extent set forth in this Section.

a) A certificate-holder may accrue professional development credit for an activity under this Section if the provider of the activity is approved for the applicable subject area pursuant to subsections (b) through (f) of this Section. Alternatively, a certificate-holder may accrue credit for an activity without an approved provider by meeting the requirements of subsection (h) of this Section.
b) Each provider wishing to receive approval under this Section shall submit an application using a format prescribed by the State Board of Education. For each area of professional knowledge or skill in which the provider wishes to secure approval, the application shall describe:

1) the intended offerings in terms of relevant standards to be addressed;

2) the qualifications and experience the provider will require of the presenters, moderators, and facilitators to be assigned in each area;

3) the means by which individuals’ participation and participants’ identities will be verified, consistent with subsection (e)(4) of this Section;

4) the assistance that the provider will furnish to participants to foster their understanding of the material covered in the activity and their ability to complete the activity’s requirements successfully; and

5) the documentation that the provider will furnish to each individual who completes a continuing professional development activity.

c) Each application shall provide assurances that the following requirements will be met.

1) The provider shall verify individuals’ participation in its training activities, provide documentation indicating whether those who participated in a particular activity have completed it, and require participants to complete evaluations of the activities that will gather at least the information specified by the State Board of Education. The evidence of completion provided to participants shall indicate the average or expected time required so that one CPDU per hour of participation may be documented.

2) The provider shall maintain participants’ evaluations for a period of not less than three years and make them available for review upon request by staff of the State Board of Education.

3) The provider shall maintain records of participation and completion for each 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) A provider shall be approved under this Section only if all of the following conditions are met.

1) There is an apparent correlation between the content of the training activities, the standards applicable to their intended participants, and one or more of the purposes the participants are required to address in their continuing professional development pursuant to Section 21-14(e)(2) of the School Code.

2) The activities will be developed and presented by persons with education and experience in the applicable subject areas.

3) The provider makes available to participants a mentor or facilitator who is qualified by education and experience to serve as a presenter of the activity.

4) Participation in or completion of any portion of the activity that is not designed to be attended in person is verified by some other means. That is, each individual’s participation yields either a product (e.g., a lesson plan, a tape of teaching performance, a completed test) or a record of interaction with a representative of the provider or with other participants (e.g., a discussion board). These products and records are available for evaluation by the provider, and each participant’s receipt of the evidence of completion for the activity is contingent upon their presentation to the provider along with a brief written statement in which the certificate-holder discusses the skills and/or knowledge acquired and indicates, where applicable, how the skills or knowledge will be applied in the context of his or her teaching. Alternatively, if the certificate-holder determines that the experience has not yielded knowledge or skills that can be used in his or her teaching, he or she shall indicate that fact and briefly explain why this is the case.

5) Each participant who completes the activity receives verification from the provider to that effect.

f) The State Superintendent of Education, on behalf of the State Board of Education and the State Educator Preparation and Licensure Teacher Certification Board,
shall respond to each application for approval no later than 30 days after receiving it.

g) A certificate-holder may receive continuing professional development credit for an activity conducted by a provider approved under this Section to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder.

h) A certificate-holder may receive continuing professional development credit for an activity not conducted by a provider approved under this Section (to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder) by meeting the requirements of this subsection (h).

1) The certificate-holder shall maintain a syllabus, program, or summary prepared by the provider or a summary written by the certificate-holder.

2) The certificate-holder shall maintain any documents or other products developed during the activity and any verification of completion supplied by the provider.

3) The certificate-holder shall maintain a brief written statement meeting the requirements of subsection (e)(4) of this Section.

4) The certificate-holder shall maintain a statement issued by the provider indicating the average or expected amount of time required for completion of the activity, which shall serve as the basis for credit in the form of CPDUs at a rate of one per hour of direct participation.

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

SUBPART K: REQUIREMENTS FOR RECEIPT OF THE STANDARD TEACHING CERTIFICATE

Section 25.905 Choices Available to Holders of Initial Certificates

Pursuant to Section 21-2(c) of the School Code, an individual who is subject to the requirements of this Subpart K shall successfully complete one of the options listed in this Section in order to qualify for a standard teaching certificate. Out-of-state applicants may qualify for a reduction in the requirements of subsection (d) or subsection (e) of this Section; see Section 25.11(b)(2)(B) 25.11(a)(2)(B) of this Part. Each affected individual may choose to:
a) Complete a program of induction and mentoring that meets the requirements of Section 25.910 of this Part;

b) Complete at least four semester hours of graduate-level coursework on the assessment of one’s own performance in relation to the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24) that meets the requirements of Section 25.915 of this Part;

c) Complete at least four semester hours of graduate-level coursework addressing the requirements for certification by the National Board for Professional Teaching Standards that meets the requirements of Section 25.920 of this Part;

d) Complete at least 12 semester hours of graduate-level coursework towards, or either hold or receive, an advanced degree from an accredited institution of higher education in an education-related field, provided that the coursework completed meets the requirements of Section 25.925 of this Part;

e) Accumulate 60 continuing professional development units (CPDUs), or the such quantity as may be applicable under Section 21-2(c)(2)(E) of the School Code [105 ILCS 5/21-2(c)(2)(E)], by completing selected activities as specified in Section 25.930 of this Part;

f) Complete a nationally normed, performance-based assessment, if such an assessment is made available pursuant to Section 25.940 of this Part;

g) Complete the requirements for being considered “highly qualified” in an additional teaching field (see Section 25.942 of this Part);

h) Receive a post-baccalaureate, education-related professional development certificate issued by an Illinois institution of higher education in accordance with Section 25.942 of this Part;

i) Complete all required activities in pursuit of certification by the National Board for Professional Teaching Standards (see Section 25.942 of this Part); or

j) Receive a subsequent certificate or an additional endorsement (see Section 25.942 of this Part).
Section 25.910 Requirements for Induction and Mentoring

Completion of a program of induction and mentoring as a means of qualifying for the standard teaching certificate shall be subject to the requirements of this Section.

a) The program selected by a certificate-holder must have been approved for this purpose by the State Board of Education in consultation with the State Educator Preparation and Licensure Teacher Certification Board. Two or more school districts or other organizations may jointly offer a program of induction and mentoring under this Section. An entity or group of entities that wishes to offer an approved program of induction and mentoring shall submit to the State Superintendent of Education a written plan for the program that conforms to the requirements of Section 21-2(c)(2)(A) of the School Code [105 ILCS 5/21-2(c)(2)(A)]. A program shall be approved if the plan demonstrates that the program will meet the specifications of subsections (b) through (g) of this Section. Entities that were conducting programs of induction and mentoring prior to July 1, 2003, may apply to the State Superintendent under this Section for verification that those programs met the requirements of this Section so that individuals who have completed them may fulfill the requirements of this Subpart K on that basis. The State Board of Education shall annually publish a list of induction and mentoring programs that have been approved for this purpose.

b) A formally trained mentor shall be assigned to assist each new teacher. Mentors holding a full-time teaching assignment shall be assigned to only one new teacher during any given year. To the extent possible, mentor teachers shall hold the same type of certificate as the new teachers with whom they will work. Each mentor teacher assigned shall hold, or shall have retired while holding, a standard or master certificate and shall have completed a training program that addresses all the following topics:

1) Content Knowledge and Pedagogy;

2) Adult Learning Theory;

3) Verbal and Non-Verbal Communication Skills;

4) Attributes and Styles of Positive Critiques;
5) Classroom Observation Skills Related to Assessment of Performance; 
6) Strategies for Providing Constructive Feedback and Social Support; 
7) Problem-Solving Skills; and 
8) Formative Assessment and Self-Assessment.

c) Each new teacher shall receive formal mentoring, which may include mentoring conducted electronically, consisting of an established sequence of sessions no less than two school years in duration. The planned sequence for each teacher shall comprise no fewer than three episodes of observation, which may be conducted using videoconferencing or videotaping, that include preparation with the mentor teacher prior to observing the new teacher in the classroom; observation of the new teacher’s teaching practice; and provision of feedback, suggestions, and techniques to the recipient teacher in response to each period of observation.

d) The program shall afford mentor teachers and new teachers systematic opportunities for contact with each other so that new teachers will receive professional and social support in the school environment. The program shall include a formal mechanism for orienting new teachers to the school improvement and professional development plans that apply and for assisting them in understanding their respective employers’ expectations with regard to the Illinois Professional Teaching Standards and the relevant content-area standards.

e) New teachers shall be afforded at least one opportunity during each semester to participate in professional development opportunities that involve:

1) observing teaching practice modeled by experienced teachers and discussing selected aspects of teaching practice with these teachers; or

2) participating in workshops, conferences, symposia, seminars, or other, similar training events that are designed to increase teachers’ knowledge and skills with respect to the Illinois Professional Teaching Standards or the content-area standards that apply to their respective areas of certification or assignment.
f) The program shall require formative assessment of new teachers’ professional development. The mentor teacher shall participate in formative assessment by providing written feedback after observing the teaching performance of the new teacher and by providing written analysis of written materials prepared by the new teacher. The new teacher shall participate in formative assessment by preparing at least one written reflection on his or her teaching practice for each quarter of a school year, for review by the mentor teacher. New teachers’ written reflections shall be required to focus on relevant aspects of the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24) and the content-area standards that apply to their assignments and areas of certification and to issues identified in the feedback received from mentor teachers.

g) Each plan for an induction and mentoring program shall include a specific method for collecting and maintaining information that will permit evaluation of the program and will contribute to an overall assessment of the effectiveness of induction and mentoring. For each program, at least the following information shall be collected and supplied to the State Board of Education upon request:

1) the length of time during which recipients of the program remain employed as teachers (if known) or remain employed as teachers in the district where mentoring and induction were received;

2) the percentage of recipient teachers who received ratings of “satisfactory” or proficient, as applicable, or “excellent” each year since completing the program;

3) any savings realized in the cost of recruiting new teachers due to increased retention; and

4) any decrease in the number or percentage of teachers teaching outside their respective fields.

h) As evidence of completion for this requirement, the candidate for a standard certificate shall maintain verification, in a format specified by the State Board of Education, signed by the administrator of the approved mentoring and induction program.

i) An individual may transfer between programs approved under this Section.
j) Each holder of an initial certificate who chooses the option described in this Section shall be required to complete:

1) an approved program of at least one year’s duration, if his or her initial certificate was issued before September 1, 2007;

2) an approved program of at least two years’ duration, if his or her initial certificate was issued on or after September 1, 2007.

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

Section 25.915 Requirements for Coursework on the Assessment of One’s Own Performance

Completion of at least four semester hours of graduate-level coursework on the assessment of one’s own performance as a means of qualifying for the standard teaching certificate shall be subject to the requirements of this Section.

a) Only coursework offered by an accredited institution of higher education, by such an institution in partnership with a teachers’ association or union or with a regional office of education, or by another entity authorized to issue college credit shall qualify for this purpose. (Section 21-2(c)(2)(B) of the School Code [105 ILCS 5/21-2(c)(2)(B)])

b) An eligible entity that offers or plans to offer coursework that will result in candidates’ eligibility for the standard teaching certificate shall submit to the State Superintendent of Education a syllabus, course description, or other material demonstrating that the coursework includes the activities required by Section 21-2(c)(2)(B) of the School Code.

c) The State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, shall approve coursework for this purpose if the syllabus demonstrates that its successful completion will involve observation, review, and analysis of each participant’s teaching practice, as well as demonstration of professional expertise on the part of each participant in reflecting on his or her own practice, in accordance with the requirements of this subsection (c).
1) Each participant’s teaching practice shall be observed on at least one occasion, either in person or through videoconferencing or videotapes, either by the course instructor or by a designee identified by the instructor who:

A) holds, or at the time of his or her retirement held, a standard or master teaching certificate; or

B) has completed training covering the topics listed in Section 25.910(b) of this Part; or

C) in the judgment of the course instructor, has the knowledge and skills required in order to provide appropriate feedback to new teachers regarding their teaching practice.

2) Each participant shall assemble sufficient written lesson plans, assignments to students, samples of students’ work responding to the assignments, and assessment instruments used with respect to the assignments to provide evidence of his or her performance with respect to all the standards set forth in 23 Ill. Adm. Code 24.100(a) through (i), provided that the material required by this subsection (c)(2) shall be presented for no fewer than two separate lessons, at least one of which is the subject of an observation conducted pursuant to subsection (c)(1) of this Section. The participant shall also provide a written discussion of how the material assembled relates to each of the Illinois Professional Teaching Standards referred to in this subsection (c)(2), with emphasis on the aspects listed in Section 21-2(c)(2)(B)(ii) of the School Code [105 ILCS 5/21-2(c)(2)(B)(ii)]. In using students’ work for this purpose, participants shall ensure that students are not identifiable or shall obtain consent for the release of the students’ work in keeping with the requirements of the Illinois School Student Records Act [105 ILCS 10] and the rules for Student Records (see 23 Ill. Adm. Code 375).

3) The course instructor or a designee who meets the requirements of subsection (c)(1) of this Section shall review the documentation submitted by the participant and provide written feedback regarding the new teacher’s strengths and weaknesses, factors to consider, and techniques with potential for improving the new teacher’s practice.
4) For each of the two lessons documented under subsection (c)(2) of this Section, each participant shall prepare his or her own written analysis of the strengths and weaknesses revealed by the applicable documentation and the implications of that analysis for improving his or her teaching in relation to the Illinois Professional Teaching Standards.

5) The grades issued to participants in the coursework shall reflect the instructor’s assessment of the participants’ performance in reviewing, analyzing, and reflecting on their own practice, rather than the instructor’s assessment of the participants’ performance as teachers.

d) As evidence of completion, the candidate for a standard certificate shall maintain a grade report or official transcript issued by the institution or other entity offering the coursework, indicating that the individual passed the course or courses.

e) No course that has not been approved pursuant to subsections (b) and (c) of this Section shall be advertised as leading to eligibility for the standard teaching certificate under this Section.

f) An eligible Illinois entity that offered coursework relevant to this Section prior to July 1, 2003, may apply to the State Superintendent, based on the submission of material meeting the requirements of subsection (b) of this Section, for verification that the coursework met the requirements of this Section so that individuals who have completed it may fulfill the requirements of this Subpart K on that basis. An individual who wishes to use coursework completed in another state to fulfill the requirements of this Section shall submit to the State Superintendent of Education a course description or syllabus. Based upon a comparison of the course’s content with the requirements of this Section and Section 21-2(c)(2)(B) of the School Code, the State Superintendent shall determine whether the out-of-state course is equivalent and notify the candidate as to whether the course will be accepted.

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

Section 25.920 Requirements for Coursework Related to the National Board for Professional Teaching Standards (NBPTS)
Completion of at least four semester hours of graduate-level coursework related to the requirements for certification by the NBPTS as a means of qualifying for the standard teaching certificate shall be subject to the requirements of this Section.

a) Only coursework offered by an accredited institution of higher education, by such an institution in partnership with a teachers’ association or union or with a regional office of education, or by another entity authorized to issue college credit shall qualify for this purpose. (Section 21-2(c)(2)(C) of the School Code [105 ILCS 5/21-2(c)(2)(C)])

b) An eligible entity that offers or plans to offer coursework that will result in candidates’ eligibility for the standard teaching certificate shall submit to the State Superintendent of Education a syllabus, course description, or other material demonstrating that the coursework addresses the five “core propositions” that guide the National Board’s certification initiatives:

1) Teachers are committed to students and their learning.

2) Teachers know the subjects they teach and how to teach those subjects to students.

3) Teachers are responsible for managing and monitoring students’ learning.

4) Teachers think systematically about their practice and learn from experience.

5) Teachers are members of learning communities.

c) The State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, shall approve coursework for this purpose if the syllabus demonstrates that its successful completion will involve observation, review, and analysis of each participant’s teaching practice in light of applicable standards, as well as demonstration of professional expertise on the part of each participant in reflecting on his or her own practice.

1) These required elements may be provided either by means of the activities described in Section 25.915(c)(1) through (c)(4) of this Part or by using another sequence of activities that is designed to provide beginning teachers with direct feedback from experienced teachers and a structure for
reviewing their own teaching in light of this feedback and in light of their students’ performance.

2) The grades issued to participants in the coursework shall reflect the instructor’s assessment of the participants’ performance in reviewing, analyzing, and reflecting on their own practice, rather than the instructor’s assessment of the participants’ performance as teachers.

d) As evidence of completion, the candidate for a standard certificate shall maintain a grade report or official transcript issued by the institution or other entity offering the coursework, indicating that the individual passed the course or courses.

e) No course that has not been approved pursuant to subsections (b) and (c) of this Section shall be advertised as leading to eligibility for the standard teaching certificate under this Section.

f) An eligible Illinois entity that offered coursework relevant to this Section prior to July 1, 2003, may apply to the State Superintendent, based on the submission of material meeting the requirements of subsection (b) of this Section, for verification that the coursework met the requirements of this Section so that individuals who have completed it may fulfill the requirements of this Subpart K on that basis. An individual who wishes to use coursework completed in another state to fulfill the requirements of this Section shall submit to the State Superintendent of Education a course description or syllabus. Based upon a comparison of the course’s content with the requirements of this Section and Section 21-2(c)(2)(C) of the School Code, the State Superintendent shall determine whether the out-of-state course is equivalent and notify the candidate as to whether the course will be accepted.

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

Section 25.930 Requirements for Continuing Professional Development Units (CPDUs)

The applicability of CPDUs toward receipt of the standard teaching certificate shall be subject to the requirements of this Section and Section 25.935 of this Part.

a) Each candidate for the standard certificate shall be required to accumulate 60 CPDUs in conformance with this Section, unless the candidate held an initial teaching certificate on August 10, 2002. (Section 21-2(c)(2)(E) of the School
A candidate who held an initial teaching certificate on that date shall be required to accumulate:

1) 45 CPDUs, if at least three but fewer than four years of teaching time remain on the initial certificate as of July 1, 2003, calculated by including the time when the certificate remains valid between the candidate’s completion of four years of teaching experience and the following June 30 (see Section 25.11(d)(4) of this Part);

2) 30 CPDUs, if at least two but fewer than three years of teaching time remain on the initial certificate as of July 1, 2003, calculated by including the time between the candidate’s completion of four years of teaching experience and the following June 30; or

3) 15 CPDUs, if at least one year but fewer than two years of teaching time remain on the initial certificate as of July 1, 2003, calculated by including the time between the candidate’s completion of four years of teaching experience and the following June 30.

b) Persons who elect to satisfy the requirements of this Section may earn credit through completion of coursework, workshops, seminars, conferences, and other similar training events that are pre-approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, for the purpose of reflection on teaching practices in order to address all of the Illinois Professional Teaching Standards. (Section 21-2(c)(3) of the School Code [105 ILCS 5/21-2(c)(3)]

c) The activities selected by a certificate-holder pursuant to subsection (b) of this Section shall conform to the requirements of clauses (A) through (D) of Section 21-2(c)(3) of the School Code [105 ILCS 5/21-2(c)(3)] and may have been completed at any time while the individual held an initial teaching certificate.

d) Any school district, nonpublic school, cooperative or joint agreement, regional office of education, institution of higher education, teacher union or professional association, non-profit organization or corporation, for-profit entity, member of the International Association for Continuing Education and Training (IACET), or individual may apply for approval to offer activities that will be creditable under this Section. Each application shall include at least the following information:
1) a description of the organization’s or individual’s experience in providing training of a similar nature;

2) the qualifications that will be required of presenters who conduct the activities;

3) the specific standards proposed to be addressed in each activity; and

4) an outline, syllabus, videotape, or other descriptive material that demonstrates how each activity will fulfill the requirements and offer the components required by Section 21-2(c)(3) of the School Code.

e) The State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, shall approve the provision of an activity for purposes of this Section if the application provides evidence that:

1) the activity will be presented or conducted by persons with education and experience in assisting teachers to focus on the fundamental aspects of their teaching practice, including:

   A) knowledge of content and pedagogy;

   B) assessment of students’ learning and provision of timely and effective feedback to them;

   C) classroom management strategies;

   D) development of instructional goals;

   E) design and delivery of instruction; and

   F) reflection on and analysis of teaching practice and success in assisting students to reach instructional goals.

2) The application demonstrates that the activity will address one or more of the Illinois Professional Teaching Standards or the content-area standards that are relevant to the participating teachers’ areas of certification and assignment.
3) The application demonstrates that the activity requires performance on the part of each participating teacher with respect to reflecting on his or her own teaching practice.

4) The applicant provides assurances that attendance records for the activity will be maintained for a period of not less than five years and each participant will receive evidence of completion in a standard format required by the State Board of Education.

f) A certificate-holder may use one activity or several activities to fulfill the requirements of this Section, provided that all applicable standards are addressed. A certificate-holder who chooses this method of qualifying for the standard certificate shall use a standard format (matrix) made available by the State Board of Education to correlate the activities completed with the standards they addressed. In addition, the certificate-holder shall maintain the documents supplied by providers under subsection (e)(4) of this Section as evidence of completion, as required by Section 25.900(a) of this Part.

g) One CPDU shall be available for each hour of direct participation by a holder of an initial teaching certificate in a qualifying activity under this Section. (Section 21-2(c)(3)(E) of the School Code [105 ILCS 5/21-2(c)(3)(E)]

h) The balance of the CPDUs an individual is required to accrue in combination with those earned pursuant to subsection (f) of this Section may be earned by completing activities chosen from among those described in Section 25.935 of this Section.

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

Section 25.940 Examination

The State Board of Education, in consultation with the State Educator Preparation and Licensure Teacher Certification Board, may identify and make available a nationally normed, performance-based assessment of whether candidates’ induction to the profession of teaching has advanced their command of appropriate teaching practices and strategies and contributed to the professional judgment required for designing educational experiences to meet the diverse needs of students. If an examination is made available pursuant to this Section, the State Board of Education shall notify all Illinois school districts and other entities that employ teachers, all
Illinois institutions of higher education that prepare educational personnel, and the teachers’ professional associations or unions to this effect. This notification shall include:

a) identification of the examination whose successful completion will be a means of qualifying for a standard teaching certificate;

b) the schedule for the first year of administration of that examination;

c) how prospective candidates may obtain information about registration; and

d) the cost to the candidate of participating in the examination, which shall not exceed the cost of the coursework described in Section 25.915 of this Part.

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

Section 25.945 Procedural Requirements

a) In order to qualify for a standard teaching certificate, a holder of an initial teaching certificate shall choose one of the methods described in Section 25.905 of this Part.

b) A person must complete his or her chosen requirement before the expiration of his or her initial teaching certificate and must submit a statement of assurance, using a format developed by the State Board of Education, that he or she has done so to the responsible local professional development committee, if any, or to the regional superintendent of schools, along with his or her application for a standard certificate and the required fee. An LPDC shall review each assurance it receives and, within 30 days after receipt, shall forward the materials submitted by the individual to the regional superintendent along with the LPDC’s recommendation as to whether the person is eligible to receive a standard teaching certificate. [105 ILCS 5/21-2(c)(5)]

c) Within 30 days after receipt of a person’s statement of assurance, the regional superintendent shall review the assurance and, based upon compliance with all of the requirements for receipt of a standard certificate, including the completion of four years of teaching, shall forward to the State Board of Education his or her recommendation as to whether the person is eligible to receive a standard teaching certificate. Concurrently, the LPDC or regional superintendent shall
provide a copy of this recommendation to the affected person if the recommendation is for non-issuance. [105 ILCS 5/21-2(c)(5)]

d) If the regional superintendent’s recommendation with regard to any person is to deny issuance of the standard teaching certificate:

1) the regional superintendent shall state his or her rationale for the recommendation;

2) the individual’s copy of the regional superintendent’s notification shall be sent by certified mail, return receipt requested; and

3) the regional superintendent shall return the application fee with the notification.

e) Within 14 days after receiving notice that a recommendation for non-issuance has been forwarded, the certificate-holder may appeal the recommendation to the RPDRC. Such an appeal shall be transmitted on a form supplied by the State Board of Education, shall include a return receipt, and may include any supporting documentation the certificate-holder deems relevant.

f) Within 45 days after receiving an appeal, the RPDRC shall forward its recommendation to the State Board of Education, along with the RPDRC’s rationale for the recommendation and any supporting documentation. To assist it in arriving at its recommendation, the RPDRC may require the submission of additional information or may request that the certificate-holder appear before it.

g) Upon review of regional superintendents’ recommendations and any recommendations by RPDRCs, including any rationales provided pursuant to subsection (d)(1) or (f) of this Section, and the respective applications for certification, the State Board of Education shall issue standard teaching certificates to those who qualify and shall notify in writing, via certified mail, return receipt requested, persons affected by the denial of standard teaching certificates. [105 ILCS 5/21-2(c)(5)] Each notification shall include a rationale for the State Board’s refusal to issue a standard certificate.

h) Within 14 days after receipt of notice that the State Board of Education has denied him or her a standard teaching certificate based on failure to meet the requirements of this Subpart K, a certificate-holder may appeal that decision to the
State Educator Preparation and Licensure Teacher Certification Board, using a form made available by the State Board of Education.

1) Each appeal shall state the reasons why the State Board’s decision should be reversed and shall be sent by certified mail, return receipt requested.

   A) Appeals shall be addressed to:

   State Educator Preparation and Licensure Teacher Certification Board
   Secretary
   100 North First Street
   Springfield, Illinois  62777

   B) No electronic or facsimile transmissions will be accepted.

   C) Appeals postmarked later than 14 calendar days after receipt of notifications of denial will not be processed.

2) In addition to the appeal form, the certificate-holder may submit the following material when the appeal is filed:

   A) evidence that he or she has satisfactorily completed one of the options outlined in this Subpart K as a means of qualifying for the standard teaching certificate; and

   B) any other relevant documents.

i) Upon receipt of an appeal, the State Educator Preparation and Licensure Teacher Certification Board shall request the record of review from the State Superintendent of Education for consideration at its next available meeting. In reviewing the appeal, the Licensure Certification Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of:

   1) the individual’s application for a standard certificate, along with his or her signed statement of assurance;

   2) the rationale for the State Board’s refusal to issue a standard certificate;
3) the required evidence of completion for the option chosen by the individual for fulfilling the requirements of this Subpart K;

4) the appeal form; and

5) any additional information submitted by the individual to support the appeal.

j) If the Licensure Certification Board holds an appeal hearing, it may request the certificate-holder to appear before it, in which case no less than ten days’ notice of the date, time, and place of the hearing shall be given to the affected individual.

k) The certificate-holder shall submit to the State Educator Preparation and Licensure Teacher Certification Board any such additional information as the Licensure Certification Board determines is necessary to decide the appeal.

l) The State Educator Preparation and Licensure Teacher Certification Board shall notify the certificate-holder of its decision regarding the issuance of a standard certificate by certified mail, return receipt requested, no later than 30 days after reaching a decision.

m) The decision of the State Educator Preparation and Licensure Teacher Certification Board regarding an appeal is a final administrative decision and shall be subject to administrative review as set forth in Section 21B-90 21-24 of the School Code [105 ILCS 5/21-24 21B-90].

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

Section 25.APPENDIX E  Endorsement Structure Beginning July 1, 2004

Section 25.100 of this Part explains the applicability of “designations” where shown as required in the following table. The relevant provisions of Section 25.100(e) of this Part shall apply in cases in which no test is available (see Section 25.710).

<table>
<thead>
<tr>
<th>Endorsements Currently Available</th>
<th>Designations</th>
<th>Endorsements Issued Prior to July 1, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fundamental Learning</td>
<td></td>
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<tr>
<td>Endorsements Currently Available</td>
<td>Designations</td>
<td>Endorsements Issued Prior to July 1, 2004</td>
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<tr>
<td><strong>Areas</strong></td>
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<tr>
<td>English Language Arts</td>
<td>None</td>
<td>English Journalism Language Arts Speech</td>
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<tr>
<td>Reading Teacher</td>
<td>None</td>
<td>Reading</td>
</tr>
<tr>
<td>Reading Specialist</td>
<td>None</td>
<td>Reading</td>
</tr>
<tr>
<td>Mathematics</td>
<td>None</td>
<td>Mathematics</td>
</tr>
<tr>
<td>Sciences – Designation Required</td>
<td>Biology</td>
<td>Biological Science/Biology Botany</td>
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<tr>
<td></td>
<td>Chemistry</td>
<td>Physiology</td>
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<tr>
<td></td>
<td>Earth and Space Science</td>
<td>Zoology</td>
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<tr>
<td></td>
<td>Environmental Science</td>
<td>Chemistry</td>
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<tr>
<td></td>
<td>Physics</td>
<td>Aerospace</td>
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<td></td>
<td></td>
<td>Astronomy</td>
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<tr>
<td></td>
<td></td>
<td>Earth Science</td>
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<tr>
<td></td>
<td></td>
<td>Geology</td>
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<tr>
<td></td>
<td></td>
<td>Physical Geography/Physiography</td>
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<tr>
<td></td>
<td></td>
<td>Biological Science</td>
</tr>
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<td></td>
<td></td>
<td>Physical Science</td>
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<td>General Science</td>
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<td></td>
<td>Economics</td>
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<tr>
<td></td>
<td>Geography</td>
<td>Geography</td>
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<tr>
<td></td>
<td>History</td>
<td>U.S. History</td>
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<tr>
<td></td>
<td>Political Science</td>
<td>World History</td>
</tr>
<tr>
<td></td>
<td>Psychology</td>
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</tr>
<tr>
<td></td>
<td>Sociology and Anthropology</td>
<td>Psychology</td>
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<tr>
<td></td>
<td></td>
<td>Anthropology</td>
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<td></td>
<td></td>
<td>Sociology</td>
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<tr>
<td></td>
<td>Physical Education</td>
<td>Physical Education</td>
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<tr>
<td></td>
<td>Health Education</td>
<td>Health Education</td>
</tr>
<tr>
<td></td>
<td>Dance</td>
<td>Dance</td>
</tr>
<tr>
<td></td>
<td>Drama/Theatre Arts</td>
<td>Theatre and Drama</td>
</tr>
<tr>
<td>Endorsements Currently Available</td>
<td>Designations</td>
<td>Endorsements Issued Prior to July 1, 2004</td>
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<tr>
<td>---------------------------------</td>
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<td>------------------------------------------</td>
</tr>
<tr>
<td>Music</td>
<td>None</td>
<td>Music, Instrumental Music, Vocal Music</td>
</tr>
<tr>
<td>Visual Arts</td>
<td>None</td>
<td>Art</td>
</tr>
<tr>
<td>Foreign Languages – Designation Required</td>
<td>Arabic (2008)</td>
<td>Arabic, Cantonese, Mandarin</td>
</tr>
<tr>
<td></td>
<td>Chinese (Cantonese or Mandarin)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>French</td>
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<tr>
<td></td>
<td>German</td>
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<tr>
<td></td>
<td>Hebrew</td>
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<tr>
<td></td>
<td>Italian</td>
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</tr>
<tr>
<td></td>
<td>Japanese</td>
<td>Japanese</td>
</tr>
<tr>
<td></td>
<td>Korean</td>
<td>Korean</td>
</tr>
<tr>
<td></td>
<td>Latin</td>
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</tr>
<tr>
<td></td>
<td>Russian</td>
<td>Russian</td>
</tr>
<tr>
<td></td>
<td>Spanish</td>
<td>Spanish</td>
</tr>
<tr>
<td></td>
<td>Other foreign languages, provided the candidate completed a major in the foreign language designated</td>
<td>Other foreign languages, as applicable</td>
</tr>
<tr>
<td>Additional Teaching Fields</td>
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<tr>
<td>Agricultural Education</td>
<td>None</td>
<td>Agricultural Business and Management</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Agricultural Power and Machinery</td>
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<tr>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Agricultural Resources</td>
</tr>
<tr>
<td>Endorsements Currently Available</td>
<td>Designations</td>
<td>Endorsements Issued Prior to July 1, 2004</td>
</tr>
<tr>
<td>---------------------------------</td>
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<tr>
<td></td>
<td>Business/Marketing/Management</td>
<td>Information Processing</td>
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<td></td>
<td>Information</td>
<td>Information Processing/Secretarial</td>
</tr>
<tr>
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<td>Marketing</td>
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<tr>
<td>Computer Applications</td>
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<td>None</td>
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<tr>
<td>Computer Science</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Family and Consumer Sciences – Designation Required</td>
<td>Apparel and Textiles</td>
<td>Child and Day Care Services</td>
</tr>
<tr>
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<td>Living Environments</td>
<td>Consumer Education and Resource Management</td>
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<tr>
<td></td>
<td>Nutrition, Wellness, and Hospitality</td>
<td>Fashion and Clothing Services</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Food and Nutrition Services</td>
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<tr>
<td></td>
<td></td>
<td>Home Economics</td>
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<tr>
<td></td>
<td></td>
<td>Institutional and Home Management Services</td>
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<tr>
<td></td>
<td></td>
<td>Interior Furnishings Services/Living Environments</td>
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<tr>
<td></td>
<td></td>
<td>Interpersonal, Family</td>
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<tr>
<td></td>
<td></td>
<td>Relationships, Parenting</td>
</tr>
<tr>
<td>Technology Education</td>
<td>None</td>
<td>Industrial Technology Education</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Construction</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Electronics</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Graphic Communications</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transportation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Manufacturing</td>
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<td></td>
<td>Industrial Technology</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Service</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Drafting/Design</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Autobody Repair</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heating, Ventilation, and Air Conditioning</td>
</tr>
<tr>
<td>Technology Specialist</td>
<td>None</td>
<td>Computer Technology</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Instructional Technology</td>
</tr>
<tr>
<td>Library Information Specialist</td>
<td>None</td>
<td>Media</td>
</tr>
<tr>
<td>Endorsements Currently Available</td>
<td>Designations</td>
<td>Endorsements Issued Prior to July 1, 2004</td>
</tr>
<tr>
<td>---------------------------------</td>
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<td>-----------------------------------------</td>
</tr>
<tr>
<td>Safety and Driver Education</td>
<td>None</td>
<td>Safety and Driver Education</td>
</tr>
<tr>
<td>Bilingual Education</td>
<td>Target Language</td>
<td>Bilingual Education with a Target Language Designation</td>
</tr>
<tr>
<td>English as a New (Second) Language (ENL) – Designation Optional</td>
<td>Bilingual Education (language-specific)</td>
<td>Bilingual Education English as a Second Language</td>
</tr>
<tr>
<td>Middle School</td>
<td>Subject-specific</td>
<td>Middle-Grades Junior High School</td>
</tr>
</tbody>
</table>

**Elementary**

| Self-Contained General Education | None | Self-Contained General Education |

**Early Childhood**

| Early Childhood Special Education | None |
| Self-Contained General Education | None | Early Childhood |

**Special Education**

<p>| Learning Behavior Specialist I (LBS I/Unlimited) | None | None |
| Learning Behavior Specialist I (LBS I/Limited) | LBS I/Limited – Learning Disabilities LBS I/Limited – Social/Emotional Disorders LBS I/Limited – Mental Retardation LBS I/Limited – Physically Handicapped | Educable handicapped (EMH) Trainable mentally handicapped (TMH) Physically handicapped (PH) Learning disabilities (LD) Social/emotional disorders (S/ED) |</p>
<table>
<thead>
<tr>
<th>Endorsements Currently Available</th>
<th>Designations</th>
<th>Endorsements Issued Prior to July 1, 2004</th>
</tr>
</thead>
</table>
| Learning Behavior Specialist II | LBS II/Transition Specialist  
                                         LBS II/Technology Specialist  
                                         LBS II/Bilingual Special Education Specialist  
                                         LBS II/Deaf-Blind Specialist  
                                         LBS II/Behavior Intervention Specialist  
                                         LBS II/Curriculum Adaptation Specialist  
                                         LBS II/Multiple Disabilities Specialist | None |
<p>| Speech-Language Pathologist (master’s degree required) | None | Speech-language impaired |
| Blind or Visually Impaired | None | Blind or partially sighted |
| Deaf or Hard of Hearing | None | None |
| Administrative | | |
| Chief School Business Official | Chief School Business Official | |
| Director of Special Education | Director of Special Education | |
| General Administrative (through June 30, 2014) | General Administrative | |
| Principal (2012) | General Administrative | |
| Superintendent | Superintendent | |
| School Service Personnel | | |
| School Counselor | Guidance | |
| School Nurse | School Nurse | |
| School Psychologist | School Psychologist | |</p>
<table>
<thead>
<tr>
<th>Endorsements Currently Available</th>
<th>Designations</th>
<th>Endorsements Issued Prior to July 1, 2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Social Worker</td>
<td></td>
<td>School Social Worker</td>
</tr>
<tr>
<td>Non-Teaching Speech-Language Pathologist</td>
<td></td>
<td>Non-Teaching Speech-Language Pathologist</td>
</tr>
<tr>
<td>Supervisory</td>
<td>None; see Sections 21-4 and 21-25 of the School Code and Section 25.497 of this Part.</td>
<td>Supervisory</td>
</tr>
</tbody>
</table>

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

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Proposed Rules for Adoption – Part 51 (Dismissal of Tenured Teachers under Article 24 and Dismissal of Tenured Teachers and Principals under Article 34 of the School Code)

Materials: Recommended Rules

Staff Contacts: Jessica Riddick, Assistant General Counsel

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 does not relate directly to any of the Strategic Goals, as it addresses the process for the dismissal of tenured teachers, and of principals in City of Chicago School District 299, due to misconduct or the results of their performance evaluations conducted under Article 24A of the School Code.

Expected Outcome of Agenda Item
The Board will be asked to adopt Part 51.

Background Information
P.A. 97-8, effective June 13, 2011, amended the processes set forth in Sections 24-12 and 34-85 of the School Code [105 ILCS 5/24-12 and 34-85] for dismissing any tenured teacher, as well as principals in City of Chicago School District 299 (CPS), either for misconduct or due to receipt of a poor performance evaluation rating. As to the latter cause for dismissal, P.A. 97-8 also added a provision whereby a school district could dismiss a teacher if the teacher receives a rating of “unsatisfactory” any time within a 36-month period after successfully completing a remediation plan. This dismissal authority is in addition to allowing dismissal of a teacher who received a “needs improvement” or “unsatisfactory” rating following completion of a remediation plan under Section 24A-5 of the School Code [105 ILCS 5/24A-5].

The statutory changes made by P.A. 97-8 and the proposed amendments to Part 51 have several purposes, each of which is described below.

- Streamlines the process for both performance-related dismissals under Section 24A-5 of the School Code and dismissals for misconduct by shortening the timelines for action. For instance, the law now limits how quickly a hearing officer must commence a hearing to no more than 75 days and to conclude the hearing in no
more than 120 days after the hearing officer is selected. Each party also will have only three days to present its case, unless extended by the hearing officer. Further, a decision or findings of fact and recommendation must be rendered by the hearing officer within 30 days of the hearing’s conclusion (formerly three months), and the local board of education now has 45 days to issue a written order regarding the final action it will take regarding dismissal (previously, no deadline was contained in the law). These changes will serve the purpose of having decisions made more quickly, which is advantageous for both the teacher and school district, as well as helps reduce the legal expenses associated with the dismissal process.

- **Provides authority to boards of education to dismiss teachers due to misconduct.** Except for CPS, the law previously provided that the decision of the hearing officer as to whether a teacher should be dismissed was final and the only recourse available for a school board that did not agree with the hearing officer’s decision was for the board to go to court. School boards outside of Chicago now must review the hearing officer’s findings of fact and recommendation and determine whether the conduct at issue occurred or did not occur and whether the hearing officer’s recommendation regarding the proposed dismissal should be sustained. A hearing officer shall retain the authority to dismiss a teacher due to poor performance pursuant to Article 24A of the School Code, unless an alternative dismissal process is used (see the next bullet point below).

- **Provides authority to boards of education to dismiss teachers due to performance if certain conditions are met.** Both CPS and other school districts may choose to adopt an Optional Alternative Evaluation Dismissal process under Section 24-16.5 of the School Code (see Subpart B of the proposed amendments). Several conditions first must be met in order to use this optional process:
  1) the teacher must have failed to achieve a “proficient” or better performance evaluation rating after completion of a remediation plan imposed for an “unsatisfactory rating”;
  2) the evaluation was conducted after the district’s implementation date for the conduct of performance evaluations under the Performance Evaluation Reform Act; and
  3) a second evaluator must be identified who meets the qualifications set forth in Section 24-16.5 of School Code.

The second evaluator must not be the same individual who conducted the evaluation that resulted in the “unsatisfactory” rating nor be an administrator who reports to that individual. The second evaluator is charged with conducting either the mid-point or final evaluation that is part of the remediation plan or conducting an independent assessment of whether the teacher completed the remediation with a “proficient” or better rating.

Part 51 has been further modified to return to the rules much of the explanatory text from the law that was removed several years ago when Part 51 was streamlined. Given the significance of dismissal proceedings, it is both a courtesy to the reader and makes sense procedurally for Part 51 to provide the statutory requirements as part of the rules rather than only providing cross-references to where the requirements can be found in the School Code.

It is also proposed that Section 51.80 be repealed and its requirements placed in other sections of the rulemaking that contain related provisions. For ease of reference:

- Section 51.80(a) has been moved to Section 51.55(g);
• Section 51.80(b) has been moved to Section 51.40(i);
• Section 51.80(c) has been moved to Section 51.40(h) as that subsection’s concluding statement; and
• Section 51.80(d) has been removed as no longer relevant.

The proposed rules were published in the Illinois Register February 17, 2012, to elicit public comment; four were received. A summary and analysis of the public comment, and any recommendations for changes as a result, is attached.

**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**
The proposed changes more fully describe in the rules the process for the dismissal of teachers and, as applicable, principals. The proposed amendments better align the rules to the School Code, thus avoiding misunderstandings on the part of those who are being regulated by their requirements, such as teachers, school districts, attorneys and hearing officers.

Not proceeding with the changes would create conflicts between the rules and the School Code, resulting in the rules being out of date and potentially confusing.

**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:

Dismissal of Tenured Teachers under Article 24 and Dismissal of Tenured Teachers and Principals under Article 34 of the School Code (23 Illinois Administrative Code 51),

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 54 (Dismissal of Tenured Teachers under Article 24 and Dismissal of Tenured Teachers and Principals under Article 34 of the School Code)

Section 51.10, Definitions

Comment

One commenter asked for the addition of definitions or for current definitions to be modified:

- Clarify when the “clock” for determining deadlines begins by inserting in the definition of “day” that “the first day of the event does not count and if the last day falls on a weekend or school holiday, the next day applies”;
- Include a definition of notice whereby the board or general superintendent would be required to provide to the union representative any notice served on a teacher or principal (the commenter also asks that this be reiterated in other sections of the rules);
- Include a definition for “general superintendent”; and
- Modify the definition of “tenured teacher” for the purposes of dismissals in City of Chicago School District 299 (“CPS”) to define “teacher” as “all members of the teaching force except for the General Superintendent”.

Analysis

Definitions, as used in rulemaking, should be used sparingly, either where the standard meaning of the word does not convey the intent of its use in the rules or for reasons of clarity when more than one meaning may be discerned from the word’s usage in the rules. Definitions would not be necessary when terms are defined elsewhere in the rules or in law. Definitions should not be used to state additional requirements (i.e., provision of notices to union representatives) nor to state what is otherwise clear from the statute (i.e., tenured teacher in CPS).

Recommendation

It is recommended that Section 51.10 be modified as follows.

As used in this Part:

"Board" means the local school board and not the State Board of Education.

“Day” means calendar day unless otherwise specified in this Part, and the time within which any action required under this Part must occur shall be determined in accordance with the provisions of Section 1.11 of the Statute on Statutes [5 ILCS 70/1.11].

“General Superintendent” means the chief executive officer of City of Chicago School District 299 t. [See 105 ILCS 5/34-6]

Section 51.20, Applicability

Comment
A commenter requested that further specificity be added to Section 51.20(a) (as well as Section 51.200) to further explain performance evaluations under Section 24A-5 of the School Code. She also requested the insertion of a reference specific to the Optional Alternative Evaluative Dismissal process established under Section 24-16.5 of the School Code. Finally, she suggests the rules establish standards for conduct that is not considered remediable by modifying Section 51.20(b) to apply dismissals only to “conduct that the Board has a factual and legal basis to prove is not remediable, by a preponderance of admissible evidence”.

**Analysis**

Staff believe that the proposed rule at Section 51.20(a) needs no further explanation since it includes the statutory citation where information relative to performance evaluations can be found. Further, Section 51.20 applies only to Subpart B, which sets forth the standard dismissal process. Subpart C, which addresses the optional process for dismissals, includes an applicability section specific to those procedures.

As for the inclusion of a standard (i.e., “factual and legal basis”) to be used to determine whether conduct leading to a dismissal is remediable, it would be impossible to delineate in rules every activity that someone believes is not remediable. There is a rich body of case law that defines these circumstances upon which a local board can rely.

**Recommendation**

No changes are recommended in response to these comments.

Section 51.30, Notices

**Comment**

One commenter asked that the rules explicitly allow a teacher’s attorney or union representative to submit responses required under the law and rules on the teacher’s behalf.

**Analysis**

There is nothing in the law or rules that would prevent the teacher from having his or her legal representative or his or her union representative acting on the teacher’s behalf to prepare and submit responses, and in fact, this is probably already occurring. Further, if the teacher’s or principal’s attorney has filed an appearance on his or her behalf, then the attorney would act on the teacher’s or principal’s behalf.

**Recommendation**

No change is recommended in response to this comment.

**Comment**

A commenter asked that the rules require that the notice provided under Section 51.30(b)(1) be sent by certified mail, return receipt requested so as to ensure that CPS does not alter the charges and specifications pertaining to the dismissal after the notice is provided to the teacher or principal.
Analysis

It is assumed that this modification is being suggested to provide proof (i.e., the dated return receipt) that the notice and specifications had been delivered to the person being dismissed. Unlike requirements in Section 24-12 for teachers in school districts outside of Chicago, Section 34-85 does not specify how CPS must deliver the notice except in cases where a teacher or principal cannot be located. For this reason, the proposed rules rely on the options provided under Section 24-12, both of which would produce proof (i.e., dated return receipt or receipt confirmation signed by the teacher or principal) that the notice, including charges, had been received.

It is important to note that Section 34-85 of the School Code does not prohibit CPS from amending the charges after delivery to the affected teacher or principal.

Recommendation

No change is recommended in response to this comment.

Comment

Two commenters asked that teachers and principals in CPS receive notification that a copy of any request for a hearing also must be sent to the State Board of Education’s General Counsel. The commenters argued that this change would align with the process set forth for teachers in school districts located outside of Chicago.

Analysis

Under Section 24-12 of the School Code, the parties to a dismissal procedure conducted in a school district outside of Chicago are required to select a hearing officer from a master list of impartial hearing officers provided to the parties by the State Board of Education. For this reason, Section 51.30(a) requires that the teacher provide a copy of his or her request for a hearing to the State Board of Education, thereby putting agency staff on notice of the teacher’s need for a hearing officer.

P.A. 97-8, effective June 13, 2011, modified Section 34-85 of the School Code to allow CPS to establish its own list of hearing officers, removing the requirement that the district use the State Board’s master list in all instances. Since the parties choose from among the district’s list of nine impartial hearing officers, there is no urgency for agency staff to receive advance notice of the teacher’s or principal’s request for a hearing.

With that being said, there is a possibility that the teacher or principal in CPS will not participate in the hearing officer selection process. In those situations, the law provides that the district’s general superintendent may choose to select an impartial hearing officer either from the State Board-developed list or the district’s list. Notification by the teacher or principal of his or her desire to have a hearing informs agency staff of the possibility that the agency’s list of hearing officers may be needed and aligns the requirements for CPS to those for other districts in the state.

Recommendation
It is recommended that Section 51.30(b) be modified as follows.

**Section 51.30(b)(3)**

3) *Any notice sent on or after July 1, 2012 shall inform the teacher or principal of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher or principal and the Board, or a hearing before a qualified hearing officer chosen by the general superintendent, with the cost of the hearing officer paid by the Board (Section 34-85(a)(1) of the School Code). The notice shall inform the tenured teacher or principal of the requirement to copy the State Board of Education on a request for a hearing submitted pursuant to subsection (b)(4) of this Section addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601, if the teacher elects not to participate in the process to select a hearing officer.*

**Section 51.30(b)(4)**

4) *If the tenured teacher chooses to have a hearing, then the tenured teacher shall submit a request for a hearing in writing to the general superintendent within the timeline set forth in subsection (b)(2) of this Section that specifies his or her desire to have the hearing either before a mutually selected hearing officer or a hearing officer selected by the general superintendent. If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(b)(3) of this Part. If the tenured teacher elects not to participate in the process to select a hearing officer, then he or she shall send a copy of his or her request for a hearing to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.*

A) Failure of the tenured teacher to notify the State Board of Education on his or her request for a hearing is not jurisdictional.

B) If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(b)(3) of this Part.

**Comment**

A comment indicated that the provisions of Sections 51.30(a)(3) and (b)(3) do not list the requirements for the content of the notices of charges sent to teachers previous to July 1, 2012, relative to the selection process for hearing officers and the payment of costs associated with the hearing.

**Analysis**

Previous to the enactment of P.A. 97-8, the law required the teacher (or principal in CPS) and the board (or general superintendent in CPS) alternately to strike one potential hearing officer from a list of five hearing officers provided by the State Board of Education until one remained. Further, the law directed the State Board of Education to pay the “per diem costs” for the hearing officer who conducts the hearing.
Under P.A. 97-8, however, the teacher or principal may choose the method for selecting the hearing officer. The method chosen would determine the party responsible for paying the per diem costs. If the teacher or principal chooses the alternating selection, then he or she shares with the district the costs of the hearing officer. If the teacher or principal chooses to let the board or general superintendent choose the hearing officer, then the district pays the full costs of the hearing officer.

The new system takes effect on July 1, 2012, and the purpose of the proposed rule at Sections 51.30(a)(3) and (b)(3) is to reiterate the requirements of the law, rather than simply relying on cross-references to statute, to inform the teacher or principal of his or her responsibilities for paying for the cost of the hearing officer under certain conditions. In requesting the hearing, a teacher now must weigh whether he or she believes it is better to pay for a hearing officer and have some control over who is selected or rely on his or her board to choose a hearing officer without the teacher’s involvement and for the board to pay the entire cost.

The structure of Section 50.30, however, leaves the impression that there are criteria beyond notification of payment responsibility that are different for notices sent before July 1 and those sent after July 1. A reorganization of the Section may make more clear the purpose of subsections (a)(3) and (b)(3).

**Recommendation**

It is recommended that Sections 51.30(a) and (b) be modified as follows. *(NOTE: The recommendations include the changes from the previous comment.)*

(a)(2) The notice shall include a bill of particulars and inform the tenured teacher of his or her right to request, in writing to the school district, a hearing within 17 days after receiving the notice (see Section 24-12(d) of the School Code).

A)(3) Any written notice sent on or after July 1, 2012 shall inform the teacher of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher and the Board, or a hearing before a Board-selected hearing officer, with the cost of the hearing paid by the Board (Section 24-12(d)(1) of the School Code). The notice shall inform the tenured teacher of the requirement to copy the State Board on a request for a hearing submitted pursuant to subsection (a)(3) of this Section addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

B) In addition, any written notice sent on or after July 1, 2012 shall inform the teacher of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher and the Board, or a hearing before a Board-selected hearing officer, with the cost of the hearing paid by the Board (Section 24-12(d)(1) of the School Code).

(a)(3) If the tenured teacher chooses to have a hearing, then the tenured teacher shall submit a request for a hearing in writing to the school district within the timeline set forth in subsection (a)(2) of this Section that specifies his or her desire to
have the hearing either before a mutually selected hearing officer or a Board-selected hearing officer. The tenured teacher shall send a copy of his or her request for a hearing to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

(b)(2) The notice shall include the specifications of the dismissal and inform the tenured teacher of his or her right to request, in writing to the general superintendent, a hearing within 17 days after receiving the notice (see Section 34-85(a) of the School Code).

A)3) Any notice sent on or after July 1, 2012 shall inform the teacher or principal of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher or principal and the Board, or a hearing before a qualified hearing officer chosen by the general superintendent, with the cost of the hearing officer paid by the Board (Section 34-85(a)(1) of the School Code). The notice shall inform the tenured teacher or principal of the requirement to copy the State Board of Education on a request for a hearing submitted pursuant to subsection (b)(3) of this Section addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601, if the teacher elects not to participate in the process to select a hearing officer.

B) In addition, any notice sent on or after July 1, 2012 shall inform the teacher or principal of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher or principal and the Board, or a hearing before a qualified hearing officer chosen by the general superintendent, with the cost of the hearing officer paid by the Board (Section 34-85(a)(1) of the School Code).

(b)(3)4) If the tenured teacher chooses to have a hearing, then the tenured teacher shall submit a request for a hearing in writing to the general superintendent within the timeline set forth in subsection (b)(2) of this Section that specifies his or her desire to have the hearing either before a mutually selected hearing officer or a hearing officer selected by the general superintendent. If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(b)(3) of this Part. If the tenured teacher elects not to participate in the process to select a hearing officer, then he or she shall send a copy of his or her request for a hearing to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

A) Failure of the tenured teacher to notify the State Board of Education on his or her request for a hearing is not jurisdictional.

B) If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(b)(3) of this Part.
A commenter noted that the process for mailing notices set forth in Section 51.30 is not “parallel” for teachers employed in school districts located outside of the city of Chicago and those employed by CPS. She would like for a process to be established in rules to allow a district outside of Chicago to mail the notice of dismissal to the teacher’s last known address, in the event that a teacher cannot be located.

Analysis

The proposed rules essentially parrot Sections 24-12 and 34-85 of the School Code in that the process for providing the notice is specific in each section. Unlike Section 34-85 of the School Code, Section 24-12 does not explicitly recognize the possibility that a teacher employed in a district outside of Chicago may not be located using either U.S. mail or personal delivery.

Recommendation

It is recommended that Section 51.30(a)(1) be modified as follows.

a) Notice of Charges for School Districts Not Organized under Article 34 of the School Code

1) The notice shall be provided to the tenured teacher either by certified mail, return receipt requested, or personal delivery with receipt, within five days after the Board’s adoption of a motion for the dismissal (see Section 24-12(d) of the School Code). If the teacher cannot be found by diligent inquiry, then the charges may be sent by certified mail, return receipt requested, at his or her last known address. A return receipt showing delivery to the teacher’s last known address within 20 calendar days after the date of approval of the charges shall constitute proof of service.

Comment

A commenter questioned the timing of both the mailing of the notice of charges to a teacher in a school district outside of Chicago and notification of a local board by a teacher of his or her desire to have a hearing. In the first instance, the commenter requested that the notice be mailed within 10 business days after the local board of education adopts a motion containing the specific charges against the teacher (rather than five days). She also recommended that the teacher inform the board about his or her request for a hearing within 17 days after the board mails the notice to him or her (rather than within 17 days from the teacher’s receipt of the notice).

A second commenter asked that notices to teachers in CPS be sent by first-class mail, which he stated is “more than adequate service to employees and their representatives”.

Analysis

As noted above, Section 24-12(d)(1) of the School Code sets forth the timelines for both notifications, and the State Board by administrative rule cannot lengthen the required timeline to 10 days nor begin the clock earlier for submission of a hearing request. The law, however, does not specify whether the notification of charges must be mailed to the teacher within five
business days or five calendar days, although Section 50.10 of the rules addresses this ambiguity by stating the intent to be calendar days.

On an unrelated note, a review of the rules in response to the second comment revealed that the rules fail to include the obligation of school districts outside of Chicago to send notices of charges to the teacher both through regular mail, as well as through either certified mail, return receipt requested or personal delivery. Providing this clarification in rule also will dilute complaints from the first commenter that teachers fail to retrieve certified mail from the post office if they are unavailable to accept delivery.

Recommendation

It is recommended that Section 51.30(a)(1) and (b)(1) be modified as follows.

(a)(1) The notice shall be mailed by first-class U.S. mail provided to the tenured teacher and provided either by certified mail, return receipt requested, or personal delivery with receipt, within five days after the Board’s adoption of a motion for the dismissal (see Section 24-12(d) of the School Code).

(b)(1) The written notice shall be served upon the tenured teacher within 10 business days after approval of the charges (see Section 34-85(a) of the School Code). For purposes of this subsection (b)(1), “service” shall be by first-class U.S. mail and provided either by certified mail, return receipt requested, or personal delivery. If the tenured teacher cannot be found upon diligent inquiry, then the charges may be served by certified mail, return receipt requested, sent to the tenured teacher’s last known address. A return receipt showing delivery to the teacher’s last known address within 20 calendar days after the date of approval of the charges shall constitute proof of service. (See Section 34-85(a)(1) of the School Code).

Comment

Two commenters asked about cross-references used in Section 51.30. The first asked if the cross-reference in 51.30(a)(4)(B) to Section 51.40(a)(3) was correct. The second commenter questioned the existence of Section 51.40(b)(3), which is referenced in Section 51.30(b)(3). Both of these subsections address the failure of a teacher requesting a hearing to state the method for hearing officer selection.

Analysis

Section 24-12 of the School Code does not provide a method for selection of a hearing officer in situations where a teacher in a district located outside of Chicago fails to identify in his or her request a method for choosing the hearing officer. In this case, the agency used the requirements of 34-85 as guidance and provided that, as the default, the board should choose the hearing officer. Both Sections 51.40(a)(3) and 51.40(b)(3) address the process used when the board or the general superintendent, respectively, chooses the hearing officer.

Recommendation

No changes are recommended in response to these comments.
Section 51.35, Suspension without Pay

Comment

A commenter questioned why school districts outside of Chicago could not consider mitigation when determining the amount of loss of pay and benefits to be provided to a teacher not subsequently dismissed, as CPS can.

Analysis

The provision regarding mitigation is contained in a subsection of Section 24-12 that is different than the one addressing suspension without pay, so its omission in the rules is an oversight.

Recommendation

It is recommended that Section 51.35(a) be modified as follows.

a) For school districts not organized under Article 34 of the School Code, if, in the opinion of the Board, the interests of the school require it, the Board may suspend the teacher without pay, pending the hearing, but if the Board’s dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits, less setoffs for mitigation, by reason of the suspension (Sections 24-12(d)(1) and (d)(8) of the School Code).

Comment

A commenter asked the State Board to prescribe rules by which CPS would establish a process, also by rulemaking, to suspend a teacher without pay. These suggested requirements include the approval by the CPS board of the suspension, provision to the teacher of any documents supporting the suspension, an opportunity for a hearing regarding the suspension, and the awarding to the teacher of the costs and fees in the event it is determined that the charges were brought in bad faith or the dismissal is not sustained in full.

Analysis

Section 34-85(a)(2) authorizes the CPS board, rather than the State Board, to promulgate rules regarding suspensions by the general superintendent of teachers without pay during dismissal proceedings. Staff urge the commenter to work with CPS to incorporate into the local process safeguards and other requirements that are satisfactory to both parties.

Recommendation

No change is recommended in response to this comment.

Section 51.40, Hearing Officers

Comment

The commenter asked that the rules at Section 51.40(a) and (b) require parties to a dismissal hearing to provide notification to the State Board of Education of the hearing officer’s selection date and that the agency confirm, in writing, its receipt of that information. The commenter
reasoned that since the selection date of the hearing officer is essential to establishing the various timelines in the dismissal process, the State Board of Education should acknowledge the date upon which a hearing officer was selected.

Analysis

It is not the responsibility of State Board of Education staff to keep track of the dates upon which each aspect of a dismissal process occurs. Rather, it is the local parties – both the teacher and his or her legal representatives and the district representatives – that must ensure that the requirements of the law and rules are met. If either party believes that a deadline has not been met, then he or she can challenge the process during the hearing or on appeal.

Recommendation

No change is recommended in response to this comment.

Comment

One letter noted that the timing of the notifications within a three-day period required under Sections 51.40(a)(2)(B)(ii) and (a)(4) are not clear and that they be modified.

Analysis

Given the perceived confusion regarding the “3 business day” period for action specified in the law, staff believe a revision to the proposed rule is warranted. The intent of Section 51.40(a)(2)(B) was to have these selection decisions (i.e., selecting a hearing officer or rejecting the panel and informing the State Board of the use of alternative selection) completed within one initial three business-day period after the list of prospective hearing officers is received by the parties. The proposed rules should further clarify that if the parties notify the State Board that they have rejected the whole list of hearing officers but they fail to notify the agency that they intend to use alternative selection, then the State Board has three additional business days to appoint a hearing officer from the master list.

Staff believe that the statutory language, as presented, is clear in Section 51.40(a)(4) and no change is being recommended.

Recommendation

It is recommended that Section 51.40(a)(2)(B) be modified as follows.

B) Within three business days after receiving the list of prospective hearing officers, the Board and the teacher, or their legal representatives, shall either:

i) alternately strike one name from the list until one name remains. Unless (unless waived by the teacher, the teacher shall have the right to strike first); or

ii) Within three business days after receiving the list, the Board or the teacher, or either of their legal representatives, shall have the right to reject all prospective hearing officers on the list, in which case, the party rejecting the entire list they shall notify the State Board and the other
If the parties reject the entire list, the notification sent to the State Board shall include whether the parties prefer that within three business days after receiving timely notification that the entire panel has been rejected, the State Board shall appoint, on a rotating basis, a hearing officer from the master list who was not on the parties’ rejected list, or whether the parties intend to select unless the State Board receives notice from the parties that a hearing officer has been selected through an alternative method in accordance with Section 24-12(d)(4) of the School Code.

Comment

A commenter asked that the rules specifically state in Section 51.40(a)(1)(F) that the timeline for completing the dismissal hearing for a teacher in a district outside of Chicago is based on calendar days. The commenter wishes to make this subsection of the rules match Section 51.40(b)(1)(E), which is specific to Chicago.

Analysis

Each of these subsections repeats statutory language verbatim. Additionally, the proposed rules inform the reader that in situations when “calendar” or “business” day is not specified, then the rule should be understood to mean a calendar day. The commenter admitted she is aware of this definition. The intent of the provision, therefore, should be clear to the reader.

Recommendation

No change is recommended in response to this comment.

Comment

A commenter suggested adding a regulatory provision directing CPS to update or modify its hearing officer list at a certain time and in a certain manner (Section 51.40(b)). She also noted that at least one statutory citation is incorrect.

Analysis

A rule of this type goes beyond the authority of the State Board of Education. It is up to CPS to work in “good faith consultation” with its teachers’ union to develop its list of nine prospective hearing officers.

The incorrect citation was fixed before the proposal was published in the Illinois Register.

Recommendation

No changes are recommended in response to these comments.

Comment
A commenter recommended that the State Board require by rule that any training specific to evaluative and non-evaluative dismissals be “subject to notice and comment by the CTU (Chicago Teachers Union), IFT (Illinois Federation of Teachers), IEA (Illinois Education Association) and the Districts”.

Analysis

Sections 24-12(d)(3) and 34-85(a)(3) require that each hearing officer complete training either provided or approved by the State Board of Education that results in the officer being “familiar with issues generally involved in evaluative and non-evaluative dismissals”. The content of that training is not a subject of rulemaking, as it will be provided either by agency personnel or via a contract that the agency procures through a Request for Sealed Proposals (RFSP) process.

Recommendation

No change is recommended in response to this comment.

Comment

A commenter asked that Section 51.40(b)(2) include a provision that the teacher or principal may waive his or her right to be the first to strike a name from the list of prospective hearing officers when a mutual selection process is occurring. Further, the commenter suggests that the parties may skip the striking process and simply agree to a mutually selected hearing officer.

Analysis

The commenter is correct that a teacher or principal could waive his or her right to strike first, and that provision should be added to the rule. The intent of the second suggested modification is unclear, however, since nothing currently prevents a teacher or principal (or legal representatives) from agreeing to a hearing officer without proceeding through the striking process. Staff believe, however, that the law intends for both parties to proceed through the striking process until no name remains, regardless if they agree at any given point in the process.

Recommendation

It is recommended that Section 51.40(b)(2) be modified as follows.

2) A hearing officer shall be selected as set forth in Section 34-85(a)(3) of the School Code and this subsection (b)(2) if the tenured teacher has chosen to use a mutually selected hearing officer. \textit{The general superintendent and the teacher or principal or their legal representatives, within 5 business days after receiving the notice of request for a hearing, shall alternately strike one name from the list of nine qualified hearing officers until only one name remains. Unless waived by the teacher, the teacher or principal shall have the right to proceed first with the striking.} (Section 34-85(a)(3) of the School Code).

Comment

A commenter asked that before a hearing officer is chosen by the general superintendent for a teacher or principal who “fails to participate in the striking process”, the district send another
notice to the individual and his or her representative, stating that failure to act will “trigger” the so-called “default Hearing Officer”.

**Analysis**

The purpose of P.A. 97-8 was to streamline the dismissal hearing process, reducing the possibilities for unnecessary delays or stalling caused by either party. While one might argue that unforeseen circumstances may prevent a teacher or principal from being able to participate in the selection process for a hearing officer during the five-day window, his or her legal representative, under the law, could participate instead. The teacher or principal being dismissed should be attentive to the process, including deadlines for action, so that additional notices are not necessary.

**Recommendation**

No change is recommended in response to this comment.

**Comment**

The current rule requires a hearing officer to notify the parties in writing of any potential circumstances that could disqualify him or her “upon (the hearing officer’s) appointment”, and a commenter disagreed with the proposed change to “as soon as possible”. If the original rule could not be restored, then she suggested a timeline of seven days. She argued that since the hearing could begin as late as 75 days after the appointment of a hearing officer, the parties are entitled to know sooner, rather than later, if the hearing officer has a conflict that could lead to disqualification. The commenter also asked that any waiver of disqualification be “in writing”.

**Analysis**

Requiring that the hearing officer “upon appointment” notify parties of potential conflicts is overly restrictive. Rather than setting a firm deadline, the proposed rule reminds the hearing officer that he or she must be timely in notifying the parties of any potential conflicts. The timeline under which the hearing process must occur (within 120 days) also will mitigate the potential for a hearing officer to unduly delay a disclosure of potential conflicts to the parties.

It is not necessary to require by rule that the parties provide a written waiver of the presumptive disqualification. The parties can determine whether and how the waiver should be memorialized.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

One commenter disagreed with Section 51.40(e)(2), which provides that when there is a hearing officer vacancy during the course of a hearing, the “entire matter” automatically must be reheard by a new hearing officer unless both parties agree to another process. Instead, the person asked that the newly appointed hearing officer make the determination of whether to conduct the hearing again, based on arguments presented by each party. He also asked for the agency...
to better define “during the course of the hearing”, the timeframe during which a vacancy would precipitate a rehearing.

Analysis

In an effort to streamline the hearing process and prevent delays, it makes sense that a new hearing officer appointed before the “opening” of the hearing would simply adopt all pre-hearing orders and findings of the previous hearing officer. Once the hearing has begun, however, deference could be given to the parties to present their arguments as to why the hearing should proceed rather than start over. Based on those arguments, the hearing officer would use his or her good sense and discretion to determine how the process should proceed.

Recommendation

It is recommended that Section 51.40(e)(2) be modified as follows.

2) If a vacancy occurs at any point prior to the opening of the hearing, a new hearing officer shall be appointed and shall adopt all pre-hearing orders entered by the previous hearing officer.

3) If a vacancy occurs after the opening occur during the course of a hearing, the entire matter shall be reheard by a new hearing officer unless, after considering arguments presented by each party, the hearing officer adopts the previous hearing officer’s findings and agrees to move forward both parties provide written agreement otherwise.

Comment

A commenter asked that a provision be added to the proposed rules to allow the suspension of a hearing officer under Section 51.40(h) in the event he or she violates any of the professional standards governing his or her conduct, provided that the violations are “minor”.

Analysis

This rulemaking moved from Section 51.80 (which is proposed for repeal) to Section 51.40(h) a long-time regulatory provision that established violations of professional standards as a cause for the removal of a hearing officer from the master list of prospective hearing officers. In order to allow for a hearing officer to be suspended, the rules would need to state the criteria the State Superintendent would consider in determining whether a violation was sufficiently egregious to warrant removal rather than a suspension. It would be inappropriate to place any such criteria in the rules at this time, without allowing for an opportunity for the public to comment.

Recommendation

No change is recommended in response to this comment.

Section 51.55, Pre-Hearing Procedures

Comment
A commenter suggested that a teacher be allowed to revise their answer and defenses to a bill of particulars or charges and specifications up to 14 days before the start of the hearing.

Analysis

The proposed rule at Section 51.55(b) provides that the teacher shall respond to, or answer, the bill of particulars in accordance with the schedule set by the hearing officer. The commenter’s suggestion would allow the teacher an opportunity to revise his or her answer after the discovery and prehearing phases, which may create additional delays. Often, the discovery and prehearing activities are based on the teacher’s answer and averred affirmative defenses, so allowing the teacher to change that response so close to the start of the hearing may create the need for additional discovery or motions, leading to even more delays.

Recommendation

No change is recommended in response to this comment.

Comment

The same commenter stated that the deadline to produce initial disclosures and update those disclosures no later than 10 days before the start of the hearing provides “insufficient time to adequately prepare and is prejudicial to the teacher”. (See Section 51.55(c)(3).) She suggested instead that any initial disclosures by the district be produced within 30 days of the request for a hearing. A similar change regarding the deadline was requested in Section 51.55(d).

Additionally, the commenter asked that a provision be added to the rules requiring the district to retain documents and evidence until the termination of the proceedings and to advise its “agents, employees and assigns in writing” of this requirement.

Analysis

Sections 24-12(d)(6) and 34-85(a)(5) establish the deadline of not later than 10 days before the hearing commences for providing initial disclosures and updates to the other party. The law includes as part of these disclosures each of the items listed in Section 51.55(d).

As for the commenter’s second suggestion, it is unclear how the district’s retention of the material will benefit the teacher, as the commenter suggested. It might be more appropriate for the hearing officer to retain all documents and evidence and forward the complete file to the district, which would compile the record of the proceedings upon request for an administrative review. Although specific direction is not provided in the proposed rules for the hearing officer to provide the record to the district, the rules do require the hearing officer to receive all evidence for the record of proceedings (see Section 51.60(c)(15)) and for the district to prepare and file the record in the case of an administrative review (see Sections 51.70(b)(3) and 51.75(d)(3)).

Recommendation

No changes are recommended in response to these comments.

Comment
A commenter requested that the State Board remove from Section 51.55(d)(3) the requirement that discovery material and other documents be provided to the hearing officer, saying that the practice would be “cumbersome, (subject) the hearing officer to unneeded documents, and (lead) to arguments that the hearing officer was privy to irrelevant or prejudicial documents that may not be admitted into evidence”.

Another commenter asked that Section 51.55(d)(3) include authority for the hearing officer to exclude witnesses and exhibits and order other “appropriate relief” when good cause is not shown for failing to disclose documents and materials within the deadlines established. She also asked that the term “relevant” be defined; suggested wording was provided.

Analysis

The law does not require that discovery materials and other documents, as listed in the law, be provided to the hearing officer but rather that the parties disclose and update any disclosures no later than 10 days prior to the hearing’s commencement. The rules, however, have long required (in amended Section 51.55(e)) that copies of the information disclosed to the other party also be provided to the hearing officer. This is appropriate since the hearing officer maintains the official file of the proceedings that would be used during any administrative review of the local board’s decision, and as such, the record must be complete in all respects.

No further rulemaking is needed to compel the hearing officer to exclude witnesses and exhibits when disclosure of same was not timely and “good cause” could not be shown for the delay. The hearing officer already has the authority to exclude under administrative law.

Recommendation

No changes are recommended in response to these comments.

Comment

The commenter objected to existing requirements that pertain to the process of discovery in Section 51.55(e). In particular, the commenter said that applications to the hearing officer for approval of discovery “slows down (the hearing) process, creates more work and expense for all involved and delays when the parties receive discovery responses.” Instead, he asked that the burden be placed on the parties to object to the other’s desire to take discovery rather than to proceed with an application to the hearing officer upon which he or she has to act. Another commenter agreed, suggesting that the parties “serve discovery requests directly on the other party, who can object”.

Analysis

Any application to the hearing officer for discovery includes an opportunity for the opposing side to object, and if needed, enter into a briefing schedule on the propriety or necessity of the discovery. Ultimately, the hearing officer will have to decide whether to allow the discovery, but he or she can control discovery requests designed to harass or delay, so the end result of the suggested revisions made in the public comment is the same.

Recommendation
No changes are recommended in response to these comments.

Comment

A commenter opposed the removal of a provision regarding a party’s ability to provide objections regarding pre-hearing procedures or discovery to the State Board of Education, and she asked that the rule be restored.

Analysis

Subsection (a) of Section 51.80, which is proposed for repeal, stated that any party who proceeds to a hearing after knowing that hearing procedures and requirements had not been complied with and who failed to object in writing to the State Board of Education or the hearing officer would be “deemed to have waived his or her right to object”. That provision has been moved to new Section 51.55(g) and the process has been modified to remove the State Board. No other provision regarding objections being sent to the State Board of Education is contained in the rules currently in effect.

Recommendation

No change is recommended in response to this comment.

Comment

Several wording changes were suggested:

- Move the concluding clause in Section 51.55(c) to the opening clause of the sentence;
- In the same sentence and in subsection (c)(4), Insert “telephone” between “pre-hearing” and “conference”; and
- Remove the word “scheduling” in subsection (c)(4).

Analysis

The first suggestion would improve the readability of the sentence and should be made.

The other suggestions are substantive in that the first requires pre-hearing conferences to be conducted via telephone and the second asks to eliminate the provision limiting prehearing conferences held subsequent to the first to matters of scheduling. With regard to the suggestion that the rules require that the initial prehearing conference be conducted via telephone, such a rule seems overly prescriptive. In practice, it is probably much more likely than not that the initial prehearing conference will be by telephone, but it is probably best to allow the parties and the hearing officer to make that determination. As for the second suggestion, there is no harm in removing the limitation regarding the purpose of subsequent preconference hearings; in fact, it will allow the parties to hold subsequent prehearing conferences for a variety of purposes, which may reduce time spent at hearing.

Recommendation

It is recommended that Section 51.55(c) and (c)(4) be modified as follows.

| c) Pre-Hearing Conference |
No later than 10 days after being selected as the hearing officer, the hearing officer shall convene a pre-hearing conference with the parties for the purpose of, among other things, setting a schedule, no later than 10 days after being selected as the hearing officer. The schedule shall be contained in the hearing officer’s order that reflects the action taken at the conference and include:

(c)(4) The dates, times and locations of any subsequent pre-hearing scheduling conferences, as needed.

Section 51.60, Hearing

Comment

A commenter asked that a provision be added to the rules at Section 51.60(a) to allow the parent of a minor to be present during the time in which the minor is testifying. She also asked, relative to Section 51.60(c)(9), whether the minor’s need to attend school during a hearing becomes an “unavoidable emergency”, thereby allowing the hearing to be conducted during the summer even if it is beyond the 120-day timeframe required under the law for the hearing to be conducted.

Analysis

It may not be necessary to include in rule a provision allowing a parent or other representative to be present at the hearing while a minor is testifying, as it is more likely than not that a hearing officer would allow this and an opposing party would not object. That being said, the commenter stressed the importance of this provision, so it may be that in some cases, this protection for minors has not been respected.

With regard to the comment that a hearing be continued so that the minor is not required to miss school, this type of requirement could create needless delays, and it is likely that the parties could find a time for the child to testify that does not interfere with the school day. While a change in the proposed rules is not necessary, it is useful to note that a party could present a motion to the hearing officer for consideration of this type of modification.

Recommendation

It is recommended that Section 51.60(a) be modified as follows.

a) The hearing shall be closed to the public unless one of the parties requests that it be open and the hearing officer so orders. The hearing officer shall exclude witnesses during the testimony of other witnesses upon the motion of either party, except that, at any time, one representative of each party in addition to counsel (or other authorized representative) shall be allowed to be present, even if that representative is also a witness. When a witness is a minor, the hearing officer shall allow the parent or representative of the minor to be present when the minor is testifying. In open hearings, individuals who are not witnesses are not affected by exclusion under this subsection (a).

Comment
The commenter asked that the discretion given to the hearing officer in Section 51.60(c)(3) to vary the order in which the hearing proceeds (i.e., that the local board of education proceed first) be removed from the rules. He argued that both parties should be given the opportunity to agree if the teacher’s or principal’s case should proceed before the local board has concluded its presentation of evidence.

In contrast, another commenter said that providing discretion to the hearing officer to determine the order of the proceeding “unfairly prejudices the teacher and proceedings”, and she asked that the hearing officer not be given power to vary the order unless “upon agreed motion of the parties or due to an extraordinary circumstance”.

Analysis

In response to a similar comment received before the proposed amendments were released for public comment, agency staff added to Section 51.60(c)(3) a caveat that “parties may agree to take witnesses out of order”. This statement was intended to provide the latitude for the case to proceed out of the order required in the rules, provided that both parties mutually agreed to do so. The proposed change, however, failed to address directly the actions of the hearing officer to determine at his or her discretion the order of the proceedings.

As to the second comment, the proposed modification provides the protection the commenter requested, in that the parties must first agree to vary the order of the proceedings. This proposed change should allay the concerns she expressed in her comment.

Recommendation

It is recommended that Section 51.60(c)(3) be modified as follows.

3) The Board shall proceed first to present its evidence, and it shall have the burden of proof. Parties may agree to take witnesses out of order. The hearing officer, may, at his or her discretion, vary the normal procedure under which the Board presents its case first, provided that the parties agree to take witnesses out of order, but in any event shall afford full and equal opportunity to all parties for presentation of relevant proof.

Comment

One commenter suggested a permissive addition to the rules to allow the hearing officer to “support either party’s effort to obtain a court order to pursue an out-of-state subpoena, including to allow time to effectuate service”. (See Section 51.60(c)(6).) Another commenter explained that her union has had difficulty obtaining information from third parties, and court orders have been required. She asked that further specificity be added to the rule at Section 51.60(c)(6) to empower the hearing officer to “issue subpoenas, including to third parties and with appropriate orders protecting the privacy of the information”.

One of the commenters also complained about the reduction in the number of witnesses to be subpoenaed from 10 to seven.

Analysis
The suggested revision concerning the subpoena action for out-of-state witnesses addresses procedures that potentially are complicated, and it is likely that no rule will be expansive enough to cover every situation. For that reason, the rules should remain silent in this regard and leave it up to each hearing officer to determine the degree to which he or she would support a party’s effort to obtain a court order to pursue an out-of-state subpoena. The proposed rules sufficiently address the subpoena power of the hearing officer, and it is up to that individual to determine how best to use that power.

P.A. 97-8 set the limit of witnesses to be subpoenaed at seven per each party. This change in the law was likely a point negotiated by the various parties crafting the bill. It is important to note that the limit is placed on those witnesses who are subpoenaed; there is no limit on the number of non-subpoenaed witnesses who can be called to testify.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

The commenter asked that the rules allow the hearing officer to “borrow” a transcript from either party and return it after his or her ruling, rather than requiring the party or parties responsible for paying for the cost of the hearing officer to pay the cost for the hearing officer’s transcript.

**Analysis**

Section 51.60(c)(7) provides that the parties will pay the cost of a copy of the transcript ordered by the hearing officer and each party shall pay for their own copy of the transcript. This rule allows for a hearing officer to decide whether he or she wants his or her own copy of the transcript or whether he or she will “borrow” a copy that a party has purchased for its use. Nothing in the proposed rules currently prohibits the latter practice from occurring.

**Recommendation**

No change is recommended in response to this comment.

**Comment**

Regarding Section 51.60(c)(8), which addresses exhibits, one commenter noted that “hearsay, propensity and other inadmissible evidence denies the teacher due process of law in violation of the United States and Illinois Constitutions”.

**Analysis**

It is unclear whether the commenter is providing a reminder to the agency or is requesting a change in the rules. It appears the comment could have been made in regards to a recently issued opinion of the Illinois Appellate Court, First Judicial District, in the matter of *Linda Rule v. Board of Education of the City of Chicago and Illinois State Board of Education*, a copy of which was submitted by the commenter. The ruling regarding “hearsay, propensity and other inadmissible evidence” may not be cited as precedent in other legal conclusions drawn by a court, however, under the rules by which the case was heard. As a matter of practice, hearsay
in administrative law proceedings are often allowed by the hearing officer and the evidence presented goes to weight rather than to admissibility.

Recommendation

No change is recommended in response to this comment.

Comment

A commenter asked for clarification of Section 51.60(c)(14), which discusses the ability of either or both parties to waive submission of briefs. She asked if one party’s waiver is binding on the other party and suggested a rewording of the rule to make its intent clearer. She also questioned the meaning of “good cause”, as it is used in this context.

Analysis

The intent of Section 51.60(c)(14) is that either or both parties may waive the submission of written briefs, which permits each party to decide whether it wants to file a written brief. One party may waive filing a written brief, which has no binding effect on the ability of the other party to file a written brief, unless that other party also waives. A slight modification to the rule will make this intent clearer.

As for the meaning of “good cause”, the term is defined in the law, and that definition is included in Section 51.60(d)(9) of the rules.

Recommendation

It is recommended that Section 51.60(c)(14) be modified as follows.

(c)(14) At the close of the hearing, the hearing officer shall direct the parties to submit post-hearing briefs no later than 21 days after receipt of the transcript, unless extended by the hearing officer for good cause or by mutual agreement of the parties (Sections 24-12(d)(6) and 34-85(a)(5) of the School Code). Post-hearing briefs may not exceed 50 pages in length, unless the hearing officer determines in a written order that the circumstances of a particular matter (e.g., length of the hearing) warrant a limitation shorter or longer than 50 pages. Either party or both parties may waive submission of briefs. If written briefs are to be submitted subsequently, the hearing officer shall so note in the record.

Comment

Two commenters submitted several suggestions for 51.60(d), evidentiary rules:

- Modify “evidence” in subsection (d)(1) to make clear that it is only admissible evidence that may be offered and that this evidence was “disclosed in accordance with the Hearing Officer’s disclosure rules”;
- Add a reminder in subsection (d)(2) that hearsay, propensity and other inadmissible evidence should be excluded “unless it falls within recognized exceptions”;
- Allow either party to be permitted to designate a witness as hostile, rather than allowing only the hearing officer to do so (subsection (d)(4)); and
• Allow for full disclosure to the other party of any document submitted after the close of the evidentiary portion of the hearing and that the consideration of evidence be subject to either agreement of both parties or providing the teacher with an opportunity to “review and confront the evidence at the hearing, and insofar as the evidence could not have reasonably been presented at the hearing”.

Analysis

In administrative hearings, the rules of evidence apply, although these rules are often somewhat relaxed, as is provided in Section 51.60(d)(2) (for example, a hearing officer may allow hearsay as evidence, but it goes to weight, not admissibility). Part 51 does not need to include an exhaustive list of the rules of evidence for dismissal hearings. The hearing officer makes evidentiary rulings, which can be appealed if a party believes the admission or exclusion of evidence was improper.

Only a hearing officer should be allowed to designate a witness as hostile, on application by a party. There are no other circumstances where a party has that authority and it should not be granted here.

With regard to the last point, if a party is permitted to submit evidence after the evidentiary portion of the hearing, a copy should be disclosed to the other party, as well.

Recommendation

It is recommended that Section 51.60(d)(5) be modified as follows.

5) If the hearing officer grants a party’s request to submit a document after the evidentiary portion of the hearing is closed, the party shall file that document with the hearing officer and with the other party within the time designated by the hearing officer.

Section 51.70, Decision (districts outside of Chicago)

Comment

The commenter asked that the State Board of Education develop separate templates that all hearing officers would be required to use either for performance dismissal decisions or for conduct dismissal findings of fact and recommendation for actions taken against teachers in school districts located outside of Chicago.

Similarly, another commenter asked that a template or checklist be developed by the agency to set forth the teacher’s rights and timetable for each step of the process, including a list of hearing officers.

Analysis

The use of a standardized format for all hearing officers to use to communicate their decisions would certainly aid collective bargaining groups and others who may seek to challenge a decision to dismiss a teacher or principal. The law, however, does not grant authority to the State Board of Education to mandate that all decisions be presented in an identical format nor are staff able to predict whether such a format would be suitable to capture the unique
circumstances of each individual case. The proposed rule does provide the minimum content a decision must contain (i.e., findings of fact, conclusions of law and recommended penalty). While staff agree no change is needed, they can ensure that training provided to hearing officers stress the importance of consistent and clear organization of the hearing officer’s decision.

Likewise, a template or checklist summarizing the requirements of the law and administrative rules would be useful. Such a checklist could easily be developed by the organization submitting the comment and shared with her union’s membership.

Recommendation

No changes are recommended in response to these comments.

Comment

The commenter pointed out that the use of the terms “decision” and “written order” in Section 51.70 is confusing and he asked that “consistent terminology be used”.

Analysis

In referring to actions of the local school board, the law uses both “written order” and “decision”; however, the introduction to Section 51.70(b)(3) and subsection (viii) of that Section can be clarified to avoid misunderstanding in the field.

Recommendation

It is recommended that the introduction to Section 51.70(b)(3) and Section 51.70(b)(3)(B)(viii) be modified as follows.

(b)(3) The decision of the Board, as set forth in its written order, is final unless reviewed under the Administrative Review Law, as provided in Section 24-16 of the School Code [105 ILCS 5/24-16].

(b)(3)(B)(viii) The decision of the Board, as set forth in its written order.

Comment

A commenter asked that performance-related documentation, other than the evaluations conducted under Section 24A-5 of the School Code, be considered and given weight by the hearing officer (see Section 51.70(a)(1)). She indicated that such documentation would include email reminders to meet instructional expectations, conference summary memos, and parent complaints. The commenter pointed out that this type of documentation is “important to a district’s conclusion that a teacher’s performance is unsatisfactory (or that he or she) did not successfully complete the remediation plan”.

Analysis

Section 24-12(d)(6) of the School Code provides that in dismissals for performance, a hearing officer must consider “the teacher’s evaluations written pursuant to Article 24A (of the School Code) that are relevant to the issues in the hearing”. (Emphasis added.) The requirements for
written performance evaluations are found in Section 24A-5 of the School Code and in proposed Part 50 of the agency’s administrative rules. While a district may choose to consider the documentation suggested as part of a teacher’s formal evaluation under Section 24A-5 of the School Code, the consideration of items, such as emails and parent complaints, would not be proper to include unless they were incorporated into the written evaluation.

**Recommendation**

No change is recommended in response to this comment.

**Comment**

A commenter suggested two wording changes in Section 51.70(c):
- Insert “with such cause” before “specifically provided in writing”; and
- Add “without good cause” after “recommendation” in subsections (c)(1) and (c)(3).

**Analysis**

The first change proposed by the commenter would require that the hearing officer provide the reason for his or her failure to render a decision provided to the parties and the State Board of Education in writing. The insertion of this phrase, however, makes the wording awkward without adding any additional meaning, since the rule, as proposed, requires the hearing officer to specifically state the reasons for the untimely rendering of the decision.

The insertion of “without good cause” in Sections 51.70(c)(1) and (c)(3) reiterates that the penalties will be applied only in situations described when a hearing officer fails to render a timely decision.

**Recommendation**

It is recommended that Section 51.70(c) be modified as follows.

\[
c) \quad \text{Pursuant to Section 24-12(d)(7) of the School Code, if the hearing officer fails, without good cause specifically provided in writing to the parties and the State Board, to render a decision issued pursuant to subsection (a) of this Section or findings of fact and recommendation issued pursuant to subsection (b) of this Section within 30 days after the later of the close of the hearing or the record, the parties may mutually agree to select a hearing officer pursuant to the alternative selection procedures provided under Section 24-12(d)(4) of the School Code to rehear the charges or review the record and render a decision.}
\]

1) The hearing officer who failed to timely render a decision or findings of fact and recommendation without good cause shall have his or her name struck from the master list of hearing officers maintained by the State Board of Education for a period of not more than 24 months.

2) The parties and the State Board may take other actions as they deem appropriate regarding reducing fees paid to the hearing officer.

3) If any hearing officer again fails to provide in a timely manner a decision or findings of fact and recommendation without good cause, the State
Board shall remove him or her permanently from the master list and prohibit any party from selecting this hearing officer through the alternative selection process in Section 24-12(d)(4) of the School Code.

Section 51.75, Decision (CPS)

Comment

A commenter provided a suggested change to improve the readability of the rule at Section 51.75(d) and noted a citation error in Section 51.75(d)(3)(B).

Analysis

Both of these changes would improve the rule and should be made.

Recommendation

It is recommended that Section 51.75(d) be modified as follows.

(d) The decision of the hearing officer regarding dismissal due to either performance or conduct rendered pursuant to Section 34-85 of the School Code is the only findings of fact and recommendation to the Board.

(d)(3)(B) The record of the hearing shall contain each of the items enumerated in Section 51.70(b)(3)(B) 51.70(a)(2)(B) of this Part.

Comment

A commenter asked that the findings of fact and a recommendation issued by the hearing officer under Section 51.75 also include his or her recommendation regarding “whether the teacher shall be reinstated, made whole and other appropriate relief ordered, including the awarding of costs and fees to the teacher”.

The commenter also asked that the rule require the State Board to post the hearing officer's decision on its website “unredacted”.

Analysis

The obligations of the hearing officer are set forth in Section 34-85(a)(6) of the School Code and including by rule the additional conclusions would go beyond the intent of the law.

As for the agency’s posting of decisions on its website, State Board staff redacts only the names of minors in the decision, not law and analysis contained in the decision.

Recommendation

No changes are recommended in response to these comments.

Comment
A commenter suggested that the rules require the CPS board to adopt the hearing officer’s recommendation unless it is “specifically found to be against the manifest weight of the evidence”. (See Sections 51.75(d)(1) and 51.290.) She also asked that the rule prohibit the Board from considering evidence not in the official record and from designating a non-board member to make the decision. Finally, the commenter said in the event that the teacher is not reinstated, then the rule should require that the Board provide to the teacher a transcript of its deliberations and decision to accept or reject the recommendation of the hearing officer regarding dismissal.

Analysis

Section 34-85(a)(7) of the School Code does not include a standard of review for CPS’ board of education. The hearing officer’s conclusions of law are based on preponderance of the evidence, and it would make sense that the board’s decision, based on its review of the hearing officer’s findings of fact and conclusions of law, would also be based on preponderance. “Manifest weight” is an appellate standard of review, so it would not be appropriate to assign that to the board when making its initial decision.

Recommendation

No changes are recommended in response to these comments.

Comment

The commenter asked the State Board to provide a “consequence” if the CPS Board fails to make a decision regarding dismissal within the deadlines established in Section 34-85 of the School Code. She suggested providing the board another 15 days (rather than the 45 days provided under the law) if the hearing officer recommends that a teacher be reinstated. If the board fails to meet either deadline, then the dismissal is void, she recommended. She also asked that the rule allow a teacher who the hearing officer recommended be dismissed to “expedite (his or her) appeal from an adverse decision within the 60-day time period”.

Analysis

As noted, Section 34-85 of the School Code provides that the board will not lose jurisdiction for its failure to adhere to timelines set forth in the law, including the issuance of the decision, so the commenter’s suggestion cannot be accomplished in rule and would require a statutory change.

Recommendation

No changes are recommended in response to these comments.
PART 51
DISMISSAL OF TENURED TEACHERS UNDER ARTICLE 24 AND DISMISSAL OF TENURED TEACHERS AND PRINCIPALS UNDER ARTICLE 34 OF THE SCHOOL CODE

SUBPART A: GENERAL PROVISIONS

Section
51.10 Definitions

SUBPART B: STANDARD DISMISSAL PROCEDURES UNDER ARTICLES 24 AND 34 OF THE SCHOOL CODE

51.20 Applicability of this Subpart B Part
51.30 Dismissal Proceedings, Notice of Charges to Tenured Teachers, and Compliance with Other Applicable Provisions of the School Code
51.35 Suspension without Pay
51.40 Qualifications and Selection of Hearing Officers; Conditions of Service
51.50 Suspension Pending the Hearing (Repealed)
51.55 Pre-Hearing Procedures
51.60 The Hearing
51.70 The Decision: School Districts Not Organized under Article 34 of the School Code
51.75 The Decision: School Districts Organized under Article 34 of the School Code
51.80 Waiver, Interpretation and Application of this Part (Repealed)

SUBPART C: OPTIONAL ALTERNATIVE EVALUATIVE DISMISSAL UNDER SECTION 24-16.5 OF THE SCHOOL CODE

Section
51.200 Purpose and Applicability of this Subpart C
51.210 Establishment of the List of Second Evaluators; Qualifications
51.220 Selection of Second Evaluators
51.230 Use of a Second Evaluator in Specific Remediations
51.240 Hearing Procedures
SUBPART A: GENERAL PROVISIONS

Section 51.10 Definitions

As used in this Part:

"Board" means the local school board and not the State Board of Education.

“Day” means calendar day unless otherwise specified in this Part, and the time within which any action required under this Part must occur shall be determined in accordance with the provisions of Section 1.11 of the Statute on Statutes [5 ILCS 70/1.11].

“General Superintendent” means the chief executive officer of City of Chicago School District 299. [See 105 ILCS 5/34-6]

"Parties" means the tenured teacher against whom charges are brought and the school board bringing the charges.

“State Board” means the Illinois State Board of Education.
"Tenured Teacher" means any teacher who has entered upon contractual continued service pursuant to Section 24-11 of the School Code [105 ILCS 5/24-11] and, in school districts organized under Article 34 of the School Code [105 ILCS 5/Art. 34] having a population of 500,000 or more, a teacher or principal (see Sections 34-84 and 34-85 of the School Code [105 ILCS 5/34-84 and 34-85]).

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

SUBPART B: STANDARD DISMISSAL PROCEDURES UNDER ARTICLES 24 AND 34 OF THE SCHOOL CODE

Section 51.20 Applicability of this Subpart B Part

This Subpart B Part applies to the dismissal for reason or cause of a tenured teacher (see Section 51.10 of this Part) under Section 24-12(d) or Section 34-85 of the School Code, other than a tenured teacher for whom alternative procedures are established in an agreement entered into pursuant to Section 34-85c of the School Code [105 ILCS 5/34-85c]. That is, this Subpart B applies to dismissals of tenured teachers other than honorable dismissals (i.e., those set forth in of Section 24-12(a) or (b) of the School Code), as follows:

a) For any tenured teacher who fails to complete a remediation plan with a performance evaluation rating of “satisfactory” or “proficient” or better or who, in accordance with Section 24A-5(n) of the School Code, successfully completes a remediation plan but receives a subsequent performance evaluation rating of “unsatisfactory” anytime during the 36 months following the completion of the remediation plan (see Section 24A-5(m) and (n) of the School Code);

b) For any tenured teacher who is being dismissed due to conduct that the Board does not consider remediable. (See Sections 24-12(d) and 34-85(a) of the School Code.)

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

Section 51.30 Dismissal Proceedings, Notice of Charges to Tenured Teachers, and Compliance with Other Applicable Provisions of the School Code

The approval of charges or a motion for dismissal, provision of notice of charges to the affected tenured teacher, selection of the hearing officer, scheduling of the hearing, and suspension of the
teacher pending the hearing shall be as set forth in Section 24-12(d)(1) or Section 34-85 of the
School Code, as applicable, and this Section. To comply with Section 24-12 or Section 34-85 of
the School Code, as applicable, the notice to the tenured teacher of the charges or motion for
dismissal must inform the teacher that he or she has ten days after receiving notice to request in
writing that a hearing be scheduled. A motion approved by a board pursuant to Section 24-12 of
the School Code or charges approved by the general superintendent pursuant to Section 34-85 of
the School Code may include a scheduled date for a hearing, provided that the hearing is
scheduled no fewer than 15 nor more than 30 days after the approval of the motion or charges.

a) Notice of Charges for School Districts Not Organized under Article 34 of the
School Code

1) The notice shall be mailed by first-class U.S. mail to the tenured teacher
and provided either by certified mail, return receipt requested, or personal
delivery with receipt, within five days after the Board’s adoption of a
motion for the dismissal (see Section 24-12(d) of the School Code). If the
teacher cannot be found by diligent inquiry, then the charges may be sent
by certified mail, return receipt requested, at his or her last known address.
A return receipt showing delivery to the teacher’s last known address
within 20 calendar days after the date of approval of the charges shall
constitute proof of service.

2) The notice shall include a bill of particulars and inform the tenured teacher
of his or her right to request, in writing to the school district, a hearing
within 17 days after receiving the notice (see Section 24-12(d) of the
School Code).

A) The notice shall inform the tenured teacher of the requirement to
copy the State Board on a request for a hearing submitted pursuant
to subsection (a)(3) of this Section addressed to the General
Counsel, Illinois State Board of Education, 100 W. Randolph
Street, Chicago, Illinois 60601.

B) In addition, any written notice sent on or after July 1, 2012 shall
inform the teacher of the right to request a hearing before a
mutually selected hearing officer, with the cost of the hearing
officer split equally between the teacher and the Board, or a
hearing before a Board-selected hearing officer, with the cost of
the hearing paid by the Board (Section 24-12(d)(1) of the School Code).

3) If the tenured teacher chooses to have a hearing, then the tenured teacher shall submit a request for a hearing in writing to the school district within the timeline set forth in subsection (a)(2) of this Section that specifies his or her desire to have the hearing either before a mutually selected hearing officer or a Board-selected hearing officer. The tenured teacher shall send a copy of his or her request for a hearing to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

A) Failure of the tenured teacher to notify the State Board on his or her request for a hearing is not jurisdictional.

B) If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(a)(3) of this Part.

b) Notice of Charges for School Districts Organized under Article 34 of the School Code

1) The written notice shall be served upon the tenured teacher within 10 business days after approval of the charges (see Section 34-85(a) of the School Code). For purposes of this subsection (b)(1), “service” shall be by first-class U.S. mail and provided either by certified mail, return receipt requested, or personal delivery. If the tenured teacher cannot be found upon diligent inquiry, then the charges may be served by certified mail, return receipt requested, sent to the tenured teacher’s last known address. A return receipt showing delivery to the teacher’s last known address within 20 calendar days after the date of approval of the charges shall constitute proof of service. (See Section 34-85(a)(1) of the School Code.)

2) The notice shall include the specifications of the dismissal and inform the tenured teacher of his or her right to request, in writing to the general superintendent, a hearing within 17 days after receiving the notice (see Section 34-85(a) of the School Code).
A) The notice shall inform the tenured teacher or principal of the requirement to copy the State Board of Education on a request for a hearing submitted pursuant to subsection (b)(3) of this Section addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601, if the teacher elects not to participate in the process to select a hearing officer.

B) In addition, any notice sent on or after July 1, 2012 shall inform the teacher or principal of the right to request a hearing before a mutually selected hearing officer, with the cost of the hearing officer split equally between the teacher or principal and the Board, or a hearing before a qualified hearing officer chosen by the general superintendent, with the cost of the hearing officer paid by the Board (Section 34-85(a)(1) of the School Code).

3) If the tenured teacher chooses to have a hearing, then the tenured teacher shall submit a request for a hearing in writing to the general superintendent within the timeline set forth in subsection (b)(2) of this Section that specifies his or her desire to have the hearing either before a mutually selected hearing officer or a hearing officer selected by the general superintendent. If the tenured teacher elects not to participate in the process to select a hearing officer, then he or she shall send a copy of his or her request for a hearing to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

A) Failure of the tenured teacher to notify the State Board of Education on his or her request for a hearing is not jurisdictional.

B) If a tenured teacher fails to specify the method by which a hearing officer is to be selected, then the hearing officer shall be selected as set forth in Section 51.40(b)(3) of this Part.

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

Section 51.35 Suspension without Pay

a) For school districts not organized under Article 34 of the School Code, if, in the opinion of the Board, the interests of the school require it, the Board may suspend
the teacher without pay, pending the hearing, but if the Board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits, less setoffs for mitigation, by reason of the suspension (Sections 24-12(d)(1) and (d)(8) of the School Code).

b) For a school district organized under Article 34 of the School Code, the general superintendent or his or her designee may make the determination to suspend the tenured teacher without pay in accordance with rules prescribed by the Board, provided that, if the teacher or principal charged is not dismissed based on the charges, he or she must be made whole for lost earnings, less setoffs for mitigation (Section 34-85(a)(2) of the School Code).

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.40 Qualifications and Selection of Hearing Officers; Conditions of Service

a) Master List of Hearing Officers and Selection of Hearing Officers – School Districts Not Organized under Article 34 of the School Code

1) The State Board shall maintain a master list of qualified impartial hearing officers in accordance with Section 24-12(d)(3) of the School Code. Each hearing officer on the master list maintained proposed by the State Board shall possess the following qualifications.

A) He or she must be accredited by a national arbitration association and have had a minimum of 5 years of experience directly related to labor and employment relations matters between employers and employees or their exclusive bargaining representatives (see Section 24-12(d)(3) of the School Code).

B) He or she must not be a resident of the school district involved in the hearing (see Section 24-12(d)(3) of the School Code) at the time of the hearing, unless the hearing involves a school district organized pursuant to Article 34 of the School Code.

C) He or she must be disinterested and impartial.
D) He or she must have no financial or personal interest in the result of the hearing.

E) Beginning on September 1, 2012, he or she must have successfully completed the training provided or approved by the State Board specific to issues generally involved in evaluative and non-evaluative dismissals (Section 24-12(d)(3) of the School Code).

F) He or she must be available to commence the hearing within 75 days and conclude the hearing within 120 days after being selected as hearing officer (Section 24-12(d) of the School Code).

2) A hearing officer shall be selected as set forth in Section 24-12(d)(3) of the School Code and this subsection (a)(2) if the tenured teacher has requested a hearing before a mutually selected hearing officer.

A) The State Board shall, from the master list, provide, on a rotating basis, a list of five prospective hearing officers within five business days after receiving a copy of the tenured teacher’s request for a hearing.

B) Within three business days after receiving the list of prospective hearing officers, the Board and the teacher, or their legal representatives, shall either:

i) alternately strike one name from the list until one name remains (unless waived by the teacher, the teacher shall have the right to strike first); or

ii) reject all prospective hearing officers on the list, in which case, the party rejecting the entire list shall notify the State Board and the other party. (See Section 24-12(d)(3) of the School Code.)

C) If the parties reject the entire list, the notification sent to the State Board shall include whether the parties prefer that the State Board appoint, on a rotating basis, a hearing officer from the master list who was not on the parties’ rejected list, or whether the parties
intend to select a hearing officer through an alternative method in accordance with Section 24-12(d)(4) of the School Code.

3) A hearing officer shall be selected in accordance with Section 24-12(d)(3) of the School Code and this subsection (a)(3) if the tenured teacher has requested a hearing before a Board-selected hearing officer. Within three business days after receipt of the master list from the State Board, the Board shall select one name from the master list established pursuant to subsection (a)(1) of this Section and, in writing, notify the tenured teacher and the State Board of its selection. Notification to the State Board shall be addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601.

4) In lieu of selecting a hearing officer pursuant to subsection (a)(2) or (a)(3) of this Section, the parties may mutually select either an impartial hearing officer who is on the State Board’s master list but was not on the list provided to the parties under subsection (a)(2) of this Section or an impartial hearing officer who is not on the State Board’s master list either directly or by using procedures for the appointment of an arbitrator established by the Federal Mediation and Conciliation Service or the American Arbitration Association. The parties shall notify the State Board of their intent to select a hearing officer using an alternative process within 3 business days after the receipt of the list of prospective hearing officers provided by the State Board, or the notice of appointment of hearing officer by the State Board, or receipt of notice from the State Board that it cannot provide a list of qualified, impartial hearing officers, whichever occurs later (Section 24-12(d)(4) of the School Code).

b) List of Hearing Officers and Selection of Hearing Officers -- School Districts Organized under Article 34 of the School Code

1) A school district organized under Article 34 of the School Code shall maintain a separate list of nine hearing officers to conduct hearings on charges and specifications. The school district shall develop the list in good faith consultation with the exclusive representative of the Board’s teachers and professional associations that represent the Board’s principals (Section 34-85(a)(3) of the School Code). Each hearing officer shall maintain the following qualifications:
A) He or she must be accredited by a national arbitration organization and have had a minimum of 5 years of experience as an arbitrator in cases involving labor and employment relations matters between employers and employees or their exclusive bargaining representatives (Section 34-85(a)(3) of the School Code).

B) He or she must be disinterested and impartial.

C) He or she must have no financial or personal interest in the result of the hearing.

D) Beginning on September 1, 2012, he or she must have successfully completed the training provided or approved by the State Board specific to issues generally involved in evaluative and non-evaluative dismissals (Section 34-85(a)(3) of the School Code).

E) He or she must be available to commence the hearing within 75 calendar days and conclude the hearing within 120 calendar days after being selected as hearing officer (Section 34-85(a)(5) of the School Code).

2) A hearing officer shall be selected as set forth in Section 34-85(a)(3) of the School Code and this subsection (b)(2) if the tenured teacher has chosen to use a mutually selected hearing officer. The general superintendent and the teacher or principal or their legal representatives, within 5 business days after receiving the notice of request for a hearing, shall alternately strike one name from the list of nine qualified hearing officers until only one name remains. Unless waived by the teacher, the teacher or principal shall have the right to proceed first with the striking. (Section 34-85(a)(3) of the School Code)

3) A hearing officer shall be selected as set forth in Section 34-85(a)(4) of the School Code and this subsection (b)(3) if the tenured teacher does not participate in the selection process. The general superintendent either shall select the hearing officer from the list of nine qualified hearing officers or select another qualified hearing officer from the master list maintained by the State Board. (Section 34-85(a)(3) of the School Code) (See subsection (a)(1) of this Section.)
The State Board of Education shall provide the local board of education and the teacher with a list of five prospective impartial hearing officers. The State Board of Education shall select the first five hearing officers from the master list who do not reside in the school district, if required by Section 24-12 of the School Code. For purposes of the master list maintained by the State Board of Education pursuant to subsection (a)(1) of this Section, the names of the four hearing officers not selected from among the five provided to a school district under subsection (a)(2) of this Section shall be placed at the bottom of the master list and the State Board shall rotate the names on the list accordingly.

As soon as possible Upon notice of his or her appointment as a hearing officer, the prospective hearing officer shall disclose to the parties in writing any circumstances he or she believes might disqualify him or her as an impartial hearing officer.

1) Upon receipt of such information the State Board of Education shall immediately disclose it to the parties.

2) The parties may waive the presumptive disqualification.

3) If either party declines to waive the presumptive disqualification, then the party shall notify the State Board of this fact, and the State Board of Education, within five days after receiving this disclosure, shall declare a vacancy.

If any hearing officer shall resign, die, withdraw, refuse or be unable or disqualified to perform the duties of his or her position, the State Board of Education shall, on proof satisfactory to it, declare the position vacant.

1) Vacancies shall be filled in the same manner as that governing the making of the original appointment; that is:

A) For school districts not organized under Article 34 of the School Code, either by mutual selection by the tenured teacher and the Board, or by the Board; and
B) For a school district organized under Article 34 of the School Code, either by mutual selection by the tenured teacher and the general superintendent, or by the general superintendent.

2) If a vacancy occurs at any point prior to the opening of the hearing, a new hearing officer shall be appointed and shall adopt all pre-hearing orders entered by the previous hearing officer.

3) If a vacancy occurs after the opening of the hearing, the entire matter shall be reheard by a new hearing officer unless, after considering arguments presented by each party, the hearing officer adopts the previous hearing officer's findings and agrees to move forward.

f) Fees and Costs

1) If the notice of dismissal is sent to the tenured teacher before July 1, 2012, the State Board of Education shall pay the hearing officer a per diem of $300 for the days on which the hearing is held and $37.50 per hour for any other services, or such greater amounts as the State Board of Education may determine based on available resources. Billing procedures shall be arranged on an individual basis between the State Board and the hearing officer.

2) If the notice of dismissal is sent to the tenured teacher on or after July 1, 2012, payment shall be made in accordance with Section 24-12(d)(5) or 34-85(a)(4) of the School Code.

g) All communication from the parties to the hearing officer other than at oral hearing shall be in writing and copies shall be sent at the same time to the opposing party and the State Board of Education. However, when circumstances necessitate, the hearing officer may make other appropriate arrangements, including but not limited to conference telephone calls. The hearing officer shall promptly report to the other party the complete substance of any unilateral communications.

h) All hearing officers shall abide by the professional standards set forth in "The Code of Professional Responsibility for Arbitrators of Labor Management Disputes" (2007) (2003), published by the National Academy of Arbitrators, 1 North Main Street, Suite 412, Cortland, New York 13045; no later
amendments to or editions of these standards are incorporated. A violation of the professional standards identified in this subsection (h) shall be grounds for removal of the hearing officer from the master list maintained by the State Board.

i) The hearing officer shall interpret and apply the provisions of this Part insofar as they relate to his or her powers and duties and shall follow any court interpretation of this Part.

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

Section 51.55 Pre-Hearing Procedures

a) The parties and the hearing officer may agree to a location for the hearing. If there is a dispute as to the location of the hearing, the hearing officer shall fix the place of the hearing at a location within the district’s boundaries.

b) The tenured teacher shall answer the bill of particulars or charges and specifications, aver any affirmative defenses, and update the answer and defenses, in accordance with the schedule set forth by the hearing officer pursuant to subsection (c) of this Section. (See Sections 24-12(d)(6) and 34-85(a)(5) of the School Code.)

c) Pre-Hearing Conference

No later than 10 days after being selected as the hearing officer, the hearing officer shall convene a pre-hearing conference with the parties for the purpose of, among other things, setting a schedule. The schedule shall be contained in the hearing officer’s order that reflects the action taken at the conference and include:

1) The deadline for the tenured teacher’s answer and any affirmative defenses to the bill of particulars or charges and specifications submitted pursuant to subsection (b) of this Section and for the updating of that information after pre-hearing discovery;

2) A schedule for discovery, including any written interrogatories and requests for production of documents;

3) The deadline for initial disclosures and updated disclosures to be sent to the other party, which deadline may be no later than 10 days prior to the
commencement of the hearing (see Sections 24-12(d)(6) and 34-85(a)(5)); and

4) The dates, times and locations of any subsequent pre-hearing conferences, as needed.

d) Initial Disclosures and Updated Disclosures

Subject to the deadline established by the hearing officer in his or her order issued pursuant to subsection (c) of this Section, and in accordance with Sections 24-12(d)(6) and 34-85(a)(5) of the School Code, each party shall disclose in writing to the other, with copies to the hearing officer, the following information:

1) The names and addresses of persons who may be called as witnesses at the hearing;

2) A summary of the facts or opinions each witness will testify to; and

3) All other documents and materials, including information maintained electronically, relevant to its own as well as the other party’s case (the hearing officer may exclude witnesses and exhibits not identified and shared, except those offered in rebuttal for which the party could not reasonably have anticipated prior to the hearing). (Sections 24-12(d)(6) and 43-85(a)(5) of the School Code)

e)b) Discovery

1) Either party may request in writing from the other, with copies to the State Board of Education and the hearing officer, a list of persons (and their addresses) who may be called as expert witnesses at the hearing the omission of any such name to result in a preclusion of the testimony of such witness in the absence of a showing of good cause and the express permission of the hearing officer.

2) Either party may request in writing from the other, with copies to the State Board of Education and the hearing officer, a list of persons (and their addresses) who may have knowledge of facts related to the charges and/or the defenses thereto. This is not to be construed as a list of witnesses to be used at the hearing, but no person whose name is not so disclosed may
testify except upon good cause shown and by the express permission of the hearing officer.

3) Further discovery, limited to written interrogatories, bills of particulars, requests to produce, and lists of witnesses, may be allowed. The hearing officer shall allow for interrogatories and requests for production of documents, and may allow for other discovery, subject to reasonable limitations set forth by the hearing officer, in the order reflecting the pre-hearing conference or any future order. The hearing officer shall not allow for discovery depositions (see Sections 24-12(d)(6) and 34-85(a)(5) of the School Code).

1)A) Application for such discovery shall be made by written motion to the hearing officer, with copies to the State Board of Education and the other party.

2)B) The motion shall state the specific nature of the discovery and the circumstances necessitating the discovery. If interrogatories are sought, a copy of the interrogatories these shall be attached to the motion.

3)C) The hearing officer shall rule on the motion within five days after receipt of the motion, sending copies of the decision to both parties and to the State Board of Education. The ruling shall set a date by which discovery shall be completed. In the case of interrogatories, receipt of the hearing officer's ruling shall be deemed service of the interrogatories when the provisions of subsection (e)(2)(b)(3)(B) of this Section have been complied with.

4)D) In ruling on the motion, the hearing officer shall not permit discovery that will unnecessarily delay the proceedings or harass a party, and shall allow only that discovery that will further the resolution of the dispute, avoid surprise to a party, or aid in doing substantial justice.

5)E) Each party providing answers to discovery requests shall sign his or her responses under oath, and each attorney making objections shall sign his or her objections under oath.
f) Other pretrial motions may be filed and resolved prior to the hearing at the discretion of the hearing officer, provided that no motion shall be resolved prior to the hearing that would result in a default judgment against the tenured teacher.

g) Any party who proceeds with the hearing after knowledge that any provision of this Subpart B has not been complied with prior to the hearing and who fails to state his or her objection to the noncompliance in writing to the hearing officer shall be deemed to have waived his or her right to object.

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

Section 51.60 The Hearing

a) The hearing shall be closed to the public unless one of the parties requests that it be open and the hearing officer so orders. The hearing officer shall exclude witnesses during the testimony of other witnesses upon the motion of either party, except that, at any time, one representative of each party in addition to counsel (or other authorized representative) shall be allowed to be present, even if that representative is also a witness. When a witness is a minor, the hearing officer shall allow the parent or representative of the minor to be present when the minor is testifying. In open hearings, individuals who are not witnesses are not affected by exclusion under this subsection (a).

b) The parties may be present and represented by counsel and by other authorized representatives.

c) The order of proceeding shall be as follows:

1) The hearing shall be opened by the recording of the place, time, and date of the hearing, the presence of the hearing officer and the parties and counsel, if any, and any stipulations as to facts. Pre-hearing motions submitted in accordance with Section 51.55 of this Part and not previously disposed of shall be heard at this time.

2) Upon the opening of the hearing, the hearing officer shall allow the parties to make opening statements.

3) The Board shall proceed first to present its evidence, and it shall have the burden of proof. Parties may agree to take witnesses out of order.
The hearing officer, may, at his or her discretion, vary the normal procedure under which the Board presents its case first, provided that the parties agree to take witnesses out of order, but in any event shall afford full and equal opportunity to all parties for presentation of relevant proof.

4) Either party may offer evidence and witnesses, cross-examine the witnesses, offer evidence, and present a defense or rebuttal.

5) All testimony shall be taken under oath or affirmation administered by the hearing officer.

6) The hearing officer may issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum, and, at the request of either of the parties, shall issue the requested such subpoenas but may limit the number of witnesses to be subpoenaed on behalf of either party to not more than seven ten.

7) The hearing officer shall cause a record of the proceedings to be kept and shall employ a competent reporter to take stenographic or stenotype notes of all the testimony. The party or parties who are responsible for paying the fees and costs of the hearing officer (Sections 24-12(d)(6) and 34-85(a)(5) of the School Code) shall pay for the attendance and services of the court reporter or other competent reporter who can provide a verbatim transcript of the proceeding as well as for the transcript, if any, ordered by the hearing officer for the purpose of making his or her decision. (See Section 51.40(f) of this Part.)

A) The cost of any transcript ordered by the hearing officer shall be paid by the party or parties responsible for paying the fees and cost of the hearing officer.

B) Either party desiring a transcript of the hearing shall pay for the cost of the transcript (see Sections 24-12(d)(6) and 34-85(a)(5) of the School Code).

8) Exhibits, when offered by either party, may be received in evidence by the hearing officer. The names and addresses of all witnesses and exhibits, in order received, shall be made a part of the record. The hearing officer shall make rulings on the admissibility of exhibits.
9) The hearing shall commence within 75 days and conclude within 120 days after the appointment of the hearing officer, barring modification of these timelines by the hearing officer upon a showing of good cause shown. The hearing may continue upon the request of the teacher or the board or upon his or her own initiative or mutual agreement of the parties. “Good cause” for the purpose of this subsection (c)(9) shall mean the illness or otherwise unavoidable emergency of the teacher, district representative, their legal representatives, the hearing officer, or an essential witness as indicated in each party's pre-hearing submission (Sections 24-12(d)(6) and 34-85(a)(5) of the School Code).

10) The hearing may proceed in the absence of either party, who, after due notice, fails to be present or fails to obtain a continuance.

11) The hearing officer shall consider and give weight to all of the teacher's evaluations written pursuant to Article 24A of the School Code.

11) Each party shall be provided no more than three business days to present its case, unless the hearing officer determines, in accordance with the provisions of Section 24-12(d)(6) or 34-85(a)(5) of the School Code, that more time is needed for either the tenured teacher or the Board to present adequate evidence and testimony, including due to the other party’s cross-examination of the party’s witnesses. For the purposes of this subsection (c)(11), a “business day” shall consist of 7.5 hours, such that three business days equate to 22.5 hours, exclusive of time taken for lunch and other breaks. The hearing officer may, at his or her discretion, vary the normal procedure under which the board presents its case first, but in any event shall afford full and equal opportunity to all parties for presentation of relevant proof.

12) At the conclusion of the hearing, each party may make an oral closing statement (orally and/or written at the discretion of the hearing officer) incorporating arguments of fact and law.

13) When the hearing officer determines that neither party has further proof to offer or witnesses to be heard, he or she shall declare the hearing concluded and so note in the record.
14) At the close of the hearing, the hearing officer shall direct the parties to submit post-hearing briefs no later than 21 days after receipt of the transcript, unless extended by the hearing officer for good cause or by mutual agreement of the parties (Sections 24-12(d)(6) and 34-85(a)(5) of the School Code). Post-hearing briefs may not exceed 50 pages in length, unless the hearing officer determines in a written order that the circumstances of a particular matter (e.g., length of the hearing) warrant a limitation shorter or longer than 50 pages. Either party may waive submission of a brief. If written briefs are to be submitted subsequently, the hearing officer shall so note in the record.

15) The hearing record of the proceedings shall not be considered closed until all evidence has been submitted and any briefs, if allowed by the hearing officer, have been timely received by the hearing officer. The hearing officer shall notify the parties, in writing, of the closing date of the hearing record. A copy of the notice shall be forwarded to the State Board of Education.

d) Evidentiary rules to be followed during the hearing shall be as follows:

1) The parties may offer any such evidence as they desire, and each party shall produce any such additional evidence as the hearing officer may deem necessary to an understanding and determination of the dispute. The hearing officer may limit the number of witnesses on behalf of either party to no more than ten. (Sections 24-12 and 34-85 of the School Code)

2) The hearing officer shall be the judge of the relevancy and materiality of the evidence offered and strict conformity to legal rules of evidence shall not be necessary.

3) Objections to evidentiary offers may be made and shall be noted in the record. The hearing officer shall have the power to make rulings, including the power to exclude evidence. "Offers of Proof" shall be permitted.

4) Any witness designated as hostile by the hearing officer may be examined as if under cross-examination.
5) If the hearing officer grants a party’s request to submit a document after the evidentiary portion of the hearing is closed, the party shall file that document with the hearing officer and with the other party, with copies to the State Board of Education and the other party, within the time designated by the hearing officer.

e) When the hearing officer determines that neither party has further proof to offer or witnesses to be heard, he or she shall declare the hearing concluded, and a minute thereof shall be so noted in the record. If written briefs are to be submitted subsequently, the hearing officer shall so note.

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

Section 51.70 The Decision: School Districts Not Organized under Article 34 of the School Code

When a hearing is held under Section 24-12(d) of the School Code, the hearing officer must, **within 30 days after the hearing is concluded or the record is closed, whichever is later**, render a final decision as to whether the tenured teacher shall be dismissed pursuant to Article 24A of the School Code (unless the school district pursues the dismissal under Subpart C of this Part) or findings of fact and recommendation as to whether the teacher must be dismissed for conduct (Sections 24-12(d)(7) of the School Code). The hearing officer shall provide a copy of the decision or findings of fact and recommendation issued pursuant to this Section to the State Board of Education by certified mail addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois 60601. The decision must be rendered within 30 days after the conclusion of the hearing or closure of the record, whichever occurs later. When a hearing is held under Section 34-85 of the School Code, the hearing officer’s findings of fact and recommendation must be rendered within 45 days after the conclusion of the hearing. For purposes of the remainder of this Section, “decision” means either a decision under Section 24-12 of the School Code or the findings of fact and recommendation under Section 34-85 of the School Code.

a) Dismissal Due to Performance Pursuant to Article 24A of the School Code The hearing officer shall make a decision in writing as to whether or not the teacher shall be dismissed. The hearing officer’s decision shall include findings of fact.

1) In a dismissal hearing regarding performance pursuant to Article 24A of the School Code, the hearing officer shall render a decision in writing as to whether the tenured teacher shall be dismissed. The hearing officer shall
consider and give weight to all of the teacher’s evaluations, subject to their introduction at the hearing, that are relevant to the issues in the hearing (Section 24-12(d)(6) of the School Code).

2) A copy of the hearing officer’s decision shall be given by certified mail to both the tenured teacher and the Board or their legal representatives of record.

3) The decision of the hearing officer is final unless reviewed under the Administrative Review Law [735 ILCS 5/Art. III], as provided in Section 24-16 of the School Code [105 ILCS 5/24-16].

A) In the case of an administrative review, the Board shall prepare and file the record of proceedings and the parties shall share the cost equally of preparing and filing the record (see Section 24-12(d)(9) of the School Code).

B) The record of the proceedings shall contain each of the items listed in this subsection (a)(2)(B).

i) All pleadings and exhibits (including all notices and responses), motions and rulings.

ii) All evidence received.

iii) A statement of matters officially noticed.

iv) Any offers of proof, objections, and rulings on the proof and objections.

v) Any proposed findings and exceptions.

vi) A transcript of the hearing.

vii) The decision of the hearing officer.

viii) Any other material required under Section 10-35 of the Illinois Administrative Procedure Act [5 ILCS 100/10-35].
b) Dismissal Due to Conduct Pursuant to Section 24-12(d) of the School Code

In a dismissal hearing regarding conduct pursuant to Section 24-12(d) of the School Code, the hearing officer shall issue findings of fact and recommendation as to whether the conduct occurred, the conduct was remediable, and the proposed dismissal should be sustained (Section 24-12(d)(8) of the School Code).

1) A copy of the hearing officer’s findings of fact and recommendation shall be given by certified mail to both the tenured teacher and the Board, or their legal representatives of record.

2) The Board, within 45 days after receipt of the hearing officer’s findings of fact and recommendation rendered pursuant to Section 24-12(d) of the School Code, shall issue a written order as to whether the teacher must be retained or dismissed for cause. (Section 24-12(d)(8) of the School Code) A copy of the Board’s written order shall be given by certified mail to the tenured teacher and his or her legal representatives of record, and to the State Board at the address set forth in this Section.

A) The order shall incorporate the findings of fact, except that the school board may modify or supplement the findings of fact if, in its opinion, the findings of fact are against the manifest weight of the evidence. (Section 24-12(d)(8) of the School Code)

B) If the school board dismisses the teacher notwithstanding the hearing officer's findings of fact and recommendation, the school board shall make a conclusion in its written order, giving its reasons therefor, and such conclusion and reasons must be included in its written order. (Section 24-12(d)(8) of the School Code)

3) The decision of the Board, as set forth in its written order, is final unless reviewed under the Administrative Review Law, as provided in Section 24-16 of the School Code [105 ILCS 5/24-16].

A) In the case of an administrative review, the Board shall prepare and file the record of proceedings and the parties shall share the cost equally of preparing and filing the record (see Section 24-12(d)(10) of the School Code).
The record of the proceedings shall contain each of the items listed in this subsection (b)(3)(B).

i) All pleadings and exhibits (including all notices and responses), motions, and rulings.

ii) All evidence received.

iii) A statement of matters officially noticed.

iv) Any offers of proof, objections, and rulings on the proof and objections.

v) Any proposed findings and exceptions.

vi) A transcript of the hearing.

vii) The findings of fact and recommendation of the hearing officer.

viii) The decision of the Board, as set forth in its written order.

ix) Any other material required under Section 10-35 of the Illinois Administrative Procedure Act.

c) Pursuant to Section 24-12(d)(7) of the School Code, if the hearing officer fails, without good cause, specifically provided in writing to the parties and the State Board, to render a decision issued pursuant to subsection (a) of this Section or findings of fact and recommendation issued pursuant to subsection (b) of this Section within 30 days after the later of the close of the hearing or the record, the parties may mutually agree to select a hearing officer pursuant to the alternative selection procedures provided under Section 24-12(d)(4) of the School Code to rehear the charges or review the record and render a decision.

1) The hearing officer who failed to timely render a decision or findings of fact and recommendation without good cause shall have the required timeframe, his or her name shall be struck from the master list of hearing
officers maintained by the State Board of Education for a period of not more than 24 at least six months.

2) The parties and the State Board may take other actions as they deem appropriate regarding reducing fees paid to the hearing officer.

3) If any hearing officer again fails to provide in a timely manner a decision or findings of fact and recommendation without good cause, the State Board shall remove him or her permanently from the master list and prohibit any party from selecting this hearing officer through the alternative selection process in Section 24-12(d)(4) of the School Code.

c) A copy of the hearing officer’s decision shall be given to the State Board of Education to be forwarded by certified mail to both the teacher and the Board, or their legal representatives of record. If Section 34-85 of the School Code applies, the decision of the Board shall also be given to the State Board of Education to be forwarded by certified mail to the teacher.

d) The decision of the hearing officer, if rendered pursuant to Article 24A of the School Code, or the decision of the Board rendered pursuant to Section 24-12 of the School Code, is final unless reviewed under the Administrative Review Law [735 ILCS 5/Art. III], as provided in Section 24-16 of the School Code [105 ILCS 5/24-16]. The decision of the hearing officer, if rendered pursuant to Section 34-85 of the School Code, is only a finding of fact and recommendation to the Board. The Board’s decision to dismiss a tenured teacher from its employ is final unless reviewed under the Administrative Review Law, as provided in Section 34-85b of the School Code [105 ILCS 5/34-85b].

1) If neither party appeals, then either party desiring a transcript of the hearing shall pay for the cost thereof.

2) The costs of preparing and filing the record of proceedings in the case of a review shall be paid by the Board.

3) The record of the hearing shall include:

   A) all pleadings and exhibits;

   B) a statement of matters officially noticed,
C) a transcript of the hearing, and

D) the decision of the hearing officer (and the decision of the Board, if the decision of the School Code applies).

d)e) Pursuant to Section Sections 24-12(d)(7) and 34-85 of the School Code, the Board shall not lose jurisdiction to discharge a teacher if the hearing officer fails to render a decision within the applicable time specified in this Section.

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

Section 51.75 The Decision: School Districts Organized under Article 34 of the School Code

When a hearing is held under Section 34-85 of the School Code regarding performance pursuant to Article 24A of the School Code or conduct, the hearing officer shall, within 30 calendar days after the conclusion of the hearing, report to the general superintendent findings of fact and a recommendation as to whether the teacher or principal shall be dismissed (Section 34-85(a)(6) of the School Code). The hearing officer shall provide a copy of the findings of fact and recommendation issued pursuant to this Section to the State Board of Education by certified mail addressed to the General Counsel, Illinois State Board of Education, 100 W. Randolph Street, Chicago, Illinois  60601.

a) In a dismissal hearing regarding performance pursuant to Article 24A of the School Code, the hearing officer shall consider and give weight to all of the teacher’s evaluations, subject to their introduction at the hearing, that are relevant to the issues in the hearing. (Section 34-85(a)(5) of the School Code)

b) The hearing officer shall report to the general superintendent findings of fact and a recommendation as to whether the teacher or principal shall be dismissed and shall give a copy of the report to both the teacher or principal and the general superintendent (Section 34-85(a)(6) of the School Code). A copy of the hearing officer’s findings of fact and recommendation shall be given by certified mail to the tenured teacher or his or her legal representatives of record.

c) If the hearing officer is appointed from the master list developed by the State Board and he or she fails, without good cause, to render a findings of fact and recommendation within the required timeframe, then his or her name shall be
struck from the master list of hearing officers for a period of at least 24 months. Other action may be taken as provided in Section 51.70(c) of this Part.

d) The decision of the hearing officer regarding dismissal due to either performance or conduct rendered pursuant to Section 34-85 of the School Code is the findings of fact and recommendation to the Board.

1) The Board shall make a decision as to whether the tenured teacher shall be dismissed within 45 days after receiving the hearing officer’s report of findings and recommendation.

2) A copy of the Board’s decision shall be given by certified mail to the tenured teacher and his or her legal representatives of record, and to the State Board at the address set forth in this Section.

3) The Board’s decision to dismiss a tenured teacher from its employ is final unless reviewed under the Administrative Review Law, as provided in Section 34-85b of the School Code [105 ILCS 5/34-85b], with the review required to be initiated in the Illinois Appellate Court for the First District (see Section 34-85(a)(8) of the School Code).

A) In the case of an administrative review, the Board shall prepare and file the record of proceedings and the parties shall share the costs of preparing and filing the record equally.

B) The record of the hearing shall contain each of the items enumerated in Section 51.70(b)(3)(B) of this Part.

4) Pursuant to Section 34-85(a)(7) of the School Code, the failure of the Board to strictly adhere to the timeline set forth in subsection (d)(1) of this Section does not deprive it of authority to dismiss the tenured teacher.

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

Section 51.80 Waiver, Interpretation and Application of this Part (Repealed)

a) Any party who proceeds with the hearing after knowledge that any provision of this Part prior to hearing has not been complied with and who fails to state his or
her objection thereto in writing either to the State Board of Education or to the
hearing officer shall be deemed to have waived his or her right to object.

b) The hearing officer shall interpret and apply the provisions of this Part insofar as
they relate to his or her powers and duties and shall follow any court interpretation
of this Part.

e) A violation of the professional standards identified in Section 51.40(g) of this Part
shall be grounds for removal of the hearing officer from the master list maintained
by the State Board of Education.

d) All other rules shall be interpreted and applied by the State Board of Education.

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

SUBPART C: OPTIONAL ALTERNATIVE EVALUATIVE DISMISSAL
UNDER SECTION 24-16.5 OF THE SCHOOL CODE

Section 51.200 Purpose and Applicability of this Subpart C

a) This Subpart C sets forth the requirements for a school district, including a school
district organized under Article 34 of the School Code, to implement an optional
alternative evaluative dismissal process authorized under Section 24-16.5 of the
School Code [105 ILCS 5/24-16.5].

b) A school board may dismiss a tenured teacher using an optional alternative
evaluative process if each of the conditions set forth in this subsection (b) are met.
(See Section 24-16.5(b) of the School Code.)

1) The tenured teacher is being dismissed due to his or her failure to
complete a remediation plan, developed pursuant to Section 24A-5 of the
School Code [105 ILCS 5/24A-5], with a rating of “proficient” or better.

2) The “unsatisfactory” rating that precipitated the remediation plan resulted
from a performance evaluation process that:

A) addressed teacher practice components and included data and
   indicators of student growth; and
B) was conducted on or after the date on which the school district was required to implement a performance evaluation plan incorporating data and indicators of student growth or an earlier date, as authorized under Section 24A-2.5 of the School Code [105 ILCS 5/24A-2.5].

3) The school district has complied with the requirements of Section 24-16.5(c) of the School Code and this Subpart C regarding the selection and use of a second evaluator during the pre-remediation and remediation processes.

c) Nothing in this Subpart C is intended to change the existing practices or precedents under Section 24-12 or 34-85 of the School Code, nor shall this Subpart C be interpreted as implying standards and procedures that should or must be used as part of a remediation that precedes a dismissal sought under Section 24-12 or 34-85 of the School Code (Section 24-16.5(b) of the School Code).

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.210 Establishment of the List of Second Evaluators: Qualifications

a) Before a school district’s first remediation relating to a dismissal under Section 24-16.5 of the School Code and this Part, the school district shall establish a list of at least two evaluators who meet the qualifications set forth in subsection (b) of this Section to serve as second evaluators.

1) The school district shall provide written notification to the teacher representatives identified pursuant to subsection (e) of this Section of the names and qualifications of the individuals it has chosen to include as second evaluators.

2) The teacher representatives may submit in writing to the school district the names and qualifications of additional individuals to be included on the list of second evaluators, provided that they shall not submit more teacher evaluators for inclusion on the list than the number of evaluators submitted by the school district (Section 24-16.5(c)(1) of the School Code). Each individual whose name is submitted by the teacher representatives to serve as a second evaluator shall meet one of the
qualifications specified in Section 24-16.5(c) of the School Code; that is, either:

A) holds certification from the National Board of Professional Teaching Standards, with no "unsatisfactory" or "needs improvement" performance evaluation ratings in his or her two most recent performance evaluations; or

B) has obtained a performance evaluation rating of "excellent" in two of the three most recent performance evaluations, with no "needs improvement" or "unsatisfactory" performance evaluation ratings in his or her last three ratings.

3) If the teacher representatives fail to submit in writing any names of additional second evaluators within 21 days after receiving the written notification specified in subsection (a)(1) of this Section, then the school district may proceed with a remediation using a list of second evaluators that includes only those names identified by the school district.

b) Each second evaluator shall be qualified to serve as an evaluator under Section 24A-3 of the School Code [105 ILCS 5/24A-3].

c) The list of second evaluators may be revised either by the school district or teacher representatives at any time, with the party initiating the revision providing at least three days notice to the other party of its intent to revise the list. The process to revise the list shall be made in accordance with this Section and Section 24-16.5(c)(2) of the School Code.

d) Establishment of the Process for Selecting a Second Evaluator

1) Before a school district’s first remediation relating to a dismissal under Section 24-16.5 of the School Code and this Subpart, the school district also shall, in good faith cooperation with its teacher representatives, develop a process to be used to select a second evaluator from the list established pursuant to subsection (a) (see Section 24-16.5(c)(2) of the School Code).

2) The process may be amended at any time in good faith cooperation with the teacher representatives.
3) If the teacher representatives are given an opportunity to cooperate with the school district with respect to the establishment or amendment of the process and elect not to do so, then the school district may, at its discretion, establish or amend the process for selection.

4) Before the hearing officer and as part of any judicial review of a dismissal under Section 24-16.5 of the School Code, a tenured teacher may not challenge a remediation or dismissal on the grounds that the process used by the school district to select a second evaluator was not established in good faith cooperation with its teacher representatives.

e) For the purposes of this Section, “teacher representatives” shall mean:

1) the exclusive collective bargaining agent, or its designees, if the teachers are represented by a collective bargaining unit; or

2) a group of teachers, whose number shall not exceed the number of school district representatives participating in the selection process, who have been chosen by their peers to serve in this capacity.

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.220 Selection of Second Evaluators

a) When a school district determines that it will use the optional alternative evaluative dismissal process for a particular tenured teacher, it shall choose a second evaluator using the process outlined in Section 51.210(d) of this Part from the list established pursuant to Section 51.210(a) of this Part, provided that:

1) the evaluator selected shall not be the same individual who made the determination to assign the affected tenured teacher a performance evaluation rating of “unsatisfactory” (see Section 24-16.5(c)(3) of the School Code); and

2) if the evaluator selected is an administrator, then the evaluator does not directly report to the individual who assigned the “unsatisfactory” rating to the affected tenured teacher (see Section 24-16.5(c)(3) of the School Code).
b) The school district's authority to select a second evaluator from the list of second evaluators must not be delegated or limited through any agreement with the teacher representatives (Section 24-16.5(c)(3) of the School Code).

c) Nothing in this Subpart C shall prohibit a school district and its teacher representatives from agreeing to use an individual as a second evaluator who is a member of the exclusive bargaining unit, provided that the individual otherwise qualifies under this Section and Section 24A-3 of the School Code.

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

Section 51.230 Use of a Second Evaluator in Specific Remediations

In accordance with the requirements of Section 24-16.5(c)(4) of the School Code, the second evaluator chosen to participate in an optional alternative evaluative dismissal process of a particular tenured teacher shall conduct an evaluation of that tenured teacher’s performance by one of the methods specified in this Section.

a) The second evaluator may conduct a mid-point and final evaluation of the tenured teacher subject to dismissal during the period of the tenured teacher’s remediation and award a performance evaluation rating of “excellent”, “proficient”, “needs improvement” or “unsatisfactory”.

1) The mid-point evaluation shall assess the tenured teacher’s performance during the time period since the completion of the evaluation that resulted in the “unsatisfactory” rating, and the final evaluation shall assess the tenured teacher’s performance during the time period since the completion of the mid-point evaluation. (See Section 24A-5(k) of the School Code.)

2) The final evaluation shall include an overall evaluation of the tenured teacher’s performance during the remediation period.

b) The second evaluator may conduct an independent assessment of whether the tenured teacher completed the remediation plan with a rating of “proficient” or “excellent”. The independent assessment may include, but is not limited to, personal or video-recorded observations of the teacher practice components of the remediation plan developed pursuant to Section 24A-5 of the School Code (Section 24-16.5(c)(4) of the School Code).
Section 51.240  Hearing Procedures

A school district electing to use an optional alternative evaluative dismissal process shall comply with the procedures and requirements for a tenured teacher’s request for a hearing, the selection of a hearing officer, pre-hearing and hearing procedures, and post-hearing briefs set forth in this Subpart C, and in either Section 24-12(d) or 34-85(a) of the School Code, as applicable, and Subpart B of this Part. (See Section 24-16.5(a) of the School Code.)

Section 51.250  Notice of Dismissal to the Affected Tenured Teacher

a) A school district that meets the conditions set forth in Section 51.200(b) of this Part that elects to use an optional alternative evaluative dismissal proceeding shall provide a written notice to the affected tenured teacher of this fact within 30 days after completion of the final remediation evaluation. (See Section 24-16.5(d) of the School Code.) The notice shall:

1) comply with the notice requirements set forth in Section 51.30(a) of this Part for a school district not organized under Article 34 of the School Code, including the right of the affected tenured teacher to request a hearing before a mutually selected hearing officer or a hearing officer selected by the Board; or

2) comply with the notice requirements set forth in Section 51.30(b) of this Part for a school district organized under Article 34 of the School Code, including the right of the affected tenured teacher to select a mutually selected hearing officer or a hearing officer selected by the general superintendent, should the tenured teacher not participate in the selection process.

b) The notice shall indicate that the dismissal is sought under the optional alternative evaluative dismissal process authorized under Section 24-16.5 of the School Code and this Subpart C. (See Section 24-16.5(d) of the School Code.)
c) The notice shall contain a copy of each performance evaluation that is the subject of the optional alternative evaluative dismissal process. (See Section 24-16.5(d) of the School Code.)

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.260 Qualifications and Selection of Hearing Officers

a) School districts not organized under Article 34 of the School Code shall select a hearing officer in accordance with the requirements of Section 51.40(a) of this Part.

b) School districts organized under Article 34 of the School Code shall select a hearing officer in accordance with the requirements of Section 51.40(b) of this Part.

c) In addition to the applicable qualifications of Section 51.40 of this Part, each hearing officer shall have successfully completed the prequalification process required under Section 24A-3 of the School Code [105 ILCS 5/24A-3] before conducting a hearing under the optional alternative evaluative dismissal process.

d) In accordance with Section 24-16.5(d)(1) of the School Code, the State Board may waive the prequalification process in order to provide an adequate pool of hearing officers for consideration.

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.270 Scope of the Hearing

a) In accordance with Section 24-16.5(d)(2)(A) of the School Code, the scope of the hearing held for an optional alternative evaluative dismissal process shall be limited to the school district’s demonstration of each of the components listed in this subsection (a).

1) The performance evaluation rating of "unsatisfactory" that preceded remediation applied the teacher practice components and student growth components and determined an overall evaluation rating of "unsatisfactory" in accordance with the standards and requirements of the school district's evaluation plan;
2) The remediation plan for the affected tenured teacher complied with the requirements of Section 24A-5 of the School Code;

3) The teacher failed to complete the remediation plan with a performance evaluation rating equal to or better than a "proficient" rating, based upon a final remediation evaluation that met the standards and requirements of the school district's evaluation plan, as applicable; and

4) If the second evaluator selected pursuant to Section 51.220 of this Part conducts an independent assessment that results in a performance evaluation rating for the affected tenured teacher of “proficient” or “excellent”, then the school district must demonstrate that the final remediation evaluation is a more valid assessment of the teacher's performance than the assessment made by the second evaluator. (Section 24-16.5(d)(2)(A) of the School Code)

b) Limitations of Action by the Tenured Teacher Subject to Dismissal

A tenured teacher subject to dismissal under an optional alternative evaluative dismissal process shall challenge only the substantive and procedural aspects of the process as set forth in this subsection (b). (See Section 24-16.5(d)(2)(B) of the School Code.)

1) The affected tenured teacher may challenge the performance evaluation rating of "unsatisfactory" that led to the remediation, the remediation plan developed pursuant to Section 24A-5 of the School Code, and the final evaluation conducted at the conclusion of the remediation period.

2) To the extent the teacher challenges procedural aspects, including any in applicable collective bargaining agreement provisions, of a relevant performance evaluation rating or the remediation plan, the teacher must demonstrate how an alleged procedural defect materially affected the teacher's ability to demonstrate a level of performance necessary to avoid remediation or dismissal or successfully complete the remediation plan. Without any such material effect, a procedural defect shall not impact the assessment by the hearing officer, Board, or reviewing court of the validity of a performance evaluation or a remediation plan. (Section 24-16.5(d)(2)(B) of the School Code)
c) The hearing officer shall only consider and give weight to performance evaluations relevant to the scope of the hearing as described in this Section (Section 24-16.5(d)(2)(C) of the School Code).

d) In accordance with Section 24-16.5(d)(3) of the School Code, each party shall have two business days, as defined in Section 51.60(c)(11) of this Part, to present evidence and testimony unless:

1) a longer period is mutually agreed to by the parties; or

2) the hearing officer deems the extension to be necessary to enable a party to present adequate evidence and testimony.

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.280 Findings of Fact and Recommendation of the Hearing Officer

a) The hearing officer shall issue a report of findings of fact and recommendation to the Board, stating whether the affected tenured teacher shall be retained or dismissed and the reasons for the recommended action (see Section 24-16.5 of the School Code).

1) The report of findings of fact and recommendation shall be issued within 30 days after the hearing is concluded or the record of the hearing is closed, whichever is later. The record of the proceedings shall not be considered closed until all evidence has been submitted. The hearing officer shall notify the parties, in writing, of the closing date of the record.

2) The report of findings of fact and recommendation shall not exceed 30 pages.

3) A copy of the hearing officer’s findings of fact and recommendation shall be given by certified mail to the tenured teacher and his or her legal representatives of record and to the State Board addressed to the General Counsel, 100 W. Randolph Street, Chicago, Illinois 60601.

b) The hearing officer shall provide a copy of the report of findings of fact and recommendation to the affected tenured teacher and the superintendent of the
school district at the same time as the report is provided to the Board. The hearing officer shall provide a copy of the report to the State Board.

c) Pursuant to Section 24-16.5(e) of the School Code, if the hearing officer fails, without good cause, specifically provided in writing to the parties and the State Board, to render findings of fact and recommendation within 30 days after the later of the close of the hearing or the record, the parties may mutually agree to select a hearing officer pursuant to the alternative selection procedures provided under Section 24-12(d)(4) of the School Code to rehear the charges or to review the record and render a recommendation.

1) The hearing officer who failed to timely render findings of fact and recommendation shall have his or her name struck from the master list of hearing officers maintained by the State Board for a period of not more than 24 months.

2) The parties and the State Board may take other actions as they deem appropriate regarding reducing fees paid to the hearing officer. If any hearing officer again fails to provide in a timely manner a decision or findings of fact and recommendation, the State Board shall remove him or her permanently from the master list and prohibit any party from selecting this hearing officer through the alternative selection process in Section 24-12(d)(4) of the School Code.

(Source: Added at 36 Ill. Reg. _____, effective ____________)

Section 51.290 Decision of Board

a) Within 45 days after receiving the hearing officer’s findings of fact and recommendation, the Board shall render a written order as to whether the affected tenured teacher be retained or dismissed.

1) A copy of the Board’s decision shall be provided to the tenured teacher either by certified mail, return receipt requested, or personal delivery with receipt within five days after the date on which the Board rendered a decision to retain or dismiss the affected tenured teacher. A copy of the Board’s decision also shall be given by certified mail to the State Board addressed to the General Counsel, 100 W. Randolph Street, Chicago, Illinois 60601.
2) Only Board members who have successfully completed a training program regarding performance evaluations administered or approved by the State Board of Education shall consider the findings of fact and recommendation and make a determination as to whether the affected tenured teacher should be retained or dismissed. Approval of an entity to offer the training required under this subsection (a)(2) shall be as set forth in 23 Ill. Adm. Code 1.210 (Approval of Providers of Training for Board Members).

3) If the Board determines that the affected tenured teacher should be dismissed, contrary to the hearing officer’s findings of fact and recommendation, then the Board shall provide in its written order its conclusion and the reasons for making that determination.

4) The failure of the Board to strictly adhere to the timeline set forth in this subsection (a) does not render it without jurisdiction to dismiss the teacher (Section 24-16.5(f) of the School Code).

b) The decision of the Board is final unless reviewed under the Administrative Review Law, as provided in Section 24-16.5(g) of the School Code.

1) The affected tenured teacher shall file the appeal within 35 days from the date that he or she received the Board’s decision pursuant to subsection (a)(1) of this Section.

A) For a teacher dismissed by a school district having fewer than 500,000 inhabitants, the judicial review must be taken directly to the appellate court of the judicial district in which the school district’s Board maintains its primary administrative offices (Section 24-16.5(g)(2) of the School Code).

B) For a teacher dismissed by a school district organized under Article 34 of the School Code, the judicial review must be taken directly to the Illinois Appellate Court for the First District (Section 24-16.5(g)(1) of the School Code).

2) If the hearing officer recommended dismissal, the decision of the Board may be reversed only if it is found to be arbitrary, capricious, an abuse of
discretion, or not in accordance with law (Section 24-16.5(g) of the School Code).

3) In the event judicial review is instituted by a teacher, any costs of preparing and filing the record of proceedings must be paid by the teacher (Section 24-16.5(g) of the School Code).

4) The record of the proceedings shall contain each of the items enumerated in Section 51.70(a)(2)(B) of this Part.

c) Pursuant to Section 24-16.5(f) of the School Code, the Board shall not lose jurisdiction to discharge a teacher if the hearing officer fails to render a decision within the applicable time specified in this Section.

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

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Robert Wolfe, Acting Chief Financial Officer
Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Amendments for Adoption: Part 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing)

Materials: Recommended Rules

Staff Contacts: Debbie Vespa, Division Administrator
David Osta, Director of Policy & Program Implementation, Race to the Top

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

Relationship to/Implications for the State Board’s Strategic Plan
This item of rulemaking is not directly related to the Strategic Plan. It is technical in nature and has been necessitated by Illinois’ receipt of federal funds under the Race to the Top 3 program.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 100.

Background Information
Illinois has received $42.8 million under the federal Race to the Top 3 program. Thirty-seven (37) districts will be receiving funding under the program, and those districts will be held to the certain transparency and accountability measures required under the provisions of the program. Districts also must track their expenditures carefully so that the reporting that is eventually required can be accomplished. This includes accounting for these funds separately from funds from other sources.

The range of revenue accounts found in Table C of Part 100 does not currently offer a means of segregating these federal funds from any other funds that may be used for similar purposes. The agency must ensure that districts will use a uniform system of capturing this information. For this reason, a new code will be assigned for use by districts participating in Race to the Top 3 program, ensuring comparability in the eventual reporting and data collection.

In addition, Section 100.130 is being amended to include the Race to the Top program. Section 100.130 provides districts with information about what to expect as a result of their receipt of this federal funding. This rule identifies basic information related to the topics already covered by Part 100: accounting, budgeting, financial reporting, and auditing.
The proposed amendments were published April 6, 2012, in the Illinois Register to elicit public comment. None was received, and the version of the rules being presented for adoption is identical to the proposal the Board considered in March with two exceptions: reference to P.L. 112-10 has been removed since it was not necessary for understanding the requirements of the program and an example has been added of the expenses a district might incur for a statewide assessment. Both these changes can be found in Section 100.130 and were prompted by concerns expressed by staff of the Joint Committee on Administrative Rules.

Once the rulemaking is final it will replace emergency rules containing the same content that took effect March 21, 2012, for 150 days.

**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**

As noted above, promulgation of these amendments will provide the necessary uniform basis for districts’ accounting, as well as contribute to the longer-range purposes of reporting and auditing. Failure to adopt this rulemaking would provide each district a choice of whether to make accounting decisions regarding Race to the Top 3 as it has done under the emergency rules currently in effect or to use another system it identifies, which could result in difficulty for the agency to track how these funds were used among all recipient districts in the state.

**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:

> Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (23 Illinois Administrative Code 100),

> 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.
PART 100
REQUIREMENTS FOR ACCOUNTING, BUDGETING, FINANCIAL REPORTING, AND AUDITING

Section
100.10 Purpose and Applicability
100.20 Definitions
100.30 General Requirements
100.40 Types of Funds, Basis of Accounting, and Recognition of Transactions
100.50 Intra-Fund and Inter-Fund Transactions
100.60 Capital Assets and Depreciation
100.70 Revolving Funds
100.80 Student Activity Funds
100.90 Submission of Budgets and Deficit Reduction Plans
100.100 Annual Financial Reports
100.110 Annual Audit Requirements
100.120 Provisions Related to Debt
100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA), and the Education Jobs Fund Program (Ed Jobs) and the Race to the Top Program

100.TABLE A Classification of Funds
100.TABLE B Balance Sheet Accounts
100.TABLE C Revenue Accounts
100.TABLE D Expenditure Accounts
100.TABLE E “Sources and Uses” Accounts; Miscellaneous
100.TABLE F Expenditure Object Accounts

AUTHORITY: Implementing and authorized by Sections 2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1 of the School Code [105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1].


Section 100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA), and the Education Jobs Fund Program (Ed Jobs) and the Race to the Top Program

This Section applies only to funds received pursuant to P.L. 111-5, the American Recovery and Reinvestment Act of 2009 and the Race to the Top Program, and P.L. 111-226, which authorizes the Education Jobs Fund Program.

a) Accounting; Treatment of Funds

1) Records of expenditures shall identify the source of the ARRA, or Ed Jobs or Race to the Top funds by using the account numbers set forth in Table C of this Part, as well as the applicable funds, functions, and object classes, using the account numbers set forth in Tables A, D, and F of this Part, respectively.

2) ARRA General State Aid funds received in account number 4850 or 4870 (see Table C of this Part) may be deposited into any fund other than the Working Cash Fund and may be spent for any lawful purpose, except as limited by Section 14003 of the ARRA. That Section prohibits a local education agency from using Education Stabilization funds for:

A) payment of maintenance costs;

B) stadiums or other facilities used primarily for athletic contests, exhibitions, or other events for which admission is charged to the general public;

C) purchasing or upgrading vehicles;

D) improvements to stand-alone facilities whose purpose is not the education of children, including facilities housing central office administration, operations, or logistical support functions; or
E) school modernization, renovation, or repair that is inconsistent with State law.

3) No Education Stabilization funds or Government Services funds may be used to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Improvement Act. (Section 14011 of the ARRA)

4) Funds received under any other account number in the range from 4851 through 4880 and 4901 shall be expended only for the purposes authorized by the relevant federal law, regulations, and guidance.

5) No Race to the Top funds may be used for the costs associated with the administration of any statewide summative assessment that may be incurred by a school district (e.g., substitutes, monitoring, preparation) nor for any of the items listed in subsections (a)(2)(B) through (E) of this Section.

b) Budgeting

Each local education agency intending to spend ARRA funds during Fiscal Year 2009, or Ed Jobs funds in Fiscal Year 2011, or Race to the Top funds in Fiscal Year 2012 and thereafter shall amend its budget as necessary, pursuant to the provisions of Section 17-1 of the School Code [105 ILCS 5/17-1] and shall submit the amended budget to the State Superintendent of Education pursuant to Section 100.90 of this Part. Subsequent annual budgets shall address the receipt and disbursement of ARRA or Ed Jobs funds as provided in Section 17-1 and applicable federal regulations and guidance.

c) Financial Reporting

In order to comply with federal reporting requirements, each local education agency receiving funds under the ARRA, Ed Jobs or Race to the Top shall include in its annual financial report, in addition to all other requirements set forth in Section 100.100 of this Part, a detailed schedule of its receipts and disbursements of those funds, as distinct from any other receipts and expenditures for the same purposes made from other sources of funds.
d) Auditing

1) The receipt and disbursement of ARRA, Ed Jobs or Race to the Top funds shall be subject to the audit requirements of Section 100.110 of this Part. In addition to the other applicable requirements of Section 100.110 of this Part, the scope of each audit shall include the schedule of receipts and disbursements required under subsection (c) of this Section.

2) Each local education agency receiving ARRA, Ed Jobs or Race to the Top funds shall review its amended budget to determine whether its increased expenditure of federal funds will make the agency subject to the audit requirements of OMB Circular A-133 (available at www.whitehouse.gov/omb/circulars/index.html) and, if so, shall maintain records accordingly.

(Source: Amended at 36 Ill. Reg. _____, effective___________)

Section 100. TABLE C Revenue Accounts

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<tr>
<th>Label</th>
<th>Account Number</th>
<th>Source; Notes</th>
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<tbody>
<tr>
<td>RECEIPTS/REVENUE FROM LOCAL SOURCES</td>
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<td></td>
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<tr>
<td>AD VALOREM TAXES</td>
<td>1100</td>
<td></td>
</tr>
<tr>
<td>Educational Purposes Levy</td>
<td>1110</td>
<td>105 ILCS 5/17-2 and 17-3.</td>
</tr>
<tr>
<td>Municipal Retirement Purposes Levy</td>
<td>1114</td>
<td>40 ILCS 5/7-171.</td>
</tr>
<tr>
<td>Label</td>
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<td>Source; Notes</td>
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<td>Public Building Commission Rent Levy</td>
<td>1116</td>
<td>50 ILCS 20/18.</td>
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<td>Capital Improvement Purposes Levy</td>
<td>1117</td>
<td>105 ILCS 5/17-2 and 17-2.3.</td>
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<td>Leasing Purposes Levy</td>
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<td>105 ILCS 5/17-2.2c.</td>
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<td>Special Education Purposes levy</td>
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<td>105 ILCS 5/17-2.2a.</td>
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<td>FICA and Medicare Only Levies</td>
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<td>Social Security taxes and the employer's share of Medicare Only payments; 40 ILCS 5/21-110, 110.1.</td>
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<td>Area Vocational Construction Purposes Levy</td>
<td>1160</td>
<td>105 ILCS 5/17-2.4.</td>
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<tr>
<td>Other Tax Levies</td>
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<td>Taxes received from other tax levies not specifically identified (describe and itemize).</td>
</tr>
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<td>PAYMENTS IN LIEU OF TAXES</td>
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<td>Mobile Home Privilege Tax</td>
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<td>Payments from Local Housing Authorities</td>
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<td>Corporate Personal Property Replacement Taxes</td>
<td>1230</td>
<td>Amounts received to replace personal property tax revenues lost.</td>
</tr>
<tr>
<td>Other Payments in Lieu of Taxes</td>
<td>1290</td>
<td></td>
</tr>
<tr>
<td>TUITION</td>
<td>1300</td>
<td></td>
</tr>
<tr>
<td>Total Regular Tuition</td>
<td>1310</td>
<td>Amounts received for pupils attending the district’s regular schools; 105 ILCS 5/10-20.12a.</td>
</tr>
<tr>
<td>Regular Tuition from Pupils or Parents (In-State)</td>
<td>1311</td>
<td></td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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</tr>
<tr>
<td>Regular Tuition from Other Districts (In-State)</td>
<td>1312</td>
<td></td>
</tr>
<tr>
<td>Regular Tuition from Other Sources (In-State)</td>
<td>1313</td>
<td></td>
</tr>
<tr>
<td>Regular Tuition from Other Sources (Out-of-State)</td>
<td>1314</td>
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</tr>
<tr>
<td>Total Summer School Tuition</td>
<td>1320</td>
<td>Amounts received for pupils attending summer school.</td>
</tr>
<tr>
<td>Summer School Tuition from Pupils or Parents (In-State)</td>
<td>1321</td>
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</tr>
<tr>
<td>Summer School Tuition from Other Districts (In-State)</td>
<td>1322</td>
<td></td>
</tr>
<tr>
<td>Summer School Tuition from Other Sources (In-State)</td>
<td>1323</td>
<td></td>
</tr>
<tr>
<td>Summer School Tuition from Other Sources (Out-of-State)</td>
<td>1324</td>
<td></td>
</tr>
<tr>
<td>Total CTE Tuition</td>
<td>1330</td>
<td>Amounts received for pupils attending career and technical education programs.</td>
</tr>
<tr>
<td>CTE Tuition from Pupils or Parents (In-State)</td>
<td>1331</td>
<td></td>
</tr>
<tr>
<td>CTE Tuition from Other Districts (In-State)</td>
<td>1332</td>
<td></td>
</tr>
<tr>
<td>CTE Tuition from Other Sources (In-State)</td>
<td>1333</td>
<td></td>
</tr>
<tr>
<td>CTE Tuition from Other Sources (Out-of-State)</td>
<td>1334</td>
<td></td>
</tr>
<tr>
<td>Total Special Education Tuition</td>
<td>1340</td>
<td>Amounts received for pupils attending special education programs.</td>
</tr>
<tr>
<td>Special Education Tuition from Pupils or Parents (In-State)</td>
<td>1341</td>
<td></td>
</tr>
<tr>
<td>Special Education Tuition from Other Districts (In-State)</td>
<td>1342</td>
<td></td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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<tr>
<td>Special Education Tuition from Other Sources (In-State)</td>
<td>1343</td>
<td></td>
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<tr>
<td>Special Education Tuition from Other Sources (Out-of-State)</td>
<td>1344</td>
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</tr>
<tr>
<td>Total Adult Tuition</td>
<td>1350</td>
<td>Amounts received for pupils attending adult/continuing education programs.</td>
</tr>
<tr>
<td>Adult Tuition from Pupils or Parents (In-State)</td>
<td>1351</td>
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<tr>
<td>Adult Tuition from Other Districts (In-State)</td>
<td>1352</td>
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</tr>
<tr>
<td>Adult Tuition from Other Sources (In-State)</td>
<td>1353</td>
<td></td>
</tr>
<tr>
<td>Adult Tuition from Other Sources (In-State)</td>
<td>1354</td>
<td></td>
</tr>
<tr>
<td><strong>TRANSPORTATION FEES</strong></td>
<td><strong>1400</strong></td>
<td></td>
</tr>
<tr>
<td>Total Regular Transportation Fees</td>
<td>1410</td>
<td>Amounts received for transporting pupils to and from school and school activities (regular school day).</td>
</tr>
<tr>
<td>Regular Transportation Fees from Pupils or Parents (In-State)</td>
<td>1411</td>
<td></td>
</tr>
<tr>
<td>Regular Transportation Fees from Other Districts (In-State)</td>
<td>1412</td>
<td></td>
</tr>
<tr>
<td>Regular Transportation Fees from Other Sources (In-State)</td>
<td>1413</td>
<td></td>
</tr>
<tr>
<td>Regular Transportation Fees from Co-curricular Activities (In-State)</td>
<td>1415</td>
<td></td>
</tr>
<tr>
<td>Regular Transportation Fees from Other Sources (Out-of-State)</td>
<td>1416</td>
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<tr>
<td>Total Summer School Transportation Fees</td>
<td>1420</td>
<td>Amounts received for transporting pupils to and from summer school.</td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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</tr>
<tr>
<td>Summer School Transportation Fees from Pupils or Parents (In-State)</td>
<td>1421</td>
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</tr>
<tr>
<td>Summer School Transportation Fees from Other LEAs (In-State)</td>
<td>1422</td>
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</tr>
<tr>
<td>Summer School Transportation Fees from Other Sources (In-State)</td>
<td>1423</td>
<td></td>
</tr>
<tr>
<td>Summer School Transportation Fees from Other Sources (Out-of-State)</td>
<td>1424</td>
<td></td>
</tr>
<tr>
<td>Total CTE Transportation Fees</td>
<td>1430</td>
<td>Amounts received for transporting pupils to and from career and technical education classes.</td>
</tr>
<tr>
<td>CTE Transportation Fees from Pupils or Parents (In-State)</td>
<td>1431</td>
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</tr>
<tr>
<td>CTE Transportation Fees from Other Districts (In-State)</td>
<td>1432</td>
<td></td>
</tr>
<tr>
<td>CTE Transportation Fees from Other Sources (In-State)</td>
<td>1433</td>
<td></td>
</tr>
<tr>
<td>CTE Transportation Fees from Other Sources (Out-of-State)</td>
<td>1434</td>
<td></td>
</tr>
<tr>
<td>Total Special Education Transportation Fees</td>
<td>1440</td>
<td>Amounts received for transporting pupils to and from special education programs.</td>
</tr>
<tr>
<td>Special Education Transportation Fees from Pupils or Parents (In-State)</td>
<td>1441</td>
<td></td>
</tr>
<tr>
<td>Special Education Transportation Fees from Other Districts (In-State)</td>
<td>1442</td>
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</tr>
<tr>
<td>Special Education Transportation Fees from Other Sources (In-State)</td>
<td>1443</td>
<td></td>
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<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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<td>---------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Special Education Transportation Fees from Other Sources (Out-of-State)</td>
<td>1444</td>
<td></td>
</tr>
<tr>
<td>Total Adult Transportation Fees</td>
<td>1450</td>
<td>Amounts received for transporting pupils to and from adult/continuing education programs.</td>
</tr>
<tr>
<td>Adult Transportation Fees from Pupils or Parents (In-State)</td>
<td>1451</td>
<td></td>
</tr>
<tr>
<td>Adult Transportation Fees from Other Districts (In-State)</td>
<td>1452</td>
<td></td>
</tr>
<tr>
<td>Adult Transportation Fees from Other Sources (In-State)</td>
<td>1453</td>
<td></td>
</tr>
<tr>
<td>Adult Transportation Fees from Other Sources (Out-of-State)</td>
<td>1454</td>
<td></td>
</tr>
<tr>
<td>EARNINGS ON INVESTMENTS</td>
<td>1500</td>
<td></td>
</tr>
<tr>
<td>Interest on Investments</td>
<td>1510</td>
<td></td>
</tr>
<tr>
<td>Gain or Loss on Sale of Investments</td>
<td>1520</td>
<td>Gains or losses realized from the sale of bonds.</td>
</tr>
<tr>
<td>FOOD SERVICE</td>
<td>1600</td>
<td></td>
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<tr>
<td>Sales to Pupils - Lunch</td>
<td>1611</td>
<td></td>
</tr>
<tr>
<td>Sales to Pupils - Breakfast</td>
<td>1612</td>
<td></td>
</tr>
<tr>
<td>Sales to Pupils – A la Carte</td>
<td>1613</td>
<td></td>
</tr>
<tr>
<td>Sales to Pupils - Other</td>
<td>1614</td>
<td></td>
</tr>
<tr>
<td>Sales to Adults</td>
<td>1620</td>
<td>Amounts received from adults for sale of food products and services.</td>
</tr>
<tr>
<td>Other Food Service</td>
<td>1690</td>
<td>Amounts received from local sources for other food service activities.</td>
</tr>
<tr>
<td>DISTRICT/SCHOOL ACTIVITY INCOME</td>
<td>1700</td>
<td></td>
</tr>
<tr>
<td>Admissions - Athletic</td>
<td>1711</td>
<td>Amounts received from school-sponsored athletic events.</td>
</tr>
<tr>
<td>Admissions - Other</td>
<td>1719</td>
<td>Amounts received from admissions to all other school-sponsored events except athletics (describe and itemize).</td>
</tr>
<tr>
<td>Fees</td>
<td>1720</td>
<td>Amounts received from pupils for fees such as towel fees, locker fees, and equipment fees (excludes transportation).</td>
</tr>
<tr>
<td>Book Store Sales</td>
<td>1730</td>
<td></td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Other District/School Activity Revenue</td>
<td>1790</td>
<td>All other revenue from district or school activities not otherwise specified.</td>
</tr>
<tr>
<td>TEXTBOOK INCOME</td>
<td>1800</td>
<td></td>
</tr>
<tr>
<td>Rentals - Regular Textbooks</td>
<td>1811</td>
<td></td>
</tr>
<tr>
<td>Rentals - Summer School Textbooks</td>
<td>1812</td>
<td></td>
</tr>
<tr>
<td>Rentals - Adult/Continuing Education Textbooks</td>
<td>1813</td>
<td></td>
</tr>
<tr>
<td>Rentals - Other</td>
<td>1819</td>
<td>Describe and itemize.</td>
</tr>
<tr>
<td>Total Textbook Rentals</td>
<td>1810</td>
<td>105 ILCS 5/10-22.25.</td>
</tr>
<tr>
<td>Sales - Regular Textbooks</td>
<td>1821</td>
<td></td>
</tr>
<tr>
<td>Sales - Summer School Textbooks</td>
<td>1822</td>
<td></td>
</tr>
<tr>
<td>Sales - Adult/Continuing Education Textbooks</td>
<td>1823</td>
<td></td>
</tr>
<tr>
<td>Sales - Other</td>
<td>1829</td>
<td></td>
</tr>
<tr>
<td>Textbooks Other</td>
<td>1890</td>
<td>Textbook revenues not provided for elsewhere in the 1800 series of accounts.</td>
</tr>
<tr>
<td>OTHER LOCAL REVENUES</td>
<td>1900</td>
<td></td>
</tr>
<tr>
<td>Rentals</td>
<td>1910</td>
<td>Amounts received for rental of school property, real or personal.</td>
</tr>
<tr>
<td>Contributions and Donations from Private Sources</td>
<td>1920</td>
<td>Amounts received from a philanthropic foundation, private individual, or private organization for which no repayment or special service to the contributor is expected.</td>
</tr>
<tr>
<td>Impact Fees from Municipal or County Governments</td>
<td>1930</td>
<td>Amounts received from a city, town, village, or county government from impact fees assessed in accordance with local ordinances.</td>
</tr>
<tr>
<td>Services Provided to Other Districts</td>
<td>1940</td>
<td>Amounts received for services other than tuition and transportation services (e.g., data processing, purchasing, maintenance, accounting, cleaning, consulting, guidance).</td>
</tr>
<tr>
<td>Refund of Prior Years' Expenditures</td>
<td>1950</td>
<td>A refund of an expenditure charged to a prior fiscal year's budget.</td>
</tr>
<tr>
<td>Payments of Surplus Moneys from TIF Districts</td>
<td>1960</td>
<td>Amounts received from distributions from Tax Increment Financing districts.</td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
</tr>
<tr>
<td>--------------------------------------------</td>
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<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Proceeds from Vendors’ Contracts</td>
<td>1980</td>
<td>Proceeds received pursuant to contracts between the district and various vendors.</td>
</tr>
<tr>
<td>School Facility Occupation Tax Proceeds</td>
<td>1983</td>
<td>Amounts received from distributions of School Facility Occupation Tax proceeds.</td>
</tr>
<tr>
<td>Payment from Other Districts</td>
<td>1991</td>
<td>Amounts representing a district’s share of special education or career and technical education building costs.</td>
</tr>
<tr>
<td>Sale of Vocational Projects</td>
<td>1992</td>
<td>Amounts representing gain from the sale of vocational projects.</td>
</tr>
<tr>
<td>Other Local Fees</td>
<td>1993</td>
<td>Amounts assessed or received from local sources for district programs not classified elsewhere (describe and itemize).</td>
</tr>
<tr>
<td>Other Local Revenues</td>
<td>1999</td>
<td>Amounts received from local sources not provided for elsewhere in the 1000 series of accounts.</td>
</tr>
<tr>
<td>FLOW-THROUGH RECEIPTS/REVENUE FROM ONE DISTRICT TO ANOTHER DISTRICT</td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>FLOW-THROUGH REVENUE FROM STATE SOURCES</td>
<td>2100</td>
<td>State revenues that can be further subdivided to account for individual grants.</td>
</tr>
<tr>
<td>FLOW-THROUGH REVENUE FROM FEDERAL SOURCES</td>
<td>2200</td>
<td>Federal revenues that can be further subdivided to account for individual grants.</td>
</tr>
<tr>
<td>OTHER FLOW-THROUGH REVENUE</td>
<td>2300</td>
<td>Other revenues that can be further subdivided to account for individual grants (describe and itemize).</td>
</tr>
<tr>
<td>RECEIPTS/REVENUE FROM STATE SOURCES</td>
<td>3000</td>
<td></td>
</tr>
<tr>
<td>General State Aid Section 18-8.05 (GSA)</td>
<td>3001</td>
<td>105 ILCS 5/18-8.05.</td>
</tr>
<tr>
<td>General State Aid Hold Harmless/Supplemental</td>
<td>3002</td>
<td>105 ILCS 5/18-8.05j.</td>
</tr>
<tr>
<td>Reorganization Incentives - Deficit Fund Balance</td>
<td>3005</td>
<td>105 ILCS 5/18-8.3.</td>
</tr>
<tr>
<td>Reorganization Incentives - Attendance</td>
<td>3010</td>
<td>105 ILCS 5/18-8.05i.</td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
</tr>
<tr>
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</tr>
<tr>
<td>Reorganization Incentives - Salary Difference</td>
<td>3015</td>
<td>105 ILCS 5/18-8.2.</td>
</tr>
<tr>
<td>Reorganization Incentives - Certified Salary</td>
<td>3020</td>
<td>105 ILCS 5/18-8.5.</td>
</tr>
<tr>
<td>Reorganization Incentives - Feasibility Studies</td>
<td>3021</td>
<td>Amounts received pursuant to appropriations for this purpose.</td>
</tr>
<tr>
<td>Tax Equivalent Grants</td>
<td>3055</td>
<td>105 ILCS 5/18-4.4.</td>
</tr>
<tr>
<td>GSA Transition Assistance</td>
<td>3095</td>
<td>Amounts received pursuant to appropriations for this purpose.</td>
</tr>
<tr>
<td>Other Unrestricted Grants-In-Aid from State Sources</td>
<td>3099</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
</tr>
<tr>
<td>Special Education - Private Facility Tuition</td>
<td>3100</td>
<td>105 ILCS 5/14-7.02.</td>
</tr>
<tr>
<td>Special Education - Extraordinary</td>
<td>3105</td>
<td>105 ILCS 5/14-7.02a.</td>
</tr>
<tr>
<td>Special Education - Personnel</td>
<td>3110</td>
<td>105 ILCS 5/14-13.01.</td>
</tr>
<tr>
<td>Special Education - Orphanage - Individual</td>
<td>3120</td>
<td>105 ILCS 5/14-7.03.</td>
</tr>
<tr>
<td>Special Education - Orphanage - Summer</td>
<td>3130</td>
<td>105 ILCS 5/14-7.03.</td>
</tr>
<tr>
<td>Special Education - Summer School</td>
<td>3145</td>
<td>105 ILCS 5/18-4.3.</td>
</tr>
<tr>
<td>Philip J. Rock Center and School</td>
<td>3155</td>
<td>105 ILCS 5/14-11.02.</td>
</tr>
<tr>
<td>Educational Materials Center</td>
<td>3156</td>
<td>105 ILCS 5/14-11.01.</td>
</tr>
<tr>
<td>Special Education - Other</td>
<td>3199</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
</tr>
<tr>
<td>CTE Improvement (CTEI)</td>
<td>3220</td>
<td>105 ILCS 435.</td>
</tr>
<tr>
<td>CTE - WECEP</td>
<td>3225</td>
<td>105 ILCS 5/2-3.66a.</td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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<tr>
<td>Agriculture Education</td>
<td>3235</td>
<td>105 ILCS 5/2-3.80.</td>
</tr>
<tr>
<td>CTE - Student Organizations</td>
<td>3270</td>
<td>105 ILCS 435</td>
</tr>
<tr>
<td>CTE - Other</td>
<td>3299</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
</tr>
<tr>
<td>Bilingual Education - Downstate - TPI and TBE</td>
<td>3305</td>
<td>105 ILCS 5/14C-12.</td>
</tr>
<tr>
<td>Bilingual Education - Downstate – Transitional Bilingual Education</td>
<td>3310</td>
<td>105 ILCS 5/14C-12.</td>
</tr>
<tr>
<td>Gifted Education</td>
<td>3350</td>
<td>105 ILCS 5/Art. 14A.</td>
</tr>
<tr>
<td>State Free Lunch and Breakfast</td>
<td>3360</td>
<td>105 ILCS 125/2.</td>
</tr>
<tr>
<td>School Breakfast Initiative</td>
<td>3365</td>
<td>105 ILCS 125/2.5.</td>
</tr>
<tr>
<td>Adult Education (from ICCB)</td>
<td>3410</td>
<td>Amounts received from the Community College Board; 105 ILCS 405.</td>
</tr>
<tr>
<td>Adult Education – Other</td>
<td>3499</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
</tr>
<tr>
<td>Transportation - Regular/Vocational</td>
<td>3500</td>
<td>105 ILCS 5/29-5.</td>
</tr>
<tr>
<td>Transportation - Special Education</td>
<td>3510</td>
<td>105 ILCS 5/14-13.01b.</td>
</tr>
<tr>
<td>Transportation - ROE Bus Driver Training</td>
<td>3520</td>
<td>105 ILCS 5/3-14.23.</td>
</tr>
<tr>
<td>Transportation - Other</td>
<td>3599</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
</tr>
<tr>
<td>Learning Improvement - Change Grants</td>
<td>3610</td>
<td>105 ILCS 5/2-3.25, 2-3.63, and 2-3.64.</td>
</tr>
<tr>
<td>Administrators Academy</td>
<td>3655</td>
<td>105 ILCS 5/2-3.53.</td>
</tr>
<tr>
<td>Scientific Literacy</td>
<td>3660</td>
<td>105 ILCS 5/2-3.94.</td>
</tr>
<tr>
<td>Truants’ Alternative and Optional Education</td>
<td>3695</td>
<td>105 ILCS 5/2-3.66.</td>
</tr>
<tr>
<td>Regional Safe Schools</td>
<td>3696</td>
<td>105 ILCS 5/13A-8.</td>
</tr>
<tr>
<td>Early Childhood - Block Grant</td>
<td>3705</td>
<td>105 ILCS 5/1C-2 and 2-3.71.</td>
</tr>
<tr>
<td>Label</td>
<td>Account Number</td>
<td>Source; Notes</td>
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</tr>
<tr>
<td>Reading Improvement Block Grant</td>
<td>3715</td>
<td>105 ILCS 5/2-3.51.</td>
</tr>
<tr>
<td>Reading Improvement Block Grant - Reading Recovery</td>
<td>3720</td>
<td>Amounts received from the 2% set-aside under 105 ILCS 5/2-3.51.</td>
</tr>
<tr>
<td>Continued Reading Improvement Block Grant</td>
<td>3725</td>
<td>105 ILCS 5/2-3.51a.</td>
</tr>
<tr>
<td>Continued Reading Improvement Block Grant</td>
<td>3726</td>
<td>Amounts received from the 2% set aside under 105 ILCS 5/2-3.51a.</td>
</tr>
<tr>
<td>ROE/ISC Operations</td>
<td>3730</td>
<td>Amounts received pursuant to 105 ILCS 5/2-3.63, 3-14.23, and 18-6.</td>
</tr>
<tr>
<td>ROE Supervisory Expense</td>
<td>3745</td>
<td>Amounts received pursuant to 105 ILCS 5/18-6.</td>
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<tr>
<td>Chicago Teachers Academy for Math &amp; Science (TAMS)</td>
<td>3765</td>
<td>Amounts received pursuant to an appropriation for TAMS.</td>
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<tr>
<td>Chicago General Education Block Grant</td>
<td>3766</td>
<td>105 ILCS 5/1D-1.</td>
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<tr>
<td>Chicago Educational Services Block Grant</td>
<td>3767</td>
<td>105 ILCS 5/1D-1.</td>
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<tr>
<td>School Safety and Educational Improvement Block Grant</td>
<td>3775</td>
<td>105 ILCS 5/2-3.51.5.</td>
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<tr>
<td>Technology - Learning Technology Centers</td>
<td>3780</td>
<td>105 ILCS 5/2-3.117.</td>
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<tr>
<td>Illinois Government Intern Program</td>
<td>3804</td>
<td>Funds distributed as a grant to Springfield School District 186 to support administration of this program.</td>
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<tr>
<td>State Charter Schools</td>
<td>3815</td>
<td>105 ILCS 5/Art. 27A.</td>
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<tr>
<td>Extended Learning Opportunities (Summer Bridges)</td>
<td>3825</td>
<td>105 ILCS 5/10-20.9a.</td>
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<tr>
<td>Infrastructure Improvements - Planning/Construction</td>
<td>3920</td>
<td>105 ILCS 230/5-35.</td>
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<tr>
<td>School Infrastructure - Maintenance Projects</td>
<td>3925</td>
<td>105 ILCS 230/5-100.</td>
</tr>
<tr>
<td>Regular Orphanage Tuition (18-3)</td>
<td>3950</td>
<td>105 ILCS 5/18-3.</td>
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<tr>
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<tr>
<td>Tax Equivalent Grants</td>
<td>3955</td>
<td>105 ILCS 5/18-4.4.</td>
</tr>
<tr>
<td>After-School Programs - Mentoring &amp; Student Support</td>
<td>3960</td>
<td>Amounts received pursuant to appropriation.</td>
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<tr>
<td>Advanced Placement Classes</td>
<td>3961</td>
<td>Amounts received pursuant to appropriations.</td>
</tr>
<tr>
<td>Arts Education</td>
<td>3962</td>
<td>Amounts received pursuant to appropriations.</td>
</tr>
<tr>
<td>Grants to Local Governments, Community Organizations, Not-for-Profit Organizations, and Educational Facilities</td>
<td>3963</td>
<td>Amounts received pursuant to appropriations.</td>
</tr>
<tr>
<td>ISBE Special Purpose Trust Fund</td>
<td>3970</td>
<td>105 ILCS 5/2-3.127a.</td>
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<td>Class Size Reduction Pilot Project</td>
<td>3981</td>
<td>105 ILCS 5/2-3.136.</td>
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<td>The “Grow Your Own” Teacher Education Initiative</td>
<td>3983</td>
<td>110 ILCS 48.</td>
</tr>
<tr>
<td>Education of Homeless Children and Youth State Grant Program</td>
<td>3984</td>
<td>105 ILCS 45.</td>
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<tr>
<td>Children’s Mental Health Partnership</td>
<td>3990</td>
<td>105 ILCS 405/49-15.</td>
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<td>State “On-behalf” Payments</td>
<td>3998</td>
<td>Reserved for on-behalf payments by the State.</td>
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<tr>
<td>Emergency Financial Assistance Grant</td>
<td>3999</td>
<td>105 ILCS 5/1B-8.</td>
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<td>Temporary Relocation Expense Grant</td>
<td>3999</td>
<td>105 ILCS 5/2-3.77.</td>
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<tr>
<td>Other Restricted Revenue from State Sources</td>
<td>3999</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
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<tr>
<td>RECEIPTS/REVENUE FROM FEDERAL SOURCES</td>
<td>4000</td>
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<tr>
<td>Federal Impact Aid</td>
<td>4001</td>
<td>ESEA Title VIII - Impact Aid (CFDA 84.041).</td>
</tr>
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<tr>
<td>Other Unrestricted Grants-In-Aid Received Directly from the Federal Government</td>
<td>4009</td>
<td>Amounts received pursuant to other unrestricted appropriations; describe and itemize.</td>
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<tr>
<td>Total Unrestricted Grants Received Directly from the Federal Government</td>
<td>4010</td>
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<tr>
<td>Head Start</td>
<td>4045</td>
<td>Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title I (CFDA 93.600).</td>
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<tr>
<td>Construction (Impact Aid)</td>
<td>4050</td>
<td>ESEA, Title VIII (Impact Aid – Facilities Maintenance) (CFDA 84.040).</td>
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<tr>
<td>Magnet</td>
<td>4060</td>
<td>ESEA, Title V, Part C (Magnet Schools Assistance) (CFDA 84.165).</td>
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<tr>
<td>Other Restricted Grants-In-Aid Received Directly from the Federal Government</td>
<td>4090</td>
<td>Amounts received pursuant to other restricted appropriations; describe and itemize.</td>
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<tr>
<td>Total Restricted Grants Received Directly from the Federal Government</td>
<td>4095</td>
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<td>TOTAL GRANTS RECEIVED DIRECTLY FROM THE FEDERAL GOVERNMENT</td>
<td>4099</td>
<td>Amounts received pursuant to other appropriations.</td>
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<tr>
<td>Title V - Innovation and Flexibility Formula</td>
<td>4100</td>
<td>NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).</td>
</tr>
<tr>
<td>Title V - SEA Projects</td>
<td>4105</td>
<td>NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).</td>
</tr>
<tr>
<td>Title V - Rural and Low-Income Schools (REI)</td>
<td>4107</td>
<td>NCLB, Title VI, Part B - Rural Education (CFDA 84.358).</td>
</tr>
<tr>
<td>Title V - Other</td>
<td>4199</td>
<td>Amounts received pursuant to other appropriations (describe and itemize).</td>
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<td>School Breakfast Program</td>
<td>4220</td>
<td>Child Nutrition Act - School Breakfast Program (CFDA 10.553).</td>
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<tr>
<td>Summer Food Service Admin/Program</td>
<td>4225</td>
<td>Child Nutrition Act - Summer Food Service Program for Children (CFDA 10.559).</td>
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<tr>
<td>Child Care Commodity/SFS 13-Adult Day Care</td>
<td>4226</td>
<td>Child Nutrition Act - Child Care and Adult Food Service Program (CFDA 10.558).</td>
</tr>
<tr>
<td>Fresh Fruit and Vegetables</td>
<td>4240</td>
<td>Child Nutrition – Cash Payments</td>
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<tr>
<td>Cash in Lieu of Commodities</td>
<td>4255</td>
<td>Amounts received in lieu of commodities in the food service program.</td>
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<td>Food Service - Other</td>
<td>4299</td>
<td>Amounts received pursuant to other appropriations from the U.S. Department of Agriculture for nutrition programs (describe and itemize).</td>
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<tr>
<td>Title I - Low Income</td>
<td>4300</td>
<td>No Child Left Behind Act of 2001 (NCLB; 20 USC 6301 et seq.), Title I, Part A - Improving Academic Achievement of the Disadvantaged (CFDA 84.010).</td>
</tr>
<tr>
<td>Title I - Low Income - Neglected, Private</td>
<td>4305</td>
<td>NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).</td>
</tr>
<tr>
<td>Title I - Low Income - Delinquent, Private</td>
<td>4306</td>
<td>NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).</td>
</tr>
<tr>
<td>Title I – Neglected and Delinquent Juvenile and Adult Corrections (formerly only juvenile)</td>
<td>4315</td>
<td>NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).</td>
</tr>
<tr>
<td>Title I – School Improvement and Accountability</td>
<td>4331</td>
<td>NCLB, Title I, Part A</td>
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<tr>
<td>Title I - Comprehensive School Reform</td>
<td>4332</td>
<td>NCLB, Title I, Part F - Comprehensive School Reform (CFDA 84.332).</td>
</tr>
<tr>
<td>Title I - Reading First</td>
<td>4334</td>
<td>NCLB, Title I, Part B-1 - Reading First (CFDA 84.357).</td>
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<tr>
<td>Title I - Even Start</td>
<td>4335</td>
<td>NCLB, Title I, Part B-3 - Even Start (CFDA 84.213).</td>
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<tr>
<td>Title I - Reading First SEA Funds</td>
<td>4337</td>
<td>NCLB, Title I, Part B-1 - Reading First SEA Funds (CFDA 84.357).</td>
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<tr>
<td>Title I – School Improvement Grant</td>
<td>4339</td>
<td>NCLB, Title I, section 1003g (CFDA 84.357).</td>
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<td>Title I - Migrant Education</td>
<td>4340</td>
<td>NCLB, Title I, Part C - Education of Migrant Children (CFDA 84.011).</td>
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<tr>
<td>Title I - Other</td>
<td>4399</td>
<td>Amounts received pursuant to other appropriations under Title I of NCLB (describe and itemize).</td>
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<td>Title IV - Safe and Drug-Free Schools - Formula</td>
<td>4400</td>
<td>NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).</td>
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<tr>
<td>Title IV - Safe &amp; Drug-Free Schools – State-Level Program</td>
<td>4415</td>
<td>NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).</td>
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<tr>
<td>Title IV - 21st Century</td>
<td>4421</td>
<td>NCLB, Title IV, Part B - 21st Century Community Learning Centers (CFDA 84.287).</td>
</tr>
<tr>
<td>Title IV - Other (Describe &amp; Itemize)</td>
<td>4499</td>
<td>Amounts received pursuant to other appropriations under Title IV of NCLB (describe and itemize).</td>
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<tr>
<td>Federal Special Education Preschool Flow-Through</td>
<td>4600</td>
<td>IDEA, Part B - Preschool (CFDA 84.173).</td>
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<tr>
<td>Federal Special Education Preschool Discretionary</td>
<td>4605</td>
<td>IDEA, Part B - Preschool (CFDA 84.173).</td>
</tr>
<tr>
<td>Federal Special Education - IDEA Flow-Through/Low Incident</td>
<td>4620</td>
<td>IDEA, Part B (CFDA 84.027).</td>
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<td>Federal Special Education - IDEA Room and Board</td>
<td>4625</td>
<td>IDEA, Part B (CFDA 84.027).</td>
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<tr>
<td>Federal Special Education - IDEA Discretionary</td>
<td>4630</td>
<td>IDEA, Part B (CFDA 84.027).</td>
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<td>Federal Special Education – IDEA Title VI C - Deaf/Blind</td>
<td>4635</td>
<td>IDEA, Part D - Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (CFDA 84.326).</td>
</tr>
<tr>
<td>Federal Special Education - IDEA - Other</td>
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<td>Amounts received pursuant to other appropriations under IDEA (describe and itemize).</td>
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<tr>
<td>CTE – Perkins – State Leadership</td>
<td>4720</td>
<td>Carl D. Perkins Career and Technical Education Act of 2006 – State Leadership (CFDA 84.048A)</td>
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<td>CTE – Perkins – DHS Ed</td>
<td>4740</td>
<td>Carl D. Perkins Career and Technical Education Act of 2006 – Corrections or Institutions (CFDA 84.048A)</td>
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<td>CTE – Perkins Title II – Tech Prep</td>
<td>4770</td>
<td>Carl D. Perkins Career and Technical Education Act of 2006 – Title II – Tech Prep (CFDA 84.243A)</td>
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<td>CTE – Other</td>
<td>4799</td>
<td>Amounts received pursuant to other appropriations from federal sources (describe and itemize).</td>
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<td>Federal – Adult Education</td>
<td>4810</td>
<td>Adult Education State Grant Program (CFDA 84.002).</td>
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<td>ARRA General State Aid – Education Stabilization</td>
<td>4850</td>
<td>Amounts received pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA); see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA Title I – Low Income</td>
<td>4851</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA Title I - Neglected, Private</td>
<td>4852</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA Title I - Delinquent, Private</td>
<td>4853</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<td>ARRA Title I – School Improvement (Part A)</td>
<td>4854</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<td>ARRA Title I – School Improvement (section 1003g)</td>
<td>4855</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<td>ARRA IDEA – Part B - Preschool</td>
<td>4856</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA IDEA – Part B – Flow-Through</td>
<td>4857</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Other ARRA Fund – XII</td>
<td>4860</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA Title IID – Technology - Competitive</td>
<td>4861</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>ARRA McKinney-Vento Homeless Education</td>
<td>4862</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>ARRA Child Nutrition Equipment Assistance</td>
<td>4863</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Impact Aid Formula Grants</td>
<td>4864</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Impact Aid Competitive Grants</td>
<td>4865</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>Qualified Zone Academy Bond Tax Credits</td>
<td>4866</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>Qualified School Construction Bond Credits</td>
<td>4867</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Build America Bond Tax Credits</td>
<td>4868</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Build America Bond Interest Reimbursement</td>
<td>4869</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>ARRA General State Aid – Other Government Services Stabilization</td>
<td>4870</td>
<td>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</td>
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<tr>
<td>Other ARRA Funds - II</td>
<td>4871</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>Other ARRA Funds – III</td>
<td>4872</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>Other ARRA Funds – IV</td>
<td>4873</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
</tr>
<tr>
<td>Other ARRA Funds – V</td>
<td>4874</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
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<td>ARRA Early Childhood</td>
<td>4875</td>
<td>Paid with Government Services State Fiscal Stabilization Fund ARRA funds; see Section 100.130 of this Part.</td>
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<tr>
<td>Other ARRA Funds – VII</td>
<td>4876</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</td>
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<tr>
<td>Other ARRA Funds – VIII</td>
<td>4877</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
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<tr>
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<td>Other ARRA Funds - IX</td>
<td>4878</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
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<tr>
<td>Other ARRA Funds – X</td>
<td>4879</td>
<td>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</td>
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<td>Education Jobs Fund Program</td>
<td>4880</td>
<td>Available for recording sources of federal funds received pursuant to the Education Jobs Fund Program; see Section 100.130 of this Part.</td>
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<td>Race to the Top Program</td>
<td>4901</td>
<td>Available for recording sources of federal funds received pursuant to the Race to the Top Program; see Section 100.130 of this Part.</td>
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<tr>
<td>Advanced Placement Fee/International Baccalaureate</td>
<td>4904</td>
<td>ESEA, Title I, Part G – Advanced Placement Program (CFDA 84.330).</td>
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<td>Emergency Immigrant Assistance</td>
<td>4905</td>
<td>NCLB, Title III - English Language Acquisition Grants - Immigrant Assistance Grants (CFDA 84.365).</td>
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<tr>
<td>Title III - English Language Acquisition</td>
<td>4909</td>
<td>NCLB, Title III - English Language Acquisition Grants (CFDA 84.365).</td>
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<tr>
<td>Learn &amp; Serve America</td>
<td>4910</td>
<td>National and Community Service Act of 1990 - Learn &amp; Serve America (CFDA 94.004).</td>
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<tr>
<td>McKinney Education for Homeless Children</td>
<td>4920</td>
<td>NCLB, Title X - Education for Homeless Children (CFDA 84.196).</td>
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<tr>
<td>Title II - Teacher Quality</td>
<td>4932</td>
<td>NCLB, Title II, Part A, and ESEA, Title II, Part C, Subpart 1, Chapter B (CFDA 84.350).</td>
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<td>Title II - Teacher Quality</td>
<td>4935</td>
<td>ESEA, Title II, Part A - Improving Teacher Quality State Grants (CFDA 84.367).</td>
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<td>Title II - Math and Science Initiative</td>
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<td>ESEA, Title II, Part B – Math and Science Partnerships (CFDA 84.366).</td>
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<td>Title II - Technology - Enhancing Education Formula Grants</td>
<td>4971</td>
<td>ESEA, Title II, Part D, Subparts 1 and 2, as amended – Education Technology State Grants (CFDA 84.318).</td>
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<td>Title II - Technology - Enhancing Education Competitive Grants</td>
<td>4972</td>
<td>ESEA, Title II, Part D, Subparts 1 and 2 – Education Technology State Grants (CFDA 84.318).</td>
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<tr>
<td>Safe Routes to School</td>
<td>4980</td>
<td>Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (P.L. 109-59)</td>
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<td>Medicaid Matching Funds - Administrative Outreach</td>
<td>4991</td>
<td>Social Security Act, Title XIX - Medicaid Matching - Administrative Outreach (CFDA 93.778).</td>
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<tr>
<td>Medicaid Matching Funds - Fee-for-Service Program</td>
<td>4992</td>
<td>Social Security Act, Title XIX - Medicaid Matching - Fee for Service Programs (CFDA 93.778).</td>
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<tr>
<td>Hurricane Emergency Relief</td>
<td>4995</td>
<td>Hurricane Emergency Relief Act.</td>
</tr>
<tr>
<td>Other Restricted Grants Received from Federal Government through State</td>
<td>4998</td>
<td>Amounts received pursuant to other federal appropriations (describe and itemize).</td>
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</table>

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

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Beth Hanselman, Assistant Superintendent for Special Education and Support Services
       Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 226 (Special Education)

Materials: Recommended Rules

Staff Contacts: David Andel, 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 proposed change relates to Strategic Goal 2, in that the proposal identifies the practitioners qualified to conduct medical reviews for the purpose of evaluating a child’s need for special education and related services.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 226.

Background Information
In response to a request from the field, the agency released for public comment a rulemaking to modify Section 226.840 to authorize only certified school nurses and physicians to conduct medical reviews. In 2010, the rules were amended to expand those qualified to conduct a medical review to include registered nurses and advanced practice nurses, categories of individuals who have the medical expertise necessary to perform the review. This change in 2010 was made in response to complaints from some school districts that they were having difficulty finding a sufficient number of certified school nurses to conduct these reviews.

Last fall, the Illinois Association of School Nurses (IASN) raised concerns to agency staff and to the Joint Committee on Administrative Rules (JCAR) about the rule. In January 2012, the IASN made a formal request to the agency to restore the original rule by removing the authority for registered nurses and advanced practice nurses to conduct medical reviews. The association stated in its request that medical reviews require that the individuals make “decisions on how to accommodate special education students in the least restrictive setting and environment”. This, in turn, requires specialized training that IASN said registered nurses and advanced practice nurses do not have.
In making the change in the rule in 2010, the agency believed that medical reviews require medical judgment, and therefore these reviews could be conducted by “non-certified registered professional nurses”, including advanced practice nurses. Additionally, staff believed that the inclusion in the rules of these qualified individuals would alleviate concerns about perceived shortages in the availability of certified school nurses. That being said, it was appropriate to provide a second opportunity to formally hear from school districts and special education cooperatives, through the public comment period, about any concerns they may have with limiting the conduct of medical reviews to certified school nurses and physicians. Based on the comments received, staff are recommending the Board adopt a compromise solution that would limit, but not eliminate, the authority for certain registered nurses and advanced practice nurses to conduct medical reviews (please see the attached summary and analysis of public comment).

It should be noted, however, that until the rulemaking is final, school districts and special education cooperatives may use registered nurses and advanced practice nurses to conduct medical reviews of their special education students.

The proposed rules were published February 10, 2012, in the Illinois Register to elicit public comment; 1,859 comments were received. A summary and analysis of the public comment, along with any recommendations for changes in the proposed amendments as a result, is attached.

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

**Policy Implications:** Please see “Background” above.

**Budget Implications:** None.

**Legislative Action:** None.

**Communication:** Please see “Next Steps” below.

**Pros and Cons of Various Actions**

In light of the request for reconsideration submitted by the IASN, it was appropriate to provide a second opportunity for school districts and special education cooperatives to submit public comment regarding the qualifications of individuals who conduct medical reviews. Based on the comments received, the modification being recommended would work to avoid negative financial and human resource consequences in districts and cooperatives unable to find a sufficient number of CSNs, while ensuring that the rule does not conflict with state law and federal regulations.

The proposed modification, however, would still allow certain registered nurses and advanced practice nurses to conduct a medical review, provided that these individuals do not direct the type of accommodations, modifications or interventions to be implemented based on that review. For this reason, IASN might still oppose the modification being submitted for the Board’s consideration. Additionally, those school districts and cooperatives employing two- and three-year registered nurses to conduct medical reviews would need to use the appropriately qualified staff instead.

**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:

Special Education (23 Illinois Administrative Code 226),

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 226 (Special Education)

The State Board of Education received an unprecedented number of comments on this rulemaking (1,859). An overwhelming majority of the commenters supported limiting the practitioners allowed to conduct a medical review for the purposes of assessing the needs of a student for special education services to only certified school nurses and physicians. The central points that the opponents and proponents raised in their submissions are summarized below.

Comments

Opposed to the Proposed Revision

School district superintendents, special education cooperative directors, school board members and other school personnel opposing the rulemaking argued that a registered nurse (RN) or advanced practice nurse is competent to conduct a medical review. One commenter pointed out that many certified school nurses (CSNs) lack the medical skills exhibited by registered nurses, particularly in areas such as feeding tubes, diabetes care, emergency care, and use of EpiPens®. He indicated his belief that registered nurses are “smart enough to read the Illinois regulations pertaining to schools, understand the regional issues effecting the schools and consult with schools to create safe, healthy environments”. An assistant superintendent in a large elementary school district said she has not found a “difference in the work of CSNs and RNs in (regards to) the quality of their medical reviews”.

A certified school nurse, who has 33 years of nursing experience, of which 15 have been as a school nurse, echoed that sentiment, indicating that a CSN is “not necessarily better” at conducting assessments than a registered nurse who is not certified. Several others pointed out that the registered nurses in their districts are “educated and trained to conduct a medical review”. The student’s Individualized Education Program team relies on the school nurse’s medical and health knowledge, a CSN said. She emphasized that the school nurse, whether an RN or CSN, serves as a “bridge between medical needs and what may be needed while at school”, ensuring that the student’s “health and safety needs are met”. Educators and other certified staff on the team “translate” those medical needs and assessment into “educational accommodations”, she added. Another CSN working in a large suburban school district said that certification is a “good tool” for the school nurse to have, but added that it is not “realistic to require all nurses in school settings to have their certificate”.

One large school district said it uses a CSN to supervise and provide training and technical assistance to the 21 RNs that the district employs. By not allowing RNs to conduct the medical review, the proposed rules would impose a “financial hardship” for the district, which would need to replace its RNs with CSNs. Another commenter said that replacing RNs with CSNs would interrupt the "continuity of care" currently provided for children with disabilities. As the rules have allowed school districts to use RNs or advanced practice nurses to conduct medical reviews since October 2010, it would be “burdensome, costly and senseless” to reverse the rule. One superintendent pointed out that restricting the type of practitioner who can conduct the medical review is an unfunded mandate that would “not improve the quality of the (medical) reviews”.

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Further, the commenters said that there is a shortage of CSNs available to work in the suburban and rural areas of the state. “To limit the scope of work of (RNs) would wreak havoc to a good number of districts in our state”, one personnel director pointed out. The director of a special education cooperative in northern Illinois said that requiring that CSNs conduct medical reviews would “leave 70 percent of our buildings in the cooperative vacant of nurses and place (those buildings) in health crisis”.

A registered nurse with 16 years of experience as a school nurse suggested that the State Board explore “another form of certification or accreditation of nursing in a school setting. The current school nurse certification courses, while helpful, are clearly not the only method of obtaining a level of knowledge of school-based nursing”, she said. It was further recommended that the proposed rule be modified to allow only RNs with bachelor’s degrees to conduct a medical review.

Support for the Proposed Revision

The primary message of the proponents seems to be that the coursework and internship that a RN must complete in order to receive certification as a school nurse is “vital to making the most appropriate, cost-effective plans for health-impaired and special-needs students”. A CSN’s duties, many said, are to “tailor his or her interventions” for a student based on the impact that the student’s “health issues” would have on his or her “ability to perform and navigate in the classroom”. A point strongly emphasized in the comments is that RNs are not trained to “assess the impact of a variety of health conditions and their treatment on a student’s educational performance” and then to “link health conditions to (special education) eligibility and services available under IDEA (the Individuals with Disabilities Education Act) and (federal Rehabilitation Act) 504 plans and which is appropriate”.

Most of the commenters also stressed that IDEA indirectly requires the use of a certified school nurse in that federal law requires “properly trained and knowledgeable individuals make the special education assessments (i.e., conduct medical reviews) and be involved in the IEP process”. Further, the Illinois Association of School Nurses argues that medical reviews require the use of “instructional judgment and/or educational evaluation of pupils”, and for this reason, the use of an RN to conduct the review would be prohibited under Section 10-22.23 of the School Code.

By way of an explanation for linking the medical review to instructional judgment or educational evaluation, one CSN pointed out that “manifestations of illness can mask a specific learning disability and children do not get services”. She said the school nurse must “see beyond medical diagnosis and appreciate the whole child”. For instance, she said that she was able to assist a transfer student with previous hospitalizations for mental illness to qualify for the “other health-impaired” category in order to have a 504 plan, a process not pursued by the student’s previous school. Another example provided in the comments discussed a CSN’s ability to coordinate care for a student with severe behavioral difficulties that enabled the student to stay in the general education classroom.

Many RNs related that their previous clinical or hospital experience – neonatal, pediatrics, emergency room, neurosurgery – did not adequately prepare them to become advocates for students in the school setting. More specifically, one CSN said that her nursing background had not prepared her to work with “autistic or other learning disabled children while delivering nursing care or teaching them about their chronic illnesses”. Other commenters stated that they began working in a school as an RN but realized that their lack of knowledge about the
educational environment, particularly about state and federal requirements for serving students with disabilities, hampered their ability to effectively do their jobs. The CSN program, they said, provides coursework specific to child development and educational psychology, special education law, appropriate accommodations and health promotion, and includes an internship and passage of a certification examination. This training and preparation enables them to have the skills necessary to assess a child’s medical, physical, educational, emotional, and mental health needs, one said.

Numerous parents also said the CSN at their schools recognized how certain conditions, such as adverse medication interactions, mental health issues or other maladies, contributed to their students’ academic and behavioral problems in schools, and they credited these school nurses with recommending accommodations and interventions that minimized the impact these conditions had on the students’ educational success.

Some commenters also expressed fear that routine medical care no longer would be provided if the proposed amendment did not take effect. They indicated that certification was needed to provide nursing care (e.g., changing feeding tubes) in the school setting. One predicted that without CSNs, the responsibility for dispensing medications and dealing with the “health needs of students” would “fall on a secretary or minimum-wage worker”. Other commenters cautioned that the failure to use CSNs could expose school districts to litigation should students not receive the accommodations and services to which they are entitled.

Several of the proponents suggested modifications to the proposed rules that could assist school districts that are having difficulty finding fully certified school nurses. These included employing at least one CSN to supervise the work of RNs with bachelor degrees as they are conducting the medical reviews and to have responsibility for determining interventions and accommodations to be recommended. One person suggested neighboring school districts share the services of CSNs and that those districts should encourage RNs in underserved areas to become CSNs through the districts’ provision of incentives, such as reasonable salaries and benefits.

**Analysis**

Many of the comments submitted were form letters, interspersed with personal anecdotes, that were signed by school personnel, parents, neighbors and others. These letters and email submissions clearly revealed confusion about the intent of the proposed rule in that they assumed that the requirement to employ certified school nurses would be eliminated altogether, resulting in under- or unskilled individuals providing medical care and dispensing medications to students.

Rather, the rule is narrowly focused on only one aspect of school nursing; that is, who is qualified to conduct a medical review for the purpose of evaluating or re-evaluating students for special education and related services. In this regard, the letters and emails reveal a tension in the field’s interpretation of what constitutes a medical review, as well as to the relationship of the medical review to requirements of state law specific to the duties of CSNs and of federal special education regulations requiring that evaluations and re-evaluations be conducted by “qualified professionals”.

Since 1998, Section 10-22.23 of the School Code has made a distinction between the duties performed by a school nurse who holds a school service personnel certificate endorsed for school nursing (CSN) and registered professional nurses who do not hold the required certification.
certification. A school district is required to employ a CSN for nursing duties that “require teaching or the exercise of instructional judgment or educational evaluation of pupils”. A district may employ non-certificated registered professional nurses to perform professional nursing services. Further, under federal regulations, school districts must conduct an evaluation, using qualified professionals, to determine whether a child qualifies as a “student with a disability” under federal law. Part of the documentation required for this eligibility determination is “educationally relevant medical findings, if any”.

While the number of comments supporting the proposed amendment is unprecedented, the sheer volume alone is not reason enough to adopt the proposal without further consideration of the merits of the opposition’s arguments. The challenge presented by those on both sides of the issue is to accurately define the components of a medical review and from there, determine the qualifications needed of the practitioner who must conduct that review.

The agency’s special education staff have defined a “medical review” to include data on the child’s prior and current health history and status that address prenatal and birth history; early growth and development; medical issues the child has experienced; hospitalizations and significant injuries; medical diagnosis, if any; medications or treatments the child currently receives, if any; and health concerns expressed by the parents or the child, if he or she is able to do so. Gathering this data may require securing a medical release to enable the practitioner conducting the review to obtain specific medical reports with certain medical information, although this is not required for every student. The medical review also includes an analysis of the information gathered, with particular attention to past or present health conditions that may have an impact on the learning process and the student’s potential to achieve academically. The practitioner conducting the medical review provides his or her analysis and reports his or her findings to the child’s IEP team, along with suggestions for interventions, adaptations or monitoring activities that could ameliorate the medical impact on learning. If any suggestions are implemented, the medical review becomes ongoing in that the outcomes of the medical or nursing interventions that were implemented are evaluated.

From this description, it appears that the medical review includes two sets of skills: familiarity with medical conditions, treatments and supports and health histories, and a background in education and learning. One could easily argue convincingly that a registered professional nurse is capable of reviewing medical records and interviewing a student and his or her parents to determine the student’s health problems and concerns that may affect the student in the school setting. On the other hand, taking that information and formulating recommendations for educational accommodations and interventions to assist the student academically would fall within the scope of activities contemplated under state law as being performed only by a CSN.

Suggested revisions to the rules submitted by several commenters have the potential to balance the need for qualified professionals to conduct the review with the fact that each part of the review requires particular skills and knowledge. By incorporating these proposed revisions, the eventual impact of the rules on those school districts and special education cooperatives currently using professional registered nurses to conduct medical reviews could be minimized. The proposed revisions also recognize that like registered professional nurses, a physician – while allowed to conduct a medical review – is unlikely to have a background in teaching and learning and in special education laws and regulations that supporters of the rules claim is essential to conducting medical reviews. A middle-ground approach to the proposed amendment would work to avoid negative financial and human resource consequences in districts and cooperatives unable to find a sufficient number of CSNs, while ensuring that the rule does not conflict with state law and federal regulations.
Finally, given that the rule will not take effect until later in the summer, staff recommend delaying the implementation of the proposed compromise until July 1, 2013. Most school districts and special education cooperatives would have made employment decisions by the time the rule takes effect and would find it difficult to comply with the new requirements after the school year begins.

Recommendation

It is recommended that Section 226.800 be modified as follows.

Medical Review

Until June 30, 2013, School Service Personnel Certificate endorsed for school nursing (23 Ill. Adm. Code 25.245), or license to practice medicine in all of its branches, or under Section 60 or 65 of the Nurse Practice Act [225 ILCS 65].

Beginning July 1, 2013, a School Service Personnel Certificate endorsed for school nursing (23 Ill. Adm. Code 25.245); or a license to practice medicine in all of its branches; or a bachelor’s degree or higher and a license issued under Article 60 or Article 65 of the Nurse Practice Act [225 ILCS 65/Art. 60 or Art. 65], provided that only a person holding a School Service Personnel Certificate endorsed for school nursing shall make recommendations regarding educational interventions, accommodations or modifications based on the findings of the student’s medical review.
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  
226.360  Placement by School Districts in Remote Educational Programs  

**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
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
226.780 Procedures for Withdrawal Hearings before the Regional Board of School Trustees

SUBPART I: PERSONNEL

Section
226.800 Personnel Required to be Qualified
226.810 Special Education Teaching Approval
226.820 Authorization for Assignment
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 226.840 Qualifications of Evaluators

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

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED QUALIFICATIONS</th>
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<tbody>
<tr>
<td>Academic Performance</td>
<td>Teaching certificate/approval appropriate for the age or disability of the child, or School Service Personnel Certificate endorsed for school psychology or guidance. (See Article 21 of the School Code [105 ILCS 5/Art.21] and the State Board’s rules at 23 Ill. Adm. Code 1 and 23 Ill. Adm. Code 25.)</td>
</tr>
<tr>
<td>Adapted Physical Education</td>
<td>Special Certificate endorsed for physical education with approval in adapted physical education (23 Ill. Adm. Code 25.43).</td>
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<tr>
<td>Assistive Technology</td>
<td>To the extent that a test is used in performing this assessment, qualification for administering the test according to the instructions provided by the test’s publisher.</td>
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<tr>
<td>Audiological</td>
<td>License to practice as an Audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110].</td>
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<tr>
<td>Clinical Psychological</td>
<td>License issued pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15].</td>
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<tr>
<td>Cultural Background Assessment</td>
<td>School Service Personnel Certificate endorsed for school psychology, school social work, or school counseling.</td>
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<tr>
<td>Hearing Screening</td>
<td>License to practice as an Audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and</td>
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<tr>
<td>Neurological Evaluation</td>
<td>Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987 [225 ILCS 60].</td>
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<tr>
<td>Occupational Therapy Evaluation</td>
<td>Certificate/Registration issued by the Department of Financial and Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].</td>
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<td>TYPE</td>
<td>REQUIRED QUALIFICATIONS</td>
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<tr>
<td>Orientation/Mobility</td>
<td>Certification for orientation/mobility instruction and evaluation (Certification for Orientation and Mobility, Orientation and Mobility Division, Association for Education and Rehabilitation of the Blind and Visually Impaired, 4600 Duke Street, #430, P.O. Box 22397, Alexandria, Virginia 22304; 1984; no later amendments or editions are included).</td>
</tr>
<tr>
<td>Physical Therapy Evaluation</td>
<td>Certificate/registration issued by the Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].</td>
</tr>
<tr>
<td>Psychiatric Evaluation</td>
<td>Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987.</td>
</tr>
</tbody>
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(Source: Amended at 36 Ill. Reg. _______, effective ____________)
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Beth Hanselman, Assistant Superintendent for Special Education and Support Services
      Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 226 (Special Education)

Materials: Recommended Rules

Staff Contacts: David Andel, 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 proposed changes are technical in nature to conform the rules to recently enacted state laws and current agency policies, as well as to eliminate obsolete provisions. Therefore, the proposed amendments do not link directly to any of the Board’s goals.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 226.

Background Information
The proposed amendments make changes in response to several new laws, each of which is explained below.

- P.A. 97-123, effective July 14, 2011, further defined requirements for the provision of home/hospital instruction for students with or without disabilities, necessitating changes in Section 226.300.
- P.A. 97-227, effective January 1, 2012, changed the use of the term "mental retardation" to "intellectual disability". This is in keeping with a federal law that took effect in October 2010. (See Sections 226.800 through 226.850.)
- P.A. 97-284, effective August 9, 2011, defines "students with individualized education programs" (IEPs) for the purposes of determining the percentage of these students allowed in a general education classroom as excluding students with IEPs who receive speech-language services outside of the classroom, provided that the instruction received in the classroom does not require modifications. (See Section 226.730.)
Additionally, it is proposed that provisions that are obsolete in Sections 226.800(g)(2) and (h)(2) be eliminated; these sections address requirements for the State-approved director of special education, assistant directors, and special education supervisors.

The proposed amendments were published in the Illinois Register on March 23, 2012; 165 comments were received. A summary of the public comment, along with an analysis and any recommendations for change as a result, is attached.

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

*Policy Implications:* Please see “Background” above.

*Budget Implications:* None.

*Legislative Action:* None.

*Communication:* Please see “Next Steps” below.

**Pros and Cons of Various Actions**

The proposed clarifications conform the rules to agency policy, as well as to requirements set forth in recently enacted legislation. Not proceeding with the changes will result in Part 226 not being up to date, which would cause confusion among those being regulated by its requirements.

**Superintendent’s Recommendation**

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

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

Special Education (23 Illinois Administrative Code 226),

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 226 (Special Education)

Comment

A commenter objected to a change regarding the percentage of special education students who can be assigned to a general education classroom. In particular, he suggested that including any students with speech-language difficulties into the student ratio for special education to general education students in a general education classroom “confines student flexibility in scheduling and the teacher’s ability to meet the needs of the students in that particular classroom”.

Analysis

Section 226.730 of the rules prohibits the composition of a general education classroom, which is not considered a “remedial” general education classroom, from including more than 30 percent of the assigned students having Individualized Education Programs (IEPs). This rule helps to ensure that students whose IEPs identify the least restrictive environment for the student’s placement as a general education classroom are not placed in classrooms that serve predominantly students with disabilities.

P.A. 97-227, effective January 1, 2012, modified the law to recognize that certain IEPs do not affect a student’s ability to access and participate in the general education curriculum. The students affected would be students whose IEPs require speech-language services outside of the general education classroom, but no modifications to curriculum that they receive in the general education classroom. The law now excludes these students from being considered in the percentage of special education students enrolled in general education classrooms. Since the provisions as to who may be counted as a general education student are governed by law, staff have no authority to provide additional flexibility that is not provided in the law.

Recommendation

No change is recommended in response to this comment.

Comment

An individual pointed out that the requirements for music therapist contained in Section 226.850 are incorrectly stated. She asked that the rules require a music therapist to be board-certified as a music therapist through the American Music Therapy Association rather than to be registered with the association, as the rules now require. She also pointed out that it is the National Music Therapy Registry, rather than the association, that provides registration opportunities and that the registry stopped issuing those registrations in 1998 and will be dissolved in 2020.

Analysis

The commenter may be correct but there is insufficient time to consider her suggested changes and determine the effect those may have on individuals currently serving as music therapists or those scheduled to complete their training and begin employment in the near future. For this reason, staff recommend delaying any action until they can adequately review the request and
propose changes through the complete rulemaking process, including providing an opportunity for those affected to provide comment.

Recommendation

No change is recommended in response to this comment.

Comment

A representative of an advocacy group based in Chicago submitted several suggestions pertaining to the rules in Section 226.300 regarding the provision of instruction in a home or hospital setting. Its primary concern was that the rule’s placement in Part 226, which governs Special Education, does not sufficiently acknowledge that the statutory and regulatory requirements apply to any student who is receiving instruction at home or in the hospital due to a medical condition regardless of whether the student has a disability. She suggested that the agency make the requirements for home or hospital instruction for general education students explicit by amending Section 226.300 to include students without disabilities or promulgating rules separate from Part 226 for the provision of home or hospital instruction for these students.

The commenter also asked that the school inform parents both generally of the availability of home or hospital instruction and again when it becomes aware that a student may qualify for these types of services. In the latter instance, she asked that the district “inform” the parent of the possibility that home or hospital instruction may be necessary, including the need for the parents to obtain a physician’s statement to that effect. Additionally, the commenter asked that the rule be amended to eliminate wording regarding the IEP team’s consideration of the “need” for home or hospital instruction since this consideration would occur after eligibility is “established”, i.e., a physician’s note has been received.

Other recommended changes include:

• Requiring the school district to ensure the minimum number of hours of instruction are provided each week in the case of cancellations due to a child’s illness or the absence of an instructor;
• Incorporate into the rule the statutory provision that a minimum number of absences is not needed to qualify for home or hospital instruction; and
• Include language from the State Board’s guidance that a school district may count for attendance purposes that portion of day that comprises home or hospital instruction, in addition to the time a child also may be in school.

Analysis

The commenter is correct that the requirements for home and hospital instruction for both students with disabilities and those who do not have IEPs are found in Part 226, which governs Special Education. State Board staff recognize that there is a possibility for confusion among those in the field who are seeking guidance about home and hospital instruction for students without IEPs and those who have plans under Section 504 of the federal Rehabilitation Act of 1973. For this reason, the agency’s rules governing Public Schools Evaluation, Recognition and Supervision (Part 1) should be amended to address home and hospital instruction. Placement in that part of the agency’s administrative rules is appropriate since Part 1 addresses general requirements that all school districts must follow. Until that Part is amended, the requirements contained in Section 226.300 apply to all students, regardless of special education status.
While it may seem reasonable to require school districts to inform parents, either at the beginning of the school year or through the school’s handbook, of the availability of home or hospital instruction and the process for accessing those services, such a notification could cause confusion among parents who are not familiar with this format. Additionally, it may be overly prescriptive to expect the school to be aware in every possible instance that a child may qualify for this type of instruction based on his or her attendance record to date. While the classroom teacher could be the locus for informing the school district of multiple absences of a student, it is the parents who, under Section 14-13.01 of the School Code, must establish eligibility by submitting “to the child's school district of residence a written statement from a physician licensed to practice medicine in all of its branches stating the existence of such medical condition, the impact on the child's ability to participate in education, and the anticipated duration or nature of the child's absence from school”. Information about home and hospital instruction can be found on the agency’s website and its question-and-answer format makes it useful for both school personnel and parents.

It also should be noted that nothing in the rule currently prohibits a school district from suggesting to parents that home or hospital instruction might be necessary and certainly school personnel should be encouraged to suggest services that would be the most beneficial for the child. In fact, Section 226.300(b) currently directs an IEP team to consider the need for home or hospital instruction in situations where the student’s medical condition causes an absence from school for two or more days. As the commenter pointed out, however, the wording of that section implies that school personnel have a choice as to whether home or hospital instruction should be provided once the physician’s note is received, and modifications to the rule would better align its requirements to Section 14-13.01 of the School Code.

As for repeating in the rule the statutory language regarding minimum number of absences needed before home or hospital services are to be considered, it is not necessary to include this provision and in fact, agencies are discouraged from including statutory language unnecessarily. The provision is clearly stated in the law and further rulemaking will not enhance its meaning.

Finally, the commenter asked that information relative to attendance and general state aid be added to the rule. While the information may be useful, it is outside the scope of this Section of rules, in that Section 226.300 sets forth the conditions upon which home or hospital instruction must be provided rather than the method for determining attendance and general state aid reimbursement.

**Recommendation**

It is recommended that Section 226.300 be modified as follows.

**Section 226.300(b)**

b) When an eligible student has a medical condition that will cause an absence for two or more consecutive weeks of school or ongoing intermittent absences, as defined in Section 14-13.01(a) of the School Code [105 ILCS 5/14-13.01(a)], the IEP Team for that child shall consider the need for home or hospital services and develop or revise the child’s IEP accordingly. The provision of home or hospital services will be based upon a written statement from a physician licensed to practice medicine in all its branches which specifies:
1) the child’s medical condition;  
2) the impact on the child’s ability to participate in education (the child’s physical and mental level of tolerance for receiving educational services); and  
3) the anticipated duration or nature of the child’s absence from school.

c) **Special education and related services required by the child's IEP must be implemented as part of the child's home or hospital instruction, unless the IEP team determines that modifications are necessary during the home or hospital instruction due to the child's condition.** (Section 14-13.01 of the School Code)

Section 226.300(d)

d) The amount of instructional or related service time provided through the home or hospital program shall be determined in relation to the child's educational needs and physical and mental health needs. The amount of instructional time shall not be less than five hours per week unless the physician has certified in writing that the child should not receive as many as five hours of instruction in a school week. In the event that the child’s illness or a teacher’s absence reduces the number of hours in a given week to which the child is entitled, the school district shall work with the IEP team and the child’s parents to provide the number of hours missed, as medically advisable for the child.

Comment

All but three of the 165 comments received focused on the requirements for obtaining an endorsement for special education director. Many of these also addressed requirements generally for an administrative certificate (i.e., general administrative, principal, superintendent). These letters of concern were prompted by an “alert” issued by the Illinois Alliance of Administrators of Special Education that individuals who have experience as school psychologists, school social workers and nonteaching speech-language pathologists (i.e., those who hold a “Type 73” certificate) will no longer be able to qualify for the special education director endorsement (DSE) nor for an endorsement to serve as a principal starting in 2014.

Specifically related to the position of director of special education, the commenters suggested that limiting the candidates for this endorsement to only individuals with teaching experience would keep highly skilled and knowledgeable educators from pursuing school leadership positions. The commenters pointed out that school psychologists, school social workers and speech-language pathologists currently participate in “decision-making teams”, work with students both inside and outside of the classroom, confer and collaborate with parents, understand assessment, and collect and analyze data. As one person pointed out, school service personnel have a “wider picture of the students and disabilities in general than just in the classroom setting”. Another educator stressed that school service personnel also have “training and expertise” in special education law and regulations, as well as response to intervention and IEP processes.

The comments emphasized the writers’ belief that the elimination of school service personnel from the potential candidate pool for special education directors will be “detrimental” and “hurt
overall school administration.” Others called the policy shift “short-sighted and irresponsible”, “discriminatory” and “extremely limiting and devastating to the profession”. Additionally, not allowing school service personnel to obtain the DSE will work to exacerbate shortages in the number of qualified special educator directors, particularly to serve in rural areas of the state, several commenters said.

A certified school nurse, currently enrolled in a master of arts program in educational leadership, said she feared that she would not be able to receive her Type 75 certificate upon completion of the program, a certificate that she indicated is necessary in order to serve as the “manager of the health services team”. Another individual asked that “valued and respected related services providers”, such as occupational therapists, be allowed to qualify for an administrative certificate.

Finally, one commenter suggested that school service personnel continue to be eligible to receive the DSE, provided that they have four (rather than the current two) years of experience working in the special education environment. This change would parallel the statutory requirement that candidates for the principal endorsement have four years of teaching experience in order to receive that endorsement. Another person who served on the task force that recommended changes to the principal endorsement requirements urged the agency to “apply thoughtful consideration to (…) focus on leadership preparation and associated experiences” when establishing requirements for the DSE.

In contrast to the above comments, one individual from a special education cooperative stated his belief that any person who serves in administrative position should have teaching experience, and he proposed that the law be amended so that current administrators without teaching experience would not be “grandfathered”, i.e., continue to hold their certificates.

Analysis

The requirements for an endorsement required to serve as a director of special education or an assistant director of special education are not set forth in Part 226. Instead, those requirements can be found in rules governing Certification at Section 25.365. Contrary to the comments received, those rules do not prohibit school service personnel from receiving the special education director endorsement but do require that an individual first hold an administrative endorsement. The confusion about the rules’ requirements may stem from the enactment of P.A. 96-903, effective in July 1, 2010, that established standards and requirements for programs that prepare principals. This law will phase out the general administrative certificate as of 2014. The requirements regarding the general administrative and principal endorsements were added to Part 25 last year at Sections 25.335 and 25.337.

Unlike for the principal endorsement, the requirements for the DSE are not set forth in statute. Under the rules, an individual who is seeking a DSE can do so in several ways.

1. If the individual already holds an Illinois administrative certificate with an endorsement in general administrative or superintendent, then he or she must complete 30 hours of coursework distributed among the areas outlined in the rules; pass the content-area test for the DSE; and provide proof of having two years of full-time experience providing special education services as a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist, and of holding a master’s or higher degree. (Currently, individuals who have worked only as certified school nurses or as occupational
therapists, which are not licensed nor certificated by the State Board, are not eligible to receive the DSE.)

2. If the individual does not yet hold an administrative certificate, then he or she must complete an approved DSE program at a recognized Illinois postsecondary institution. Following successful completion of the program, including passage of the content-area test for DSE, the Illinois institution would recommend that the individual receive his or her first administrative certificate with the DSE. In this case, the individual would not have served in another administrative capacity (e.g., principal or superintendent) since the DSE is his or her first administrative certificate.

3. If the individual only holds a valid out-of-state certificate for director of special education or has already completed an approved DSE program at an out-of-state institution, then he or she may qualify for a provisional certificate for DSE if he or she holds the valid comparable out-of-state certificate. The out-of-state candidate is obligated to meet four specific areas of coursework, hold the required degree, have the requisite teaching experience, and pass the DSE test. The same requirements would apply to those who have already completed an out-of-state approved program.

Contrary to the fears of the commenters, it is clear from the current regulatory requirements that a person holding a school service personnel certificate endorsed in school psychology, school social work and speech-language pathology and who also has two years of full-time experience providing special education services may qualify to receive the special educator director endorsement, provided he or she has successfully completed an approved program and passed all requisite certification tests (option 2).

In order to clarify the need to hold an administrative certificate before receiving the DSE, agency staff will plan to meet with interested parties to determine the relationship of the new principal endorsement to the current general administrative endorsement and the DSE. If needed, a future rulemaking will be conducted to clarify in Part 25 the requirements for receipt of the DSE.

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 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  
226.360  Placement by School Districts in Remote Educational Programs  

**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
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
226.780 Procedures for Withdrawal Hearings before the Regional Board of School Trustees

SUBPART I: PERSONNEL

Section
226.800 Personnel Required to be Qualified
226.810 Special Education Teaching Approval
226.820 Authorization for Assignment
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/Aart. 14 and 2-3.6].


SUBPART D: PLACEMENT
Section 226.300  Continuum of Placement Options

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

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

b) When an eligible student has a medical condition that will cause an absence for two or more consecutive weeks of school or ongoing intermittent absences, as defined in Section 14-13.01(a) of the School Code [105 ILCS 5/14-13.01(a)], the IEP Team for that child shall consider the need for home or hospital services. The provision of home or hospital services shall be based upon a written statement from a physician licensed to practice medicine in all its branches which specifies:

1) the child’s medical condition;

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

3) the anticipated duration or nature of the child’s absence from school.

c) Special education and related services required by the child's IEP must be implemented as part of the child's home or hospital instruction, unless the IEP team determines that modifications are necessary during the home or hospital instruction due to the child's condition. (Section 14-13.01 of the School Code) If an IEP Team determines that home or hospital services are medically necessary, the team shall develop or revise the child’s IEP accordingly.

d) The amount of instructional or related service time provided through the home or hospital program shall be determined in relation to the child's educational needs and physical and mental health needs. The amount of instructional time shall not be less than five hours per week unless the physician has certified in writing that the child should not receive as many as five hours of instruction in a school week.
A child whose home or hospital instruction is being provided via telephone or other technological device shall receive not less than two hours per week of direct instructional services. In the event that the child’s illness or a teacher’s absence reduces the number of hours in a given week to which the child is entitled, the school district shall work with the IEP team and the child’s parents to provide the number of hours missed, as medically advisable for the child.

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

Home or hospital instructors shall meet the requirements of 23 Ill. Adm. Code 1.610 (Personnel Required to be Qualified).

In accordance with Section 14-13.01(a) of the School Code, services required by the IEP shall be implemented not later than five school days as soon as possible after the district receives the physician’s statement.

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

SUBPART H: ADMINISTRATIVE REQUIREMENTS

Section 226.730 Class Size for 2009-10 and Beyond

When a student’s IEP calls for services in a general education classroom, the student must be served in a class that is composed of students of whom at least 70 percent are without IEPs, that utilizes the general curriculum, that is taught by an instructor certified for general education, and that is not designated as a general remedial classroom. For purposes of this subsection (a), a student who receives speech services outside of the general education classroom and who does not require modifications to the content of the general education curriculum shall be included in the calculation of the percentage of students without IEPs. [105 ILCS 5/14-2]

Class size means the total number of students an educator serves during any special education class. As used in this subsection (b), “class” means any circumstance where only students with IEPs are served and at least one special education teacher is assigned and provides instruction and/or therapy exclusively to students with IEPs. In the formation of special education classes, consideration shall be given to the age of the students, the nature and severity of their
disabilities, the educational needs of the students, and the degree of intervention necessary, subject to the limitations of this subsection (b).

1) Except as provided in subsection (b)(5) of this Section, classes in which all the students receive special education services for 20 percent of the school day or less shall have at least one qualified teacher for each 15 students in attendance during any given class. However, the district may increase the class size by a maximum of two students when a paraprofessional is provided for the entire class.

2) Except as provided in subsection (b)(5) of this Section, each class in which any student receives special education services for more than 20 percent of the school day but no more than 60 percent of the school day shall have at least one qualified teacher for each ten students in attendance during that class. However, the district may increase the class size by a maximum of five students when a paraprofessional is provided for the entire class.

3) Except as provided in subsection (b)(5) of this Section, each class in which any student receives special education services for more than 60 percent of the school day shall have at least one qualified teacher for each eight students in attendance during that class. However, the district may increase the class size by a maximum of five students when a paraprofessional is provided for the entire class.

4) Each class for children ages three through five shall have at least one qualified teacher for each five students in attendance during that class. However, the district may increase the class size by a maximum of five students when a paraprofessional is provided for the entire class.

5) For any school year in which the amount of State reimbursement for teachers identified in Section 14-13.01 of the School Code [105 ILCS 5/14-13.01] exceeds the amount in effect on January 1, 2007, by at least 100 percent and no corresponding reduction has been made in other State sources of support for special education:

A) The maximum class size stated in subsection (b)(1) of this Section shall be 13 rather than 15;
B) The maximum class size stated in subsection (b)(2) of this Section shall be eight rather than 10; and

C) The maximum class size stated in subsection (b)(3) of this Section shall be six rather than eight.

6) The provisions of subsections (b)(1) through (5) of this Section notwithstanding, class size shall be limited according to the needs of the students for individualized instruction and services.

c) The maximum class sizes set forth in subsection (b) of this Section shall, if necessary, be further restricted at the local level to account for the activities and services in which the affected educators participate in order to provide students with IEPs the free, appropriate public education in the least restrictive environment to which they are entitled.

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

SUBPART I: PERSONNEL

Section 226.800 Personnel Required to be Qualified

a) General

1) Each school district that is not a member of a special education cooperative and each, or the special education 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 or districts served by the cooperative.

A) Each school district that is not a member of a special education cooperative and each special education cooperative shall designate one State-approved director of special education who shall serve in a full-time capacity. The director of special education shall be approved if he or she meets the requirements of 23 Ill. Adm. Code 25.365 (Director and Assistant Director of Special Education) and Section 226.800(g) of this Part.
B) A school district that is a member of a special education cooperative may employ one or more individuals to assist in the administration of the special education program at the district or cooperative level. This position may be full or part time.

i) An individual employed pursuant to this subsection (a)(1)(B) to assist in the administration of the special education programs and services for a specific district or cooperative shall meet the requirements of 23 Ill. Adm. Code 25.365 (Director and Assistant Director of Special Education) and Section 226.800(g) of this Part. For the purposes of reimbursement under subsection (a)(3) of this Section, any individual employed in a special education administrative position on a full-time basis shall be considered to be an “assistant director”. Reimbursement shall not be provided for individuals employed in special education administrative positions on a part-time basis.

ii) An individual employed to supervise special education personnel pursuant to this subsection (a)(1)(B) shall meet the requirements of 23 Ill. Adm. Code 25.497 (Supervisory Endorsements) and Section 226.800(h) of this Part. For the purposes of reimbursement under subsection (a)(3) of this Section, an individual employed in a supervisory special education position either on a part-time or full-time basis shall be considered to be a “supervisor”, provided that he or she holds the appropriate credential for the disability area in which he or she provides supervision.

C) A school district that is not a member of a special education cooperative may employ one or more administrators to assist its State-approved director of special education. This position may be full or part time.

i) An individual employed pursuant to this subsection (a)(1)(C) to assist its district’s State-approved director of special education with the administration of special education programs and services for the entire district or for specific schools or grade levels shall meet the requirements
of 23 Ill. Adm. Code 25.365 (Director and Assistant Director of Special Education) and Section 226.800(g) of this Part. For the purposes of reimbursement under subsection (a)(3) of this Section, any individual employed in a special education administrative position on a full-time basis shall be considered to be an “assistant director”. Reimbursement shall not be provided for individuals employed in special education administrative positions on a part-time basis.

ii) An individual employed to supervise special education personnel pursuant to this subsection (a)(1)(C) shall meet the requirements of 23 Ill. Adm. Code 25.497 (Supervisory Endorsements) and Section 226.800(h) of this Part. For the purposes of reimbursement under subsection (a)(3) of this Section, an individual employed in a supervisory special education position either on a part-time or full-time basis shall be considered to be a “supervisor”, provided that he or she holds the appropriate credential for the disability area in which he or she provides supervision.

D) The number and types of personnel employed shall be based on students’ need rather than administrative convenience.

2) Each school district that is not a member of a special education cooperative, each or special education cooperative entity and, as applicable, each school district that is a member of a cooperative 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 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 of this Part, or pursuant to 23 Ill. Adm. Code 25.48
4) Each school district that is not a member of a special education cooperative, each of special education cooperative entity and, as applicable, each school district that is a member of a cooperative 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:

1) hold a valid special preschool-age 21 certificate and the qualifications required for the teaching area pursuant to 23 Ill. Adm. Code 25.43; or

2) hold 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); or

3) be employed pursuant to an authorization for assignment issued to the employing entity under Section 226.820 of this Part; or

4) hold short-term emergency certification issued pursuant to 23 Ill. Adm. Code 25.48 (beginning January 1, 2002).

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 with an intellectual disability;
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 submit the required application and meet the applicable requirements set forth in this subsection (f).

1) A holder of a special preschool-age 21 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, school psychology, or speech-language pathology 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 that is not a member of a special education cooperative and each, or the special education 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. A school district, whether or not it is a member of a special education cooperative, and each special education cooperative may employ one or more assistant directors, who have administrative responsibility for programs and services in the cooperative or school district or for a group of schools within a school district. 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.

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 areas specified in either 23 Ill. Adm. Code 25.365(b) or (c), as applicable. Beginning July 1, 2005, directors and assistant directors of special education shall be subject to the requirements of 23 Ill. Adm. Code 29.140 (Director of Special Education).

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.

2)3) Each school district offering its own special education program, or the special education 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 school district or special education cooperative entity.

h) Supervisors

1) Each school district, whether or not it is a member of a special education cooperative, and each or special education cooperative entity shall ensure
the employment of 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;

E) Supervision of programs for exceptional children.

2)3) Each individual performing a supervisory function shall also hold one of the following either:

A) a valid special preschool-age 21 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 preschool-age 21 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) an endorsement or approval that is specific to at least one of the
disabilities prevalent in the students served by the school, if the school
serves students who are deaf or hard of hearing, blind or visually impaired,
or speech- and language-impaired; or

2) an endorsement as Learning Behavior Specialist I that either is unlimited
or specific to one of the disabilities prevalent in the students served by the
school (see 23 Ill. Adm. Code 25.46); or

3) approval as an LBS I issued by the State Board of Education pursuant to
Section 226.810 of this Part that either is unlimited or specific to one of
the disabilities prevalent in the students 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 school 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.

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

Section 226.810 Special Education Teaching Approval

Special education approval may be issued by the State Board of Education to an individual who does not hold a special preschool-age 21 certificate or who lacks some of the qualifications for one of the endorsements enumerated in 23 Ill. Adm. Code 25.43.

a) Beginning July 1, 2001, special education teaching approval will be issued for individuals to serve as Learning Behavior Specialist (LBS) I and may be limited to one or more of the following areas, as applicable (see 23 Ill. Adm. Code 25.47):

1) Learning disabilities;

2) Social/emotional disorders;

3) Intellectual disability Mental retardation; and

4) Physically handicapped.

b) An individual who holds an early childhood, special, elementary, high school, or transitional bilingual certificate shall receive approval to teach in a special education area listed in subsection (a) of this Section if he or she has successfully completed college-level coursework addressing each of the following areas:

1) Survey of exceptional children;

2) Characteristics of special education students in the specific area of approval sought;
3) Methods of teaching in the area of special education approval sought; and

4) Psychological diagnosis for children with all types of disabilities.

c) Except as provided in subsection (d) of this Section, an individual who wishes to receive special education teaching approval shall submit an application for a special certificate on a form supplied by the State Board of Education and shall comply with such other application procedures as the State Board may require.

1) If the individual qualifies for a special certificate, the State Board shall issue one and endorse it as warranted.

2) If the individual does not qualify for a special certificate, the State Board shall evaluate the application for special education approval and either issue the such approval or notify the applicant of any deficiencies.

d) Special education approval issued prior to January 1, 2002, shall not be limited with regard to time or district of employment but shall be valid only for the special education areas indicated and the grade levels to which the individual’s certificate applies. Any approval issued on or after January 1, 2002, shall be valid for three years, after which time the holder shall no longer be assigned to a special education teaching position unless he or she has received an unlimited LBS I endorsement pursuant to 23 Ill. Adm. Code 25.47 (Special Provisions for the Learning Behavior Specialist I Approval).

e) As of July 1, 2001, each teaching approval listed in subsection (a) of this Section shall automatically be reissued for service as an LBS I. An individual’s pre-existing approvals shall result in receipt of either a limited or an unlimited LBS I approval (see 23 Ill. Adm. Code 25.47).

f) Beginning January 1, 2002, the State Board shall issue early childhood special education approval to an individual who either holds an early childhood certificate or a special preschool-age 21 certificate with an LBS I endorsement, provided that the individual makes application for approval on a form supplied by the State Board demonstrating that he or she has successfully completed coursework in all the following areas:
1) Methods – Developmentally and individually appropriate methods for fostering the social, emotional, cognitive, communication, adaptive, and motor development and learning of young children with special needs in various settings, such as the home, the school, and the community.

2) Assessment – Strategies, procedures, and formal and informal instruments for assessing young children’s social, emotional, cognitive, communication, and motor skills; family concerns, priorities, and resources; and school, home, and community learning environments; and methods for conducting formative and summative individual and program evaluation.

3) Language Development – Typical and atypical language development in young children; specific language disabilities; the relationship between communication delays and other areas of early learning and development; and alternative communication systems for young children with disabilities.

4) Family and Community Relationships – Strategies in developing positive and supportive relationships with families of young children with special needs, including the legal and philosophical basis for family participation; family-centered services; and strategies for working with socially, culturally, and linguistically diverse families. Strategies and models for promoting effective consultation and collaboration with other professionals and agencies within the community.

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

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</td>
</tr>
<tr>
<td>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
</tr>
<tr>
<td>------------------------------------------------------</td>
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</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>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 intellectual disability 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>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
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</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 and early childhood special education approval.</td>
</tr>
<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., intellectual disability mental retardation, physically handicapped, or has 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>(see Section 226.300 of this Part)</td>
<td></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</td>
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<tr>
<td>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
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</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>
<tr>
<td>Orthopedic Impairment</td>
<td>A valid Illinois teaching certificate either with a cross-categorical special education or physically handicapped endorsement or approval encompassing the grade levels and age ranges of students served.</td>
</tr>
<tr>
<td>Physical Therapist</td>
<td>Licensed by the Illinois Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].</td>
</tr>
<tr>
<td>Recreational Therapist</td>
<td>Licensed by the National Council for Therapeutic Recreation or its predecessor organization.</td>
</tr>
<tr>
<td>Rehabilitation Counselor</td>
<td>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.</td>
</tr>
<tr>
<td>School Counselor/Guidance Counselor</td>
<td>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.</td>
</tr>
<tr>
<td>School Nurse</td>
<td>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.</td>
</tr>
<tr>
<td>School Nurse (Grandfathered)</td>
<td>Employed as a registered school nurse prior to July 1, 1976 and continuing in the same position with the same district or joint agreement.</td>
</tr>
<tr>
<td>School Nurse Intern</td>
<td>Meets the requirements of Section 226.820(b) of this Part.</td>
</tr>
<tr>
<td>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
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</tr>
<tr>
<td>Reimbursement for this position shall not be for a period of time that exceeds four months.</td>
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</tr>
<tr>
<td>School Psychologist</td>
<td>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.</td>
</tr>
<tr>
<td>School Psychologist Intern</td>
<td>Meets the requirements of Section 226.820(b) of this Part.</td>
</tr>
<tr>
<td>School Social Worker</td>
<td>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.</td>
</tr>
<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. Teaching Position: Holds a valid Illinois teaching certificate issued pursuant to 23 Ill. Adm. Code 25.43 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) of this Part.</td>
</tr>
<tr>
<td>State-Approved Director of Special Education (serving in a full-time capacity)</td>
<td>Meets the requirements of 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>WORK ASSIGNMENT</td>
<td>REQUIRED QUALIFICATIONS</td>
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</tr>
<tr>
<td>Teacher Coordinator of Vocational</td>
<td>Meets the requirements of Section 226.800(d) of this Part.</td>
</tr>
<tr>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>Visual Impairment</td>
<td>A valid Illinois teaching certificate issued pursuant to 23. Ill. Adm. Code 25.43 and</td>
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<td>endorsed for teacher of students with visual impairments.</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.</td>
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<td>Code 1.737(c)(3).</td>
</tr>
<tr>
<td>Vocational Transition Specialist</td>
<td>Must hold a contract with the Illinois Department of Human Services, Division of</td>
</tr>
<tr>
<td></td>
<td>Rehabilitation Services, under the Secondary Transition Experience Program (STEP).</td>
</tr>
</tbody>
</table>

(Source: Amended at 36 Ill. Reg. _______, effective _____________)
ILLINOIS STATE BOARD OF EDUCATION MEETING
June 20-21, 2012

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Robert Wolfe, Acting Chief Financial Officer
      Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Repealer for Adoption – Part 350 (Secular Textbook Loan)

Materials: Recommended Repealer

Staff Contacts: Robert Wolfe, Division Administrator and Controller

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

Relationship to/Implications for the State Board’s Strategic Plan
This item is not specific to any of the Strategic Plan Goals, as it would repeal Part 350 due to recently enacted legislation.

Expected Outcome of Agenda Item
The Board will be asked to adopt the repealer for Part 350.

Background Information
P.A. 97-570, effective August 25, 2011, repeals Section 18-17 of the School Code (secular textbook loan program) and replaces it with the Textbook Block Grant Program. Like the textbook loan program, the new block grant program is open to both public school districts and nonpublic schools that are recognized pursuant to Part 425 of agency rules; defines what is meant by “textbook”; and requires the State Board to annually publish a list of textbooks that can be purchased with funds received under the program. The legislation also establishes the formula used to allocate grants to each public school district and State-recognized nonpublic school (i.e., the total appropriation in a given year divided by the most current student enrollment data available). Since each of the components of the block grant program is specifically defined in statute, no further rulemaking is necessary to implement and administer the program and Part 350 can be repealed.

Rulemaking may be necessary, however, to ensure “the religious neutrality” of any textbook purchased under the textbook block grant program, as well as to monitor the purchases of textbooks by State-recognized nonpublic schools. Any resulting requirements in this regard will be placed in 23 Ill. Adm. Code 425 (Voluntary Registration and Recognition of Nonpublic Schools).
The proposed repealer was published April 6, 2012, in the Illinois Register to elicit public comment; none was received. The proposed rulemaking being presented for the Board’s adoption is identical to what the Board initially considered in February.

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
The proposed repealer conforms agency rules to state law. Staff recognize that the Textbook Block Grant Program is not currently being funded nor is it likely to be funded in school year 2012-13, and for this reason, an urgency to conduct this rulemaking may not be apparent. Going forward with the repealer at this time, however, and additional rulemaking at a later date, as necessary, will ensure that agency rules, and hence the agency’s administrative policies, are up to date should an appropriation for the block grant program be approved.

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:

Secular Textbook Loan (23 Illinois Administrative Code 350),

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 repealer will be submitted to the Joint Committee on Administrative Rules to initiate JCAR’s review. When that process is complete, the repealer will be filed with the Secretary of State and disseminated as appropriate.
SECTION 350.10 Definition of Terms

"Eligible Applicant" for the purposes of this Part is a public school district in the State of Illinois; or a nonpublic school that is in compliance with the compulsory attendance laws of Illinois and Title VI of the Civil Rights Act of 1964 and is registered with the State Board of Education; or any other publicly funded school located in the State.

"Student" means any student in this State who is enrolled in grades kindergarten through 12 at a public school or at a school other than a public school which is in
compliance with the compulsory attendance laws of this State and Title VI of the Civil Rights Act of 1964. (Section 18-17 of the School Code [105 ILCS 5/18-17])

"Parent" means a parent or guardian of a child enrolled in a public or nonpublic school.

"Request Form" means an electronic document available via the Internet that the eligible applicant uses to request the secular textbooks to be purchased under the program.

"School Administrator" means the superintendent of a school district or the chief administrative officer of a nonpublic school or other eligible school, or his or her designee.

"Secular Textbook" means any book or book substitute which a pupil uses as a text or text substitute in a particular class or program. It shall include books, reusable workbooks, manuals, whether bound or in loose-leaf form, and instructional computer software, and electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks intended as a principal source of study material for a given class or group of students. "Textbook" also includes science curriculum materials in a kit format that includes pre-packaged consumable materials if it is shown that the materials serve as a textbook substitute; the materials are for use by pupils as a principal learning resource; each component of the materials is integrally necessary to teach the requirements of the intended course; the kit includes teacher guidance materials; and the purchase of individual consumable materials is not allowed. (Section 18-17 of the School Code)

Section 350.15 Acquisition Procedures

a) Students shall not be assessed a fee for any textbook or book substitute provided under the Secular Textbook Loan Program.

b) Eligible applicants shall provide parents with a brief written explanation of the textbook loan program and the process for a parent/guardian or student to request the loan of a secular textbook in a student handbook, newsletter or flyer or by similar means. A parent/guardian or student may request the loan of a secular textbook(s) by submitting an individual request (see Section 18-17 of the School Code). School districts shall develop procedures for taking a request from a parent/guardian or student.
c) Requested textbooks shall be those that have been adopted for use in the district or school and that are available from those vendors participating in the program. The State Board of Education each fiscal year shall provide on its electronic textbook loan system the list of participating vendors and the list of secular textbooks that the State Board of Education has identified as eligible under the program.

d) By the end of November of each year, the State Superintendent of Education will identify the grade levels to be funded and calculate the per-pupil allocation. Those school administrators with schools eligible to participate will be notified in writing or electronically as to the total amount available to their students to be used for the grade levels identified for funding (the per-pupil allocation will be based upon the total amount of funds appropriated for the program and the total statewide public and nonpublic school enrollment in the specific grade levels to be funded, as of the last school day in September of the most recent school year for which data are available).

e) The request shall be completed by the school administrator. Electronic submission of the request shall certify compliance with Section 18-17 of the School Code and this Part, as well as with Article X, Section 3, of the Illinois Constitution, which provides in pertinent part that no funds may be used to help support or sustain any institution controlled by any church or sectarian denomination.

f) Each eligible applicant shall submit its completed request on or before March 15. Eligible applicants will be unable to access the electronic request system after this deadline.

g) Each school administrator shall be informed either in writing or electronically by April 15 as to the specific textbooks that will be purchased.

h) On a form provided by the State Superintendent of Education, the school administrator shall confirm that the quantity and titles of all textbooks received are the same as ordered. Such confirmation shall be mailed or faxed to the State Board of Education, using the address or fax number provided on the form, within seven days after receipt of the textbooks.

i) All textbooks provided through the program shall be listed on an inventory maintained by the State Board of Education. Each school shall identify (stamp)
the materials received under the program as "Property of the State of Illinois, School Year ____ ".

j) Each recipient shall have procedures to assure the return of all textbooks from those to whom they have been loaned.

Section 350.25 Disposal Procedures

a) Textbooks received under the Textbook Loan Program *may not be disposed of out-of-state or sold without the prior approval of the State Board of Education* (Section 18-17 of the School Code) as provided in subsection (b) or (c) of this Section.

b) Disposal of Textbooks on Loan for Less than Five Years

Textbooks on loan for less than five years that a recipient determines are no longer needed (e.g., elimination of program, wear, adoption of new textbooks) shall be disposed of in the following manner:

1) On a form provided by the State Superintendent of Education, the recipient shall submit to the State Superintendent a list of textbooks that are no longer needed, giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the materials. If no ISBN is given for the materials, then a description must be provided of the materials that are no longer needed.

2) The State Superintendent of Education shall attempt to relocate these textbooks to other Illinois schools.

A) A list of all textbooks that are no longer needed shall be made available to all eligible applicants no later than September 30 of each year.

B) Requests for these textbooks shall be honored on a first-come, first-served basis.

C) The sending and/or receiving schools shall notify the State Superintendent of the exchange of textbooks purchased through the Illinois Textbook Program.
D) Receiving schools shall be responsible for all transportation arrangements and for all costs incurred in the transportation of the textbooks from the sending school.

3) Textbooks that cannot be relocated by the end of January to another Illinois school pursuant to subsection (b)(2) of this Section may be disposed of pursuant to the exemption from the Illinois Property Control Act that has been granted by the Director of the Department of Central Management Services. Upon request, a copy of the exemption will be provided to recipients that seek to dispose of textbooks pursuant to this subsection (b)(3).

c) Disposal of Textbooks on Loan for Five Years or More

Textbooks on loan for five or more years may be disposed of in such a manner as the school board, nonpublic school or other eligible school determines, including out-of-state disposal or sale, provided that:

1) The school administrator provides written or electronic notification to the State Superintendent of Education of the recipient’s intent to dispose of the textbooks. This notification shall:

A) Provide a list of textbooks that are no longer needed, which shall be reported to the State Superintendent giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the materials. If no ISBN is given for the materials, then a description must be provided of the materials that are no longer needed.

B) Cite the proposed method for disposing of the textbooks.

2) Textbooks shall not be disposed of less than 30 days after notification to the State Board. If the State Superintendent identifies a disposition that better conserves public resources or better serves the interests of the public, then the State Superintendent shall, within 30 days after notification, arrange with the school to dispose of the materials in some alternative manner. If the State Superintendent does not arrange for any other action within 30 days, then the school shall dispose of the books as indicated in the notice to the State Superintendent.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Marcy Dutton, Interim General Counsel

Agenda Topic: Action Item: Repealer for Adoption – Part 451 (Private Business and Vocational Schools)

Materials: Recommended Repealer

Staff Contacts: Jeff Aranowski, Division Supervisor

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

Relationship to/Implications for the State Board’s Strategic Plan
This item is not specific to any of the Strategic Plan Goals, as it would repeal Part 451 due to recently enacted legislation.

Expected Outcome of Agenda Item
The Board will be asked to adopt the repealer for Part 451.

Background Information
P.A. 97-650, effective February 1, 2012, transfers responsibility for approving and overseeing private business and vocational schools from the State Board of Education to the Illinois Board of Higher Education (IBHE). IBHE at its meeting on February 7, 2012, adopted an emergency rulemaking that sets forth requirements for the operation of private business and vocational schools. The emergency rules took effect immediately upon their filing with the Secretary of State and are in effect for 150 days. IBHE proposed a second, ordinary rulemaking in April to make the emergency permanent, so Part 451 will no longer be needed.

The proposed repealer of Part 451 was published April 6, 2012, in the Illinois Register to elicit public comment; none was received. The proposed rulemaking being presented for the Board’s adoption is identical to what the Board initially considered in March.

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**
IBHE has promulgated emergency rules to govern the operation and administration of private business and vocational schools, as well as started the process to put permanent rules in place. Therefore, Part 451 is no longer needed. Continuing to have two sets of rules in effect will be confusing for operators of these schools.

**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:
>
>  Private Business and Vocational Schools (23 Illinois Administrative Code 451),

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

PART 451
PRIVATE BUSINESS AND VOCATIONAL SCHOOLS

SUBPART A: SCHOOL APPROVAL

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451.210 Administration and Organization
451.230 School Surety Bond
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451.240 Recordkeeping
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SUBPART C: SCHOOL PERSONNEL

Section
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SUBPART D: STUDENTS

Section
451.500 Student Admissions Standards
451.510 Handicapped Students
451.520 Enrollment Agreements
451.530 Student Obligations, Cancellation and Refund Policies
451.540 Student Personnel Services
451.550 Placement Assistance
451.555 Student Progress
451.560 Student Attendance and Tardiness
451.570 Student Conduct and Discipline
451.580 Student Rights
451.590 Student Complaints

AUTHORITY: Implementing and authorized by the Private Business and Vocational Schools Act [105 ILCS 425] and Section 11-2.1 of the Public Aid Code [305 ILCS 5/11-2.1].


SUBPART A: SCHOOL APPROVAL
Section 451.10 Introduction

a) The State of Illinois recognizes the importance and significant public contributions of private schools offering occupational training to its citizens. It has delegated responsibility for rulemaking and approving and monitoring these schools to the State Board of Education and State Superintendent of Education in the Private Business and Vocational Schools Act [105 ILCS 425], hereinafter referred to as the Act. The Act provides for the establishment of rules and standards that schools and individuals must meet prior to the issuance of original certificates of approval or permits and the renewal of such certificates or permits.

b) Schools or individuals making original application for approval shall meet all applicable requirements of this Part prior to a certificate of approval or permit being issued. Schools or sales representatives already holding valid certificates of approval or permits shall satisfy all provisions stated herein as a condition for the renewal of their certificate or permit(s).

c) Each school shall have a copy of the Act and this Part available for reference by its staff and students at its principal location within Illinois.

Section 451.20 Application for Certificate of Approval

a) A school, as defined in Section 1 of the Act, shall submit an original application for its first approval year on forms provided by the Superintendent, unless exempt under Section 1.1 of the Act.

b) The school shall include with the original application the information required by Sections 6 and 7 of the Act, the fee(s) required by Section 10 of the Act, copies of its policies, procedures, and operations required by this Part, and its annual academic calendar.

c) If the Superintendent finds that the original application is not complete, the application and fee(s) shall be returned to the school with a statement that certain required information is missing.

d) If a completed original application is rejected, the Superintendent shall:

1) issue a written report specifying the reason for the rejection within forty-five (45) business days from receipt of the application;
2) issue a certificate of approval only after the reasons for rejecting the application have been removed.

e) If a school is in disagreement with the Superintendent's findings regarding its original application, it may, within sixty (60) business days of receipt of the application deficiency report, petition the Superintendent in writing for a reexamination of the application. The petition shall include the reasons for disagreement with the Superintendent's findings, and documentation and exhibits supporting the school's contentions of approvability. If, based on the petition and reexamination of the application, the Superintendent finds and issues a report stating that the school still has not fulfilled all requirements for approval, the school may make a written request within thirty (30) business days of receipt of this report for an informal hearing to show why it believes it has satisfied all application requirements. The request will be granted within thirty (30) business days of receipt of that request. If, as a result of the presentation by the applicant, the Superintendent determines that application deficiencies cannot be resolved, the Superintendent shall call for a hearing, as provided in Section 17 and Section 18 of the Act, to refuse to issue a Certificate of Approval; or if it appears that the school can resolve application deficiencies within the time limitations of subsection (f), the Superintendent shall allow the applicant to continue efforts to remove application deficiencies, subject to the provisions of subsection (f) of this Section.

f) If the Superintendent finds a school has not satisfied the original application requirements within twelve (12) months from the date of receipt of the application, the school shall pay an additional $500 original application fee if the school continues the application process.

g) A school or school extension which has not provided instruction in any approval year and that desires to resume operations in Illinois shall file an original application and pay the original application fee.

h) A school shall submit a renewal application by April 1 of each year on forms provided by the Superintendent which update the information previously submitted by the school and which call for information that has not been reported by the school since the filing of the original application.

Section 451.30 Out-of-State School Approval
In addition to the requirements set forth in Section 451.20, out-of-state schools shall also comply with the following:

a) An out-of-state school shall annually provide the Superintendent with evidence (e.g., a certificate, license, or a letter from a responsible agency) of full approval or accreditation by the regulatory agency of each state in which the school is located or conducts business.

b) At the time of original and renewal applications, an out-of-state school shall present the Superintendent with copies of any consent order entered into with the Federal Trade Commission.

c) An out-of-state school shall not market its degree programs in Illinois without having first presented the Superintendent with evidence (e.g., copies of certificates, licenses, or correspondence from the degree granting authority) of degree granting authority from the state in which it is located.

Section 451.40 Classroom Extensions

a) A school shall be permitted to provide instructional services at locations other than its principal location only upon filing a separate application for approval of each classroom extension and payment of the application fee specified in the Act. There shall be no instruction conducted at any extension site without the Superintendent's written approval of the site. If instruction has been conducted at the extension site during the previous approval year, the school shall make application for continued approval of the site with its annual renewal application.

b) The approval year for extensions shall coincide with that of the original application or any renewal applications.

c) Included in the original application for each extension shall be the following:

1) the extension site's address and telephone number;

2) the name, business address, and telephone number of the site's administrator(s) during hours of instruction;

3) inventories of instructional equipment;
4) facility plans showing space available for the school to deliver programs in accordance with Section 451.270;

5) certificate of liability insurance coverage for the site or a rider to the certificate indicating site coverage;

6) documentation verifying that the site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);

7) descriptions of the specific courses of instruction to be offered;

8) projected enrollment figures;

9) description of the plans and procedures for ensuring supervision during the hours that instruction is being given and students are present;

10) a list of all faculty and the subjects they are assigned to teach;

11) verification of qualification of faculty and administrators pursuant to requirements in Sections 451.400 and 451.410;

12) indication of surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required in Section 6(9) of the Act);

13) three copies of a new or revised catalog/bulletin or three copies of catalog/bulletin supplements which give information on the extension site;

14) copies of advertising materials to be used for the extension site.

d) A school shall have written policies and procedures for the administration and control of its extensions which describe provisions for continuous:

1) supervision and control of activities at the site during its hours of operation;

2) evaluation of instructional activities at the site.
e) If an administrator appointed under Section 451.400 of this Part is not at the site when students are present and instruction is being given, the policies and procedures shall provide for an administrator to be immediately on call to answer student and faculty questions and give direction for any contingencies which may occur. The school shall furnish students and faculty with the name, address, and telephone number of the extension administrator(s).

f) The Superintendent will deny or revoke approval of an extension if it is found that the extension's instructional program is not comparable to that provided at the principal location or other extension sites; or a school has not provided instruction at the extension site during the previous year, unless the school presents the Superintendent with plans for correction of the problem.

g) A school shall notify the Superintendent at least five (5) business days prior to closure of any extension during any approval year.

Section 451.50  Supplementary Courses of Instruction

a) The school shall make application for approval of any supplementary course of instruction by completing forms provided by the Superintendent and paying the fee specified in the Act.

b) Applications for approval of supplementary courses of instruction shall be submitted at least thirty (30) calendar days prior to the date instruction in the course will begin.

c) Requirements for approval of supplementary courses of instruction shall be the same as those for original course approval under Section 451.270 of this Part.

Section 451.55  Short Course

a) The school shall make application for approval of any short course, as defined in Section 1 of the Act [105 ILCS 425/1], by completing forms provided by the Superintendent and paying the fee specified in Section 10 of the Act [105 ILCS 425/10].

b) Applications for approval of short courses shall be submitted at least 30 calendar days prior to the date that instruction in the course will begin.
c) Requirements for approval of short courses shall be the same as those for course approval under Section 451.270 of this Part.

Section 451.60 Change of School Location

a) A school shall notify the Superintendent at least thirty (30) calendar days in advance of any change of its principal location. It shall file an application on forms provided, pay the fee specified in the Act, and secure approval prior to operating at the new location.

b) Included in the application for change of location shall be the following:

1) the new location's address and telephone number;

2) assurance that the site will be operated in accordance with the school's policies and guidelines as previously submitted to the Superintendent;

3) inventories of instructional equipment if different from those previously submitted to the Superintendent;

4) floor and training ground plans showing space available for the school to deliver programs in accordance with Section 451.270;

5) certificate of liability coverage or a rider indicating coverage of the new site;

6) documentation that the new site meets local health and safety requirements (e.g., fire marshal reports, occupancy certificates, public health certificates);

7) documentation of bond coverage for sales representatives at the site (i.e., the bond covering the sales representatives);

8) documentation of school surety bond coverage for the site (i.e., the surety bond indicating coverage of the site in the amount required in Section 6(9) of the Act);
9) three (3) copies of the school's revised catalog/bulletins or catalog/bulletin supplements which give a description of the new site and its address;

10) academic calendar for the location.

c) A school shall notify a designee of the Superintendent when it is prepared for a visit to the site of any changed location of the school, which shall be conducted prior to the Superintendent's issuing of a certificate of approval.

Section 451.70 Change of School Ownership

a) Following a change of ownership the new owner(s) must obtain a certificate of approval in order to operate the school.

b) When a school has a change of fifty (50) percent or more of the school's stock or assets, in one or a series of transactions occurring within a three year period, it shall immediately file a change of ownership application with the fee specified in Section 10 of the Act. Included in this application shall be the following:

1) the names, addresses, and corporate titles of all persons or other entities having a financial interest of ten (10) percent or more of the ownership;

2) evidence of liability insurance coverage for students and employees as required in Section 451.235;

3) evidence of qualification for all new managing employees and faculty as required in Sections 451.400 and 451.410;

4) a new or revised catalog/bulletin or a supplement which describes the changed operations;

5) a financial report, including the information required in Section 451.220, on forms provided for schools making original application;

6) a fully executed surety bond and, if sales representatives are employed, a fully executed sales representative bond;

7) evidence of compliance with the laws in the state in which the school is located and, if it is an out-of-state school, a statement of consent pursuant
to Section 25.1 of the Act that actions may be commenced against the applicant in the courts of Illinois;

8) a report on any other changes made in the school's organization and operations since the last application was filed and approved by the Superintendent;

9) a report on arrangements made to ensure continuing operations and compliance with the Act and this Part during the change of school ownership.

c) The Superintendent will review the application for change of ownership and, upon determining that the application is complete and the school is in compliance with the Act and regulations, issue a certificate of approval within 30 days of receipt of such application.

Section 451.80 School Closing/Change of Status

a) A school shall have written plans designed to protect the contractual rights, as set forth in subsections (b) and (c), including the right to complete the course of instruction in which they were enrolled, of its students and graduates in the event the school closes or undergoes a change of status (e.g., if the school changes location or if its certificate of approval is revoked). It shall return its certificate of approval to the Superintendent immediately by mail upon cessation of instruction or termination of approved status.

b) A school which is closing, either voluntarily or involuntarily, shall:

1) inform the Superintendent of this action immediately by certified mail;

2) give the Superintendent the name, address, and telephone number of the person who will be responsible for closing arrangements;

3) provide the Superintendent with the name, address, and telephone number and the name of the course of instruction for each student who has not completed his or her course of instruction;
4) provide the Superintendent with information on the amount of class time left for each student to complete the course with the amount of refund, if any, for which each student is eligible;

5) furnish the Superintendent with copies of the written notice being mailed to all enrolled students explaining the procedures they are to follow to secure refunds or to continue their education;

6) file procedures for disbursement of refunds with the Superintendent and set a date no later than thirty (30) days from the last day of instruction to issue refund checks in the full amount for which students are entitled;

7) immediately at its closing, transfer its permanent student records to the Superintendent.

c) If students are receiving instruction prior to the school's closing, the school shall file a plan including the information described in subsection (c)(1) with the Superintendent to ensure that the school's students will continue to receive training of the same quality and content as that for which they contracted, as indicated in subsection (c)(2).

1) Arrangements for transferring students to a public or another approved private school shall be filed with the Superintendent prior to any student transfer.

2) Prior to approving the school's arrangements for completing its teaching obligations to students, the Superintendent shall verify that students transferring will receive the same kind of program and instructional services as those for which they contracted.

d) The school shall refund all tuition, fees, and other charges if the Superintendent, in any situation in which students are receiving instruction prior to a school's closing, determines that

1) the school has not fulfilled its contractual obligations, or

2) a student has reasonable objections to transfer resulting from the closing.

Section 451.90  Warning, Suspension, Revocation of Accreditation and/or Approval
A school shall provide the Superintendent with a copy of any notice of warning, suspension, or revocation received from any national, regional, or state accrediting and/or approval agency within fifteen (15) days of receipt of such notice. The school shall at the same time inform the Superintendent in writing of actions being taken to correct the deficiencies cited (Section 15.3 of the Private Business and Vocational Schools Act; Ill. Rev. Stat. 1988 Supp., ch. 144, par. 150.3).

Section 451.100 Inspection and Periodic Review

a) A school shall provide the Superintendent and his/her designee(s) access to all information, records, physical facilities, virtual classrooms, school personnel, including advisory groups and administrators, students and graduates as may be necessary to verify compliance with the Act and this Part.

b) A school shall permit the Superintendent or his/her designee(s) to inspect the school with or without notice (Section 7(5) of the Act [105 ILCS 425/7(5)]).

c) A school located in Illinois shall be inspected within the first 18 months after the issuance of its original Illinois certificate of approval.

d) After an initial inspection prior to original approval, existing schools shall be inspected for the purposes of validating continuing compliance with the Act and this Part and to determine whether the school is adhering to its own policies and procedures and is providing its described programs and services.

e) Whenever an inspection or other investigation reveals lack of compliance with the Act or this Part, the Superintendent shall send the school a report of deficiencies. The school shall have 15 calendar days to respond to the report on actions that have been taken to correct these deficiencies.

1) The school's response shall indicate action that has been or will be taken to correct deficiencies cited.

2) If violations cited are not corrected within 30 calendar days following the school's receipt of the report, the Superintendent shall proceed to a hearing to revoke, suspend, or place on probation the school's certificate of approval.
3) A school whose certificate has been placed on suspension shall not be permitted to engage in any marketing or student enrollment activities or begin the instruction of any new students during the period of suspension.

f) For the purpose of conducting periodic inspections, with 30 calendar days' notice, the Superintendent may require schools located 50 or more miles outside Illinois to furnish in writing the same information reviewed during on-site inspections of schools located in Illinois.

Section 451.110 Cease and Desist Orders

a) Under authority given in Section 17 of the Act, during any time which may be designated for remediating deficiencies prior to revocation or refusal to renew a certificate of approval, the Superintendent may issue a directive ordering a school to cease and desist all sales, advertising, marketing and enrollment activities for any cause enumerated in Section 16 of the Act exclusive of those causes enumerated in paragraphs 3 and 4 of that Section.

b) On receipt of a cease and desist order the school shall immediately cease and desist from all sales, advertising, marketing and enrollment activities. It shall report to the Superintendent in writing within fifteen (15) days on actions which will be taken to correct the deficiencies cited. The report shall include the date(s) for completion of corrective activities.

c) The Superintendent shall notify the school in writing immediately when conditions relating to issuance of the order have been rectified and the school is again eligible to resume its normal sales, advertising, marketing and enrollment functions.

d) If deficiencies noted by the Superintendent are not corrected within thirty (30) days following the school's receipt of the report, the Superintendent shall proceed to a hearing to show why the school's certificate of approval should not be placed on probation, suspended or revoked.

Section 451.120 Comparison of Graduation or Completion Rates

a) The following definitions shall apply for purposes of collecting data for comparison of graduation or completion rates as required in Section 14.1 of the Act [105 ILCS 425/14.1] and this Part:
1) "Business schools" include but are not limited to schools in which the majority of students are enrolled in courses of instruction or subjects such as accounting, business management, computer programming and operations, court reporting, data entry and reporting, fashion careers, hospitality/hotels, paralegal, retailing and merchandising, secretarial and office skills, securities and banking, travel, and word processing.

2) "Technical or Vocational schools" include trade schools and other schools in which the majority of students are enrolled in courses of instruction or subjects such as art/design, aviation, appliance repair, automotive repair, bartending, commercial arts, computer maintenance, carpentry, cooking, diesel technology, dog-grooming, drafting, electronics technology, forestry, heating/air conditioning, horseshoeing, interior decoration, locksmithing, modeling, sign painting, radio/television broadcasting, shoe repair, truck driving, welding, and allied health occupations such as dental assistant, health aide, medical assistant, medical records, medical technician, nurse’s aide/assistant, and pharmacy assistant.

b) The Superintendent shall annually review and investigate all approved schools and courses of instruction. Such annual review shall include a comparison between the graduation or completion rate for the school and the graduation or completion rate for the schools within the industry the school represents, such as business, technical or vocational schools, for the reporting period of July 1 through June 30. Any school that fails to maintain a graduation or completion rate greater than 50% of the average graduation or completion rate for schools within that industry shall be placed on probation for one year. If that school’s graduation or completion rate fails to exceed 50% of the average graduation rate for schools within that industry for that school’s next reporting period, then the Superintendent shall revoke that school’s approval to operate in the State of Illinois (Section 14.1 of the Act).

c) To satisfy this requirement schools shall submit data annually to the Superintendent that identifies graduation or completion rates.

1) Data shall be submitted on forms provided by the Superintendent at the time of application for renewal of the school's certificate of approval.
2) Data shall be compiled for the school's last completed reporting period of July 1 through June 30 prior to filing a renewal application and shall be certified true and correct by the owner, officer, or chief managing employee.

3) The graduation or completion rate shall be calculated by dividing the total number of students who completed the course of instruction or graduated in that year by the total number of students who were originally scheduled to complete the course of instruction or graduate in that year, as set forth in their enrollment agreements.

4) Schools shall maintain records, available for the Superintendent's review, that substantiate the annual graduation or completion rate data submitted. Recordkeeping required in Section 451.240 of this Part will satisfy the requirements of this subsection (c)(4).

SUBPART B: SCHOOL STRUCTURE AND OPERATIONS

Section 451.200 School Purpose

The school shall prepare a statement of school purpose which describes its general aims and principles. The purpose shall be peculiar to the school, its staff and student body and feature the special characteristics of its occupational programs.

Section 451.210 Administration and Organization

Each school shall develop and maintain an administrative organization and organizational chart which will be submitted with its application. The organizational chart shall name the chief managing employee and any assistant chief managing employee(s) and specify their functions.

Section 451.220 Financial Resources/Financial Recordkeeping

a) The school shall provide the following financial information with each original application and each annual renewal:

1) Financial statements compiled in accordance with standards established by the American Institute of Certified Public Accountants (Codification of Statements on Standards for Accounting and Review Services, Nos. 1-7,
January 1, 1993; no later amendments to or editions of these standards are incorporated) and including:

A) a balance sheet,

B) an income statement, and

C) a statement of cash flows; and

2) When applicable:

A) an annual report, and

B) the prior year's financial history.

b) If, after analyzing the school's financial reports and records, the Superintendent determines a school is not financially sound or that it has financial difficulties deemed serious enough to consider denial or revocation of approval or that its records are incomplete or inaccurate, the Superintendent shall require the school within 75 calendar days of written notice to submit:

1) audited financial statements with the report of the independent auditors by whom the audit was performed; and

2) its most recent federal and state income tax reports.

Section 451.230 School Surety Bond

a) A school shall supply the Superintendent with the original copy of a fully executed, continuous surety bond written by a company authorized to do business in Illinois in the sum of no less than $10,000.

1) In the event that the school will have unearned prepaid tuition for Illinois students at any one time in an amount which exceeds $10,000, it shall increase the amount of its bond by $10,000 increments up to a maximum of $100,000 so that the sum of the bond always exceeds the amount of the unearned prepaid tuition.
2) If unearned prepaid tuition for Illinois students in the possession of the school will exceed $100,000, the bond shall be in a sum at least equal to the greatest projected amount of unearned prepaid tuition which will be in the school's possession at any one time.

b) The school shall submit its projection of greatest amount of unearned prepaid tuition with its initial application for a certificate and the actual amount, based upon the record of the previous fiscal year, with each succeeding application.

c) Should the Superintendent determine after applying the provisions of this Section that the school must increase the amount of bond coverage, the school shall file a bond rider acknowledging increased coverage within thirty (30) calendar days of receipt of the Superintendent's notice requiring such increase.

d) In the event of cancellation of the bond by a bonding company, the school shall furnish a fully executed replacement bond to the Superintendent within ninety (90) calendar days of the Superintendent's receipt of the notice of cancellation.

e) The bonding company shall on the Superintendent's request provide reasons for bond termination within thirty (30) calendar days of the Superintendent's receipt of notice of such termination.

f) Termination of the school's surety bond coverage shall be grounds for revocation of its certificate of approval.

g) When the school provides instruction at extensions, the surety bond or riders attached thereto shall indicate coverage for all Illinois students at all sites where instruction is or will be given.

Section 451.235 Liability Insurance

a) A school shall maintain continuous liability insurance from a company authorized to do business in Illinois for the protection of the school's students and employees.

1) The liability insurance policy shall specify limits of liability of not less than $100,000 per person and $300,000 per occurrence for bodily injury liability and not less than $50,000 per occurrence for property damage liability.
2) Such insurance shall include coverage for off-campus learning experiences such as student commercial employment as a part of the instructional program, internships/externships, cooperative education, and experiential learning activities, unless the school furnishes the Superintendent a certificate of insurance evidencing such coverage is being provided by the employer or other person responsible for the off-campus learning experience.

b) The school shall furnish the Superintendent with a certificate of insurance which indicates compliance with the minimum amounts of liability insurance required by this Section.

1) The insurance policy shall provide that the company issuing the policy must give written notice to the Superintendent at least 30 days prior to the effective date of a cancellation.

2) If the certificate does not so indicate, the insurer shall provide riders verifying coverage at all sites where instruction is being or will be given to Illinois students.

Section 451.240 Recordkeeping

a) A school shall maintain and make available for inspection by the Superintendent a central repository of records necessary for its efficient and effective academic and business operations. Included shall be records for students, dropouts, and graduates.

b) A school shall maintain permanent records suitable for transcript purposes for all Illinois students. Permanent student records shall be maintained for fifty (50) calendar years after the student has departed from the school and include at minimum:

1) the name and address of the school;

2) full name and address of the student;

3) dates of attendance;

4) course of instruction or subject;
5) amount of credit, if any, for each subject;
6) grade for each subject;
7) statement of graduation or reason the student departed from the school.

c) Any transcript issued shall, in addition to the information specified in subsection (b) of this Section, include the following:
1) signature and title of certifying official;
2) seal of the school, if any;
3) date of issue.

d) In addition to student permanent records, a school shall establish and maintain student records for Illinois students who commence study at the school for a period of at least 3 calendar years from the date of student departure which shall include:
1) schedules of classes or required hours of attendance;
2) records of daily attendance and absences as maintained and reported to the chief managing employee by faculty and/or work supervisors;
3) evidence of regular reports to students on grades and rates of academic progress (e.g., grade reports, test results, academic warnings);
4) enrollment agreements and other contracts;
5) the student's payment record;
6) evidence of placement efforts (e.g., references provided to students, letters to employers, interview schedules) to secure employment for the student and the name, address, and telephone number of the graduate's employer if placement assistance is offered.
e) A school shall not release, transfer, disclose or otherwise disseminate student records or information contained therein unless upon the student's written request, except: to an authorized employee or an official of the school; to a representative or designee of the school's nationally recognized accrediting agency; or persons authorized or required to have such information by state or federal law or pursuant to a court order; or to the Superintendent.

f) Students shall have the right to review their student records, including grades and attendance.

g) A school shall develop and enforce security measures to protect permanent student records from damage or destruction for the period required under Section 7(3) of the Act.

**Section 451.250 School Advertising**

a) The school and its agents shall not make or cause to be made any oral, written, or visual presentation in connection with the offering or publicizing of a subject or course of instruction that is false, deceptive, inaccurate, or misleading.

b) A school shall submit with its original application all materials designed for direct mailing or media presentation in Illinois to the Superintendent for review for compliance in accordance with standards set forth in this Part. In its advertising, a school shall:

1) limit reference to its approved status to: "Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education";

2) disclose whether it is a distance education, distance education/in-residence, home study or home study/in-residence school if it provides such instruction;

3) use photographs or other illustrations of school facilities only if these are the facilities being used to provide instruction (in the case of national advertising, the facilities shown must be representative of those that will be used);

4) use photographs or other illustrations in ways that accurately portray the size and location of the school, its equipment and facilities or the career
for which the student is being trained (in the case of national advertising, the school, equipment, and facilities portrayed must be representative of those that will be used or provided);

5) advertise starting salaries of its former students only if these claims can be documented for the most recent reporting period of July 1 through June 30.

c) In its advertising, a school shall not:

1) describe its courses of instruction and subjects in a manner other than the approved title designations recorded on its current certificate of approval;

2) represent that it is endorsed by or affiliated with a college or university or other school of higher learning unless such statement is true;

3) advertise the transferability of its credits to colleges or universities unless it has written evidence on file of current acceptability of such credits from colleges and universities, state approval and accrediting authorities, or the American Council on Education;

4) advertise it is endorsed by manufacturers, business establishments, or organizations engaged in the line of work for which it gives training unless it has on file written evidence of each such endorsement with the name and address of the endorser and the date of endorsement;

5) advertise accredited status unless such status has been received from an accrediting body currently listed as recognized by the U.S. Department of Education;

6) advertise as an employment agency or under the same or similar name as such an agency or knowingly advertise training courses in the "Help Wanted" section of any newspaper;

7) make statements assuring or guaranteeing membership in a union or other organization as a result of completing the course of instruction unless this fact can be documented;
8) advertise any tuition, fees, or other charges in amounts other than those currently on file with the Superintendent or advertise them without showing the total cost, including fees;

9) represent that a course of instruction has been recently revised, that it has a revision system or service, or represent in any manner its ability to keep a course of instruction current unless this can be verified.

d) A school making original application or seeking approval for a new course of instruction may submit a written petition to the Superintendent requesting permission to advertise prior to receipt of approval. The school will be authorized to advertise for a period no longer than 90 calendar days prior to its projected starting date. The authorization will be granted within ten business days after receipt of:

1) a completed application; and

2) the requisite fee, as specified in Section 10 of the Act.

e) A school approved by the Superintendent that advertises or offers instruction via the Internet or other electronic telecommunication media shall state, both on the home page of its web site, if applicable, and in its catalog/bulletin, that the school is authorized for operation pursuant to the "Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education, 100 North First Street, Springfield, Illinois 62777." In the case of an Internet site, the required statement must include a picture/button link to the State Board of Education’s Private Business and Vocational Schools’ home page that lists all the private business and vocational schools that the State Board of Education has approved for operation.

f) The school receiving approval to advertise shall adhere to the requirements of this Section. It shall not advise or advertise it is approved until a certificate of approval has been received from the Superintendent.

Section 451.260 School Catalog/Bulletin

a) The catalog/bulletin shall be the school's principal printed means to explain its operations and requirements to prospective and enrolled students. It shall be current, complete and accurate for each school term.
b) A school shall furnish each applicant with a copy of its most recent catalog/bulletin, together with any supplements and/or errata sheets prior to the applicant's signing of an enrollment agreement.

c) Descriptions of courses of instruction and subjects shall be consistent with curricula previously approved by the Superintendent.

d) If the catalog/bulletin includes names of instructors, such names shall be accurate as of the date of issue of the school's certificate of approval.

e) At the time of renewal application the school shall submit three copies of its current catalog/bulletin and supplements and errata sheets.

f) The catalog/bulletin shall include the following information:

1) the school's philosophy or mission and objectives;

2) month and year of publication;

3) names, addresses, and telephone numbers of the school's administrative offices and all teaching locations;

4) a description of each course of instruction in clock hours or credit hours, including whether the delivery method is in-residence, home study, distance education or some combination of these methods;

5) criteria for the issuance of certificates and/or diplomas;

6) admissions policies, including prerequisites for admission;

7) grading scales and standards of student progress;

8) specific policies on advanced standing, if any;

9) schedule of tuition, fees and costs for books, supplies, equipment, services, rentals, deposits, housing costs;

10) methods of student payment;
11) the school's refund policy for unearned tuition, books, fees, and other charges;

12) academic calendar;

13) policies pertaining to absences and tardinesses and rules of conduct or a statement indicating where such policies may be found;

14) procedures for obtaining student transcripts;

15) a description of student services, if any;

16) a description of the placement assistance offered, if any;

17) minimum equipment, which shall include, but not be limited to, the specifications for hardware, modem, memory capacity and speed; software; and services that students must supply for participation in any course of instruction; and

18) a description of the school’s procedures for receiving and processing student complaints in conformance with the requirements of Section 451.590 of this Part.

g) The catalog/bulletin shall include the following notice: "Certificate of Approval To Operate Issued By the Illinois State Superintendent of Education, 100 North First Street, Springfield, Illinois 62777."

h) Supplements or errata sheets for the catalog/bulletin shall be filed with the Superintendent before or at the time of implementation of changes and shall include the date of printing thereon. In the event that information on a supplement or errata sheet supersedes other information in the catalog/bulletin, the sheet shall indicate this fact and identify the page and location of the superseded information in the catalog/bulletin.

Section 451.270 Instructional Program and Services

a) A school shall design courses of instruction that impart knowledge, develop skills, and effectively prepare students for employability in the occupations for which they are being trained.
1) Approved courses shall be implemented fully and taught in accordance with conditions for approval set by the Superintendent as required in this Section.

2) The school shall evaluate and update its approved curriculum on forms and with procedures of its own design.

b) A school's objectives for its courses of instruction shall be consistent with its purpose and shall be supported by policies and procedures that develop performance standards to be used in measuring the accomplishment of its students.

c) No course of instruction or subject shall be taught without written approval from the Superintendent in accordance with subsections (c)(1) and (c)(2).

1) The school shall not make any major changes in its approved courses or subjects, including the method by which the course is delivered, without prior consent from the Superintendent.

2) The Superintendent shall approve changed courses only after applying the same criteria set forth in this Section for granting original course and subject approval.

d) A school shall establish explicit objectives regarding student learning for each course of instruction and subject offered. The objectives shall include statements of the specific knowledge and skills each student must achieve by the time of course completion.

e) A school shall have current, comprehensive, organized, and detailed instructional outlines, courses of study, syllabi, teaching guides, and lesson plans that indicate scope and sequence of subject matter and learning experiences sufficient for students to achieve announced objectives for each course of instruction and subject.

f) A school shall determine the total number of hours required for completion of each course of instruction and subject and the total amount of time to be devoted to each phase within each course and subject.
1) The school shall establish the number of hours students are to spend in classroom, practice, and work experience.

2) The school shall determine the educational content and length of the period of study for each course and subject only after considering and appraising information derived from research data, previous instructional experiences, the practices prevailing in public and other private schools and in military, business, and industrial training programs.

3) The comprehensiveness, content, and length of the school's courses of instruction shall be consistent with its explicit learning objectives.

g) A school shall utilize instructional methods that facilitate achievement of student learning objectives.

1) Instructors shall be competent in the methods the school has adopted as most appropriate for its curriculum and students.

2) The chief managing employee shall ensure that instructors apply the methods adopted.

h) The school shall use textbooks, instructional materials and/or software consistent with its identified curricular objectives for each of its courses of instruction and subjects.

i) The school shall maintain the following information on its texts and home study and distance education lessons currently in use:

1) titles;

2) authors and/or contributing subject matter specialists;

3) publishers;

4) copyright dates.

j) A school shall have samples of all tests and other student evaluation devices used by the school available for the Superintendent's inspection for a period of not less than one calendar year following such use.
k) In-residence, home study/in-residence, and distance education schools shall maintain and, upon the request of the Superintendent, provide their policies for limiting:

1) the number of classes an instructor may be assigned to teach on any day when the school is in session;

2) the total number of students the instructor may be assigned to teach in any week;

3) the total number of different subject preparations an instructor may be assigned to teach on any day in any week.

l) In-residence, home study/in-residence, and distance education schools shall maintain and, upon request of the Superintendent, provide their policies for determining maximum student/instructor ratios for each course of instruction and each subject within the course. Student/instructor ratio policies shall:

1) be varied to conform to the requirements for different courses of instruction and subjects;

2) give the rationale used to determine how the maximum class sizes for different courses and subjects were determined.

m) Except in circumstances where the school has presented evidence that the standards it uses are as effective in ensuring an opportunity for students to achieve stated course objectives, student-to-teacher ratios for classroom instruction shall not exceed 30:1 and for laboratory or clinical instruction shall not exceed 20:1.

n) Home study schools, home study/in-residence schools and distance education schools shall maintain and, upon request of the Superintendent, provide policies for determining the total number of instructor hours required weekly to process, correct, and return home study and distance education lessons and examinations. The policies shall provide for instructor responses to examinations with comments and suggestions for corrections of errors and apparent weaknesses to be returned within seven business days after receipt of the lessons and examinations at the school.
o) In-residence schools shall not assign an instructor to teach more than one subject, or cause any instructor to be responsible for instruction in two separate classrooms, during the same class period. An instructor may teach more than one level of the same subject during the same class period, provided that in each such instance the school shall ensure that the instruction provided to each student is appropriate to his or her level. Evidence of compliance with this requirement shall be:

1) individual instructional programs; or
2) class grouping and instruction by ability level.

p) Approval of a course of instruction shall be continuous, provided:

1) the school continues to have approved status;
2) the scope and sequence of the course is the same as that previously approved by the Superintendent;
3) the course of instruction has been taught during the previous approval year;
4) the school continues to have approved instructors for the course of instruction pursuant to Section 451.410 of this Part; and
5) the method of delivery for the course of instruction has not changed.

Section 451.280 Additional Requirements for Home Study and Home Study/In-Residence Schools

a) The Superintendent shall approve home study courses of instruction only after determining that they meet the requirements stated in this Section. The home study school shall provide the Superintendent with a description of each course indicating all materials supplied to the student. The Superintendent may request such materials for any of the courses, and the school shall supply the materials it sends to its students for that course.

b) The home study course of instruction shall be:
1) suitable for a student to learn by self-direction with assistance that will be provided by the school;

2) consistent with the educational background, reading ability, and interests of the school's students;

3) organized sequentially in units from rudimentary to advanced, with transitional materials to guide students through the course of instruction;

4) designed to be current, and to meet actual job requirements for the school's graduates;

5) developed with the content necessary to ensure students will master the necessary skills and knowledge required for employment in the occupation for which they are being trained;

6) designed to permit the student to measure his/her progress and to apply knowledge learned (e.g., student checklist, examinations, sample problems and exercises).

c) Except for material especially included to give instructions and to assist and encourage the student to complete his/her studies successfully, the home study course of instruction shall be limited to subject matter, pictures, and graphics that are relevant to the course's specific occupational objectives.

d) Home study examinations shall:

1) measure the extent of the student's mastery of each lesson and of the total course of instruction;

2) correspond with course objectives and the requirements for employment in the field.

e) The home study school shall maintain a progress evaluation record.

f) Prior to the approval of any course of instruction, the home study school shall provide the Superintendent with:
1) names of the authors and/or contributing subject matter specialists for all lessons and instructional materials, including a statement of their qualifications in the instructional field;

2) minimum passing scores for its tests and examinations.

g) A home study/in-residence school shall not use the home study portion as the principal basis for the in-residence phase of instruction.

1) The school may use home study materials for a short review at the beginning of the in-residence phase.

2) The school shall not allow a student who has not successfully completed all home study examinations with passing grades to enter the in-residence phase of instruction.

h) Unless otherwise specified, all requirements in this Part for in-residence schools shall apply to the in-residence phase of a home study/in-residence course of instruction.

Section 451.285 Additional Requirements for Distance Education

For the purposes of this Section, distance education courses of instruction include those in which all or any part of the instruction is delivered via the Internet or by other electronic telecommunication media.

a) A school wishing to offer distance education courses of instruction shall meet the following conditions:

1) have a physical presence in the State of Illinois, which is defined as:

   A) an instructional site within the State; or

   B) offering instruction within or originating from Illinois; or

   C) using local advertising markets in the State; and

2) meet the requirements of Section 1 of the Act and Sections 451.20 and 451.30 of this Part.
b) For any new distance education course of instruction, the school offering the course also shall be subject to the requirements enumerated in Sections 451.270 and 451.280 of this Part.

c) Any school proposing to offer via distance education methods an existing course of instruction that has already been approved under Sections 451.270 and 451.280 of this Part also shall meet the requirements of this Section.

d) The school offering distance education courses of instruction shall provide to the Superintendent:

1) a description of each distance education course indicating all of the materials, including software, necessary for course completion. If software is to be required, then a copy of each software package shall be submitted to the Superintendent; and

2) the definition of what constitutes a distance education lesson, including what evidence will be employed to determine when a lesson has been completed. Such evidence could include completion of written assignments, instructor feedback, evaluations, reports, or on-line time sufficient so that the student can demonstrate progress toward meeting learning outcomes of the distance education course of instruction.

e) Any school offering distance education courses of instruction shall:

1) assess each applicant’s ability to succeed in the distance education course as prescribed in Section 451.500(e) of this Part;

2) ensure that students admitted possess the background, knowledge, technical skills and equipment necessary to use the technology employed in the course of instruction;

3) provide a plan that includes a list of the infrastructure and personnel that will be employed to support the distance education course of instruction;

4) ensure that instructional resources, such as additional reading materials and/or hyperlinks to other Internet sites, are reliable, readily available and accessible to instructors and students;
5) employ instructors who meet the requirements of Section 451.410 of this Part;

6) ensure that instructors are trained to use effectively the distance education method employed;

7) provide a sufficient level of interaction between instructors and students so that the students are likely to achieve the learning outcomes of the distance education course of instruction.

Section 451.290 Student Work Experience

a) A school may, with the Superintendent's written approval, place students on work assignments to gain practical experience in the occupations for which they are being trained.

1) The Superintendent shall approve a work experience program only when the school has provided an educational rationale for the program and has established a system for providing constant and direct educational supervision, monitoring, and evaluation for the program.

2) The school shall identify the supervisor(s) of its student work experiences.

b) If the sale of products or services is a necessary part of the school's course of instruction, the school shall not profit from such sale.

c) A school may employ students in other than work experience and compensate them for such employment.

Section 451.300 Instructional Equipment, Facilities and Materials

a) Instructional equipment shall train and prepare students to use the types of equipment currently in use in business and industry. A school shall conduct its programs at sites and facilities related to the kinds of educational services it offers its students.

b) A school shall annually provide the Superintendent with an inventory of all instructional equipment utilized by students and teachers for each course of
instruction. The equipment shall meet the school's established criteria for model/kind, quantity, and recency of manufacture.

c) A school shall annually examine its inventory of instructional equipment and materials to determine suitability for its programs.

d) Equipment and materials shall be available in sufficient quantities to permit students to develop skills at expected levels and permit productive use of the student's time when engaged in scheduled skill, shop, and laboratory activities.

e) Supplementary reading material needed for completing the reading assignment for each subject as assigned must be made accessible to the student.

SUBPART C: SCHOOL PERSONNEL

Section 451.400 Administrator Qualifications

a) The school shall establish and maintain specific written policies setting standards for qualification, supervision and evaluation of its administrators. The policies shall set minimum requirements for the employment of administrators, including previous training, teaching, administrative, and on-the-job experience in the occupational fields for which students are being trained.

b) Chief managing employees and their designated assistant chief managing employee(s) shall have the Superintendent's written approval prior to the date of official appointment. The Superintendent's approval is not required for any other administrator on the school's staff.

c) All applications for approval of a chief managing employee or assistant chief managing employee(s) shall:

1) be submitted on forms provided by the Superintendent;

2) be signed by the applicant and the chief managing employee who shall attest to the truthfulness and accuracy of the information contained therein;

3) be accompanied by transcripts, letters, and documents showing that the applicant meets the standards set forth in this Part.
d) At minimum, each chief managing employee shall possess one of the following qualifications:

1) graduation from a state approved, four-year, degree granting school with satisfactory completion of twenty-four (24) semester hours in administration/management, in professional education, or in one or more of the subject areas in which the school provides instruction;

2) a combination of not less than 6,000 clock hours (the equivalent of 3 years) of training and on-the-job experience in one or more of the subject areas in which the school provides instruction and at least 2,000 clock hours (the equivalent of one year) of administrative/managerial experience.

e) Each assistant chief managing employee shall at a minimum meet the qualifications of a chief managing employee or a faculty member as defined in this Part.

f) A chief managing employee or assistant chief managing employee who complies with the requirements established in this Part shall not be relieved of the responsibility of complying with more stringent requirements established by any other state agency.

g) Approval of a chief managing employee or assistant chief managing employee terminates at cessation of employment at the school and is nontransferable to employment at another school.

h) Persons approved as administrators prior to the date of adoption of this Part shall continue to be approved for the positions they held at the school before the adoption of this Part.

Section 451.410 Faculty Qualifications

a) A school shall establish and enforce specific written policies setting standards for qualification, supervision, evaluation, and promotion of its faculty.

1) The policies shall set minimum requirements for the employment of faculty, including previous training and on-the-job experience in the
subject area for which the faculty applicant is being considered for employment or transfer.

2) Qualification standards for faculty shall at least conform to the standards set forth in subsection (b) of this Section.

b) At minimum each faculty member shall possess at least one of the following qualifications:

1) graduation from a State-approved, four-year degree-granting school with satisfactory completion of no fewer than 24 semester hours in the academic or vocational/skill subject area in which the applicant will be assigned to teach, including evidence of satisfactory completion of at least one 3-semester-hour college level course in each subject to which the faculty member is to be assigned; or

2) a combination of no fewer than 4,000 clock hours of successful training and on-the-job experience in the academic or vocational/skill subject area to which the faculty member is to be assigned; or

3) completion of no fewer than 6,000 clock hours of successful on-the-job experience in the academic or vocational/skill subject area in which the applicant will be assigned to teach.

c) A faculty member who complies with the requirements established in this Part shall not be relieved of the responsibility of complying with more stringent requirements established by any other State agency.

d) Faculty approval by the Superintendent shall be for the specific subjects listed on the application for approval only, shall not be transferable from one school to another, and shall terminate on cessation of the faculty member's employment with the school.

e) All applications for faculty approval shall:

1) be submitted on forms provided by the Superintendent;

2) indicate the specific subjects the applicant will teach;
3) be signed by the applicant and the chief managing employee;

4) be accompanied by official transcripts, letters, and documents which confirm that the applicant meets:

A) the school's employment standards for previous instruction, on-the-job experience, and mastery of the subject area to which the faculty member is to be assigned;

B) the minimum standards for faculty approval set forth in this Part.

f) For purposes of this Section, documentation of on-the-job and teaching experience shall:

1) be from any official providing the teaching or on-the-job experience of the applicant or from an administrator(s) at the previous place(s) of employment who can be reached for verification of the documentation submitted;

2) state the period of employment;

3) describe the applicant's on-the-job experience and duties in detail.

g) In the event that the faculty member's former employer is no longer in business and/or the applicant's supervisor is no longer available to verify employment, the applicant shall submit an affidavit stating the facts concerning his or her work experience in lieu of the documentation specified in subsection (f) of this Section.

h) Substitute faculty shall meet the same qualifications as regular faculty, including the prior approval of the Superintendent.

i) If a school utilizes faculty assistants, it shall establish and maintain policies which set forth qualifications, duties and procedures for use of these personnel. Faculty assistants shall:

1) not be used as substitutes or replacements for regular faculty;

2) not be responsible for the overall evaluation of any student;
3) work under the direct supervision of approved faculty.

j) The school shall have and implement written policies to promote improvement of faculty competency in their occupational fields and in levels of performance in their teaching assignments.

k) A faculty member approved by the Superintendent to teach a specific subject(s) at the school prior to the date of adoption of this Part who has verification of qualification on file with the Superintendent shall continue to be approved to teach that subject(s) at the school.

l) The school shall employ new faculty according to the following minimum standards:

1) Instructors employed as faculty in degree-granting programs shall have a minimum of a baccalaureate degree from a State-approved college or university with a major in the subject area in which they teach, except that, in those areas of study where the principal means of learning is work experience and/or related training that results in less than a baccalaureate degree, instructors employed as faculty must meet at least one of the following criteria:

A) Two years of work experience and a two-year associate’s degree in the specific subject area to be taught; or

B) Four years of work experience in the specific subject area to be taught and a baccalaureate degree in an unrelated field; or

C) One year of work experience and a two-year associate’s degree in the specific subject area to be taught and one year of college credit in an unrelated field; or

D) Six years of work experience in the specific subject area to be taught; or

E) Six years of military service which consisted of training and work experience in the specific subject area to be taught.
2) If the job objective for which the course of instruction is offered requires a valid license or certificate, the instructor shall hold such a license or certificate.

Section 451.420 Sales Representatives

a) Any person whose function is to sell courses of instruction or subjects for any school(s) doing business in Illinois may do so only after securing a sales representative's permit.

1) A person initiating any direct action (e.g., via personal contact with an individual or group, including dispensing sales literature to a person or group, or contact by telephone) to procure students for the school by requesting, inducing or persuading such prospective students to enroll shall be deemed to be a sales representative.

2) A person paid to provide names of prospective students who has not had direct contact with the prospective student shall not be deemed to be a sales representative.

3) Sales representatives may be employees of the school or independent contractors employed for sales purposes.

b) Sales representative permits shall be issued only after the approval of the school by the Superintendent. A permit holder shall comply with the requirements of the Act and this Part.

c) Sales representative permits shall be nontransferable and shall expire on December 31 of each year.

d) A school with sales representatives shall maintain and have available for review a description of the procedures used to provide supervision of its representatives to assure compliance with the Act and this Part.

e) Prior to the issuance of a sales representative's permit card by the Superintendent and as a part of a representative's original application for a permit card, an official of the school shall certify that the applicant has completed the school's prescribed training and has read and understands this Part.
f) If for any reason the representative's permit card is lost or stolen, the school shall notify the Superintendent by the most expedient means. Upon receipt of a written request the Superintendent shall issue a replacement card without charge.

g) A sales representative shall, whenever representing a school:

1) report immediately to the administrator or designee at any recruitment site visited prior to any student interviews or presentations;

2) make no statements that are false, misleading or fraudulent;

3) respond upon request with information relevant to the prospective student's enrollment decision, to the extent to which such information is not confidential;

4) use only advertising approved by the school;

5) provide a copy of the school's catalog/bulletin to high school administrators or counselors prior to making any presentation at a high school;

6) disclose information on tuition and other instructional costs upon request by prospective students;

7) explain the student's payment obligations as set forth in the enrollment agreement and explain the school's refund policy;

8) make clear the school's academic policies and code of conduct;

9) accurately describe the school's facilities and living accommodations and explain living costs;

10) give a report on job prospects, if requested to do so;

11) make available for review sample copies of the school's home study and distance education lessons prior to the student's signing of the enrollment agreement;
12) explain the school's placement assistance, if any, and provide placement statistics as prescribed in the Act and this Part;

13) explain the admission criteria for the school's course(s) of instruction;

14) provide and explain the items of information required to be contained in the enrollment agreement by the Act and this Part;

15) suggest that the prospective student visit the school to talk with teachers, guidance counselors, employment counselors and students.

h) The sales representative shall not:

1) make false, inaccurate or misleading statements concerning any degree, certificate or diploma offered by the school;

2) state that credits from the school are transferable unless such claims are supported by documentation (e.g., a letter or some form of communication attesting to the transferability of the credits) in the school's files;

3) recommend a prospective student for acceptance unless the representative has reason to believe he/she has a chance to succeed;

4) distribute or provide access to home study or distance education lessons to be used in the course of instruction until the prospective student has been officially accepted by the school;

5) collect any fee other than the enrollment fee prior to the student's official acceptance;

6) represent that any commodity or service is free when, in fact, such commodity or service is regularly included as part of a course for which tuition or any other fee is paid;

7) solicit prospective students within 100 feet of any Illinois Department of Public Aid office (Section 11-2.1 of the Illinois Public Aid Code-[305 ILCS 5/11-2.1]).
i) The school shall monitor its representatives' activities and sales and marketing practices and immediately investigate and resolve complaints about their activities. The school shall be accountable for the adherence of its sales representatives to the Act and this Part.

j) Whenever a sales representative leaves the school's employment, the school shall within five business days send the sales representative's notice of discharge or termination to the Superintendent.

1) When the school is unable to send the representative's permit card with the notice, it may notify the Superintendent that it will return the card within 30 business days after the leaving date.

2) If the card has been lost or destroyed, or if the sales representative refuses to return the card, the school shall send a written notice to this effect to the Superintendent.

k) Illinois schools shall require new sales representatives with permits to sell in Illinois to visit the principal location of the employing school(s) prior to beginning sales activities. Out-of-state schools shall require new sales representatives to visit the principal location of the employing school(s) within 60 days after initial employment.

**Section 451.430 Sales Representative Bond**

a) A school shall file with the Superintendent a valid sales representative blanket surety bond to provide indemnification to any prospective or enrolled student suffering loss as a result of any fraud or misrepresentation by a sales representative in procuring a student's enrollment. The bond shall be written by a company authorized to do business in Illinois and shall:

1) indicate coverage in the penal sum of $2,000 for each representative;

2) show the maximum number of sales representatives covered;

3) include coverage of representatives at any extension sites;

4) be continuous to thirty (30) calendar days after the Superintendent's receipt of written notice of cancellation from the company issuing the bond.
b) In the event of bond cancellation the school shall:

1) furnish a fully executed replacement to the Superintendent within thirty (30) calendar days of his/her receipt of notice from the bonding company;

2) return all sales representative permit cards for cancellation if an appropriate bond replacement is not received by the Superintendent within the thirty (30) calendar days.

SUBPART D: STUDENTS

Section 451.500 Student Admissions Standards

a) The school shall provide to each prospective student its specific admission requirement for each course of instruction. Such requirements shall include evidence of satisfactory completion of secondary education or the GED examination, and/or other evidence predicting probable success of the student in the course of instruction. Schools not requiring successful completion of high school or the GED shall provide the Superintendent with evidence (e.g., letters or similar communications from employers) that such completion is not normally required for persons seeking placement in the occupations for which it trains students. The school shall maintain verifiable evidence that each student meets the school's admission standards for the course of instruction in which enrolled and that the admission standards provide reasonable indication of the student's potential for successful completion of the course of instruction.

b) A school shall evaluate each applicant's qualifications prior to his/her acceptance or rejection and shall, for seven years, maintain records of this action for the Superintendent's inspection. The records should include specific, verifiable evidence that each student admitted has sufficient aptitude to meet the school's standards for admission into the course in which the student has enrolled.

c) When the school admits an applicant who does not meet all of its admissions standards, it shall record the reasons why the student was permitted to enroll and so inform the student.

d) A school may require applicants who do not meet its requirements for admission to satisfactorily complete remedial instruction prior to full admission status.
e) As evidence of student qualification, the school may use such devices or combination of devices as aptitude and ability test results, transcripts, letters of recommendation, proof of previous successful experience in the field, questionnaires, and structured admissions interviews. It may include records of such abilities or qualities as analytical thinking, problem-solving, personal responsibility, evenness of performance, motivation, maturity, promise in the field, leadership abilities, energy, self-confidence, relation of ability to achievement, written/oral expression, mathematical skills, dexterity and coordination, mechanical aptitude, and originality and imagination.

f) For a distance education course of instruction, an admissions test conducted online must include a verification of the student’s identity.

g) *A school shall not refuse to admit applicants on account of race, color, creed, sex, physical or mental handicap unrelated to ability, religion, or national origin* (Section 16(11) of the Act [105 ILCS 425/16(11)]).

h) Whenever required for licensure or entry into the field for which the applicant is to be trained, the school shall require evidence of a satisfactory physical examination or other specific qualification, such as bonding, prior to admitting the applicant. For example:

1) Applicants for truck driving schools shall meet the Illinois Department of Transportation and Illinois Secretary of State requirements prior to acceptance.

2) Applicants for flight programs shall meet the requirements of the Federal Aviation Administration prior to acceptance.

i) A school shall not enroll an applicant under the age of 16 or an applicant enrolled in an elementary or a high school in Illinois unless it has established through verifiable and recorded contact with responsible school officials (school superintendent, school principal, or designee) that, based on academic performance, the course will not be detrimental to the student's regular school coursework.

j) If a school enrolls students in courses of instruction preparing graduates for occupations generally requiring satisfactory completion of the twelfth grade or the
GED, it shall require the applicant to provide evidence of equivalent life experience or to furnish an official high school transcript from a recognized high school, a copy of the GED certificate, or a statement signed by the applicant that attests to graduation and includes the date of graduation, name, address, and telephone number of the high school last attended.

k) A school, through its catalog/bulletin or similar descriptive literature, shall inform each applicant prior to enrollment about:

1) its specific admissions requirements for each course of instruction that the applicant is considering;

2) the general requirements for entrance into the occupations for which the student seeks training;

3) its placement service, if a placement service is provided. Statistics for the most recent 12-month reporting period of July 1 to June 30 preceding the date of the school's application for annual renewal of its certificate of approval shall be provided for each course of instruction that the applicant is considering. These statistics shall address each of the categories enumerated in Section 15.2 of the Act [105 ILCS 425/15.2]. In the absence of placement statistics for a new course of instruction, the enrolling representative shall disclose to the student the placement statistics which represent the aggregate of all courses of instruction (Section 15.2 of the Act);

4) its policies and procedures, if any, for granting advanced standing to qualified prospective students who have previously completed training and/or work experience in the field of intended study;

5) its policies, if any, for shortening the period of study and reducing the cost of instruction for students admitted with advanced standing.

l) A school shall not represent or imply that:

1) its graduates will be able to secure positions in a particular field because of completion of one or more of its courses of instruction if such positions are available only to persons with additional training and experience;
2) it will accept a limited number of persons from a geographical area;

3) it will accept applications for enrollment for only a limited period of time unless this fact can be verified;

4) its credits are acceptable for admission or advanced standing at any school, college, or university unless it has previously filed evidence (e.g., a letter or some form of communication attesting to the transferability of the credits) to this effect with the Superintendent;

5) applications must be submitted by a certain date to be acceptable for student admission unless this fact can be verified;

6) any commodity or service is free when in fact such commodity or service is regularly included as part of the cost of instruction.

m) An out-of-state truck driving school shall disclose to its applicants prior to enrollment that graduates of such schools should normally have attained the age of 21 prior to completion of the course of instruction. Such schools admitting students between the ages of 18 and 21 shall require all applicants to sign a statement of understanding that employment with truck driving companies operating interstate is not possible until the applicant attains the age of 21.

n) Home study/in-residence and distance education/in-residence schools shall restrict admission to the number of students who can begin in-residence study within approximately 60 calendar days after successful completion of home study or the distance education portion.

o) Home study, home study/in-residence, and distance education schools shall not distribute or provide access to the first lesson until the applicant has been accepted by the admissions officer at the school's principal place of business.

1) Distribution of or access to the first lesson shall be no later than ten business days following the official date of admission.

2) Home study schools shall not distribute more than approximately 20 percent of the total number of home study lessons in the course of instruction to the student at any one time.
Section 451.510 Handicapped Students

a) A school shall not deny admission to a student with a physical or mental handicap which is unrelated to the student's ability to successfully complete the student's intended course of instruction.

b) If the school accepts a handicapped student it shall:
   1) accommodate the student's handicap in designing his or her educational program;
   2) maintain evidence on file that the student has been informed of requirements for minimum successful performance in the course of instruction and for entrance into the vocation for which the student seeks training (e.g., signed statement from the student, copy of information delivered to all students).

Section 451.520 Enrollment Agreements

a) Each school shall provide written enrollment agreements to each student that specify both the school's and the student's legal obligations. The agreements shall contain all written disclosures required in Section 15.1 of the Act [105 ILCS 425/15.1] and be separate from any noncontractual documents utilized in the enrollment of students. Data required in Section 15.1(11) of the Act [105 ILCS 425/15.1(11)] shall be reported as follows:
   1) data shall be compiled for the school's most recent 12-month reporting period of July 1 through June 30;
   2) the graduation or completion rate shall be calculated by dividing the total number of students who completed the course of instruction or graduated in that year by the total number of students who were originally scheduled to complete the course of instruction or graduate in that year;
   3) the placement rates shall be calculated from the data compiled for the reporting period included.

b) A school shall provide the applicant with:
1) a copy of the enrollment agreement signed and dated by the sales representative and the applicant at the time the applicant makes initial payment of any fees, deposits, tuition, or other charges;

2) signed, dated receipts for any monies collected from the student;

3) a copy of the enrollment agreement or written notice of acceptance signed and dated by the chief managing employee or the admissions officer at the school's principal place of business at the time of official student acceptance at the school.

c) A school may give the applicant a single copy of the agreement when the date of initial payment and the date of acceptance are the same.

d) When the prospective student is under the age of 18, the agreement shall be signed by his/her parent or guardian.

e) A school shall maintain copies of all signed agreements and any truth-in-lending disclosure pages in each student's permanent record.

f) If the school receives payment of fees, deposits, or other charges in a single payment or by the payment of the enrollment fee and one additional payment, it may limit financial disclosures on the agreement to the enrollment fee and the cash price. If the student elects to make more payments than those described above, the agreement shall disclose the:

1) enrollment fee;

2) cash price;

3) cash down payment;

4) difference between cash price and cash down payment, using the phrase "unpaid balance of cash price";

5) number, amount, and due dates or periods of payments scheduled for student repayments of indebtedness.
g) A school receiving multiple payments may provide information on financial disclosures required in subsection (f) of this Section on a separate page. The page shall be signed and dated by the sales representative and the student at the same time their signatures are affixed to the agreement.

h) When the school assesses finance charges or offers discounts for early payment and time/price differentials, the agreement and disclosure pages shall:

1) satisfy the requirements of the Retail Installment Sales Act [815 ILCS 405];

2) make clear that students are not required to make use of its finance plans.

i) The agreement shall not contain a wage assignment provision and/or a confession of judgment clause.

j) The agreement shall include a "NOTICE TO THE BUYER" that includes the following statements in a position above the space reserved for the student's signature:

1) "Do not sign this agreement before you read it or if it contains any blank spaces.

2) This is a legal instrument. Both sides of the contract are binding. Read both sides before signing.

3) You are entitled to receive one copy of the agreement you sign and any information disclosure pages presented by the school.

4) Under the law you have the right, among others, to pay the full amount due and to obtain under certain conditions a partial refund of the finance charge."

k) In addition to the information required by Section 15.1 of the Act, an enrollment agreement shall include:

1) language explaining the agreement will be binding only when the agreement is accepted, signed and dated by the authorized official of the school or the admissions officer at the school's principal place of business;
2) a statement in which the student attests to having received the school's current catalog/bulletin, any supplements and errata sheets, and the data required in Section 15.1(11) of the Act;

3) a space for the sales representative to indicate by signature his/her compliance with the Act and this Part;

4) a statement that any changes in the agreement shall not be binding on either the student or the school unless such changes have been approved in writing by the authorized official of the school and by the student or the student's parent or guardian if the student is a minor;

5) the date by which instruction must be completed if the school provides instruction by home study or distance education and limits the period of time for completion of that instruction;

6) a statement that terms and conditions of the agreement are not subject to amendment or modification by oral agreement;

7) its current printing date.

l) Information required in subsection (k)(5) of this Section need not be printed on the agreement but may be added to the agreement by the sales representative in space provided. The information shall be entered on the agreement prior to the time of applicant's signature.

m) The school may reserve the right in the agreement to make revisions in the course of instruction during the period of the student's enrollment, provided that this right is conditioned upon the Superintendent's prior approval of the revision in accordance with the requirements for the approval of curricular changes in this Part.

n) When, pursuant to the Act and this Part, any agreement the school enters into with a student is found by the Superintendent to be a violation of the Act or this Part, the school shall refund all monies to the student within five business days.

o) If the right to cancel is not given to any prospective student at the time the enrollment is signed, the student has the right to cancel the agreement at any time.
and receive a refund of all monies paid to date within 10 days of cancellation (Section 15.1 of the Act).

p) The school shall meet the reporting requirements of Section 15.1(11)(i) of the Act [105 ILCS 425/15.1(11)(i)] regarding students enrolling in specific courses or courses of instruction and submit such report to the Superintendent within 90 days following the end of the reporting period of July 1 through June 30.

Section 451.530  Student Obligations, Cancellation and Refund Policies

a) The following definitions, in addition to those found in Section 1 of the Act, shall apply to the school's policies for the assessment of student fees and for obligations and refunds:

1) "Academic (school) year" is an instructional period extending no longer than 52 weeks from the date of its initiation to its conclusion.

2) "Class day" is any day on which instruction is provided by the school and on which the student is scheduled to attend; not included are holidays, scheduled vacation periods, other days on which instruction is not provided, and periods for which a student is granted a leave of absence.

3) "Clock or class hour" is one period of instruction given to one student; the periods may range from 45 to 60 minutes in duration. "Clock hours or class hours" are not the same as "credit hours." Credit hours are normally identified as "semester hours" or "quarter hours."

4) "Enrollment fee" is a one-time student fee, assessed at the time of the student's initial enrollment at the school.

5) "Distance education lesson" is a term used to describe a single unit or a defined set of instructional activities in a uniform series of units or activities of distance education instruction, as defined by the school pursuant to Section 451.285(d)(2) of this Part.

6) "Home study/in-residence instruction" is a course of instruction that consists of both home study lessons and in-residence classes at the school's site.
7) "Home study lesson" is the term used by home study schools to describe a single unit in a uniform series of units of correspondence instruction.

8) "Pro rata refund policy" is a policy computed on the number of clock or class hours completed or home study or distance education lessons serviced in the total course completed by the student.

9) "Terms" are regularly established equal divisions of the academic (school) year from ten to 19 weeks long, each with an established starting and ending date; they are normally called quarters, trimesters, or semesters.

10) "Total cost of the course of instruction" is, for purpose of refund calculations, the sum found on the enrollment agreement of all required charges made for direct instruction and obligatory items of extra expense to the student, such as instructional supplies, tools, student activities fees, laboratory and studio fees, service charges, rentals and other miscellaneous charges; it does not include the enrollment fee, charges for room and board, or any required accident or health insurance premiums paid by the student directly to an insurance carrier.

11) "Total cost of the term" is, for purpose of refund calculations, the sum of the same required and obligatory charges itemized in the definition of "total cost of the course of instruction" but that are assessed for a specific term only; not included are the enrollment fee and charges for room and board in the term.

b) A school and its sales representatives enrolling prospective students shall collect no more than the amount of the application-registration fee that may not exceed $150 or 50 percent of the cost of tuition, whichever is less, until the student has been formally accepted following the admissions screening process and the school's approval and signing of the enrollment agreement at the school’s principal location.

c) A school shall publish and adhere to refund policies as required by Section 15.1a of the Act [105 ILCS 425/15.1a].

1) The school shall not receive, demand, or retain any amount in excess of proportions and dollar amounts disclosed in the enrollment agreement and catalog/bulletin for the term in which the student is enrolled.
2) The student's total financial obligation for instruction shall not be more than the total contract price for the academic (school) year in which the student is enrolled.

3) The school shall return that portion of any refunds due to sponsors furnishing grants, loans, scholarships or other financial aids in conformity with federal and state laws, and regulations and requirements of financial aid sponsors. After any disbursements to financial aid sponsors, the student shall receive the balance, if any, of the amount due under the school's refund policy.

4) The school shall refund all monies paid to it if the school fails to conduct classes on days or times scheduled, detrimentally affecting the student (Section 15.1a(11)(c) of the Act [105 ILCS 425/15.1a(11)(c)]).

5) A school that offers distance education lessons and is unable to provide them because of a failure on the part of the school shall be responsible for refunding all monies paid to it.

d) Student refunds shall be processed promptly and in accordance with the following requirements as may be applicable.

1) If a letter of withdrawal is submitted, it shall be delivered to the school management. The date of withdrawal initiated by a student shall be the date the letter of withdrawal is postmarked or, when the notice is hand-carried, it shall occur on the date the notice is delivered. The school shall provide a receipt for each letter of withdrawal received.

2) An in-residence school shall inform the student as to his/her contractual obligation if the student fails to attend class or utilize instructional facilities for a period of ten consecutive class days without providing, prior to or during that period, an explanation regarding the absences.

3) A home study or distance education school shall inform the student as to his/her contractual home study or distance education obligation if at any point during the course of instruction it has not received lessons for 60 consecutive calendar days; the date of withdrawal shall be the date of the last lesson received.
4) A school may give an in-residence, home study, or distance education student who has withdrawn the opportunity to apply for reinstatement in writing and keep his/her enrollment active without prejudice to the student's refund rights.

5) A school shall notify any agency known to the school to be providing financial aid to the student of any withdrawal within 30 days after the date of withdrawal.

6) A school shall maintain accurate current records that make possible prompt return of funds in the correct amount.

7) In the event a student gives notice of withdrawal, the school is obligated to refund the cost of only those books and materials purchased for the current or future terms if the books and materials have been returned to the school unmarked.

   A) A school charging for books and materials, including software, shall maintain in the student’s file a receipt with the book title or name of item, amount charged and date purchased.

   B) A school charging for books and materials, including software, shall maintain for three years a list of these items used for each subject area and the exact charge for each. The record shall be updated as changes occur.

e) In the event a student withdrawing from a course of instruction is less than 18 years of age on date of withdrawal, notice of cancellation shall be made by the purchaser of the enrollment agreement.

f) A school shall refund all monies paid to it if the school did not screen the student, including physical examinations required for occupational licensure, to determine that the student meets its admission standards prior to the date of the student's acceptance.

g) For home study or distance education instruction, all references to class attendance or days in class in Section 15.1a of the Act shall refer to lessons completed by the student and serviced by the school.
h) Refunds for the home study/in-residence portions of a combination home study/in-residence school, or for a distance education course of instruction if a portion is provided in-residence, must be computed and stated separately.

Section 451.540 Student Personnel Services

a) If the school purports to provide student personnel services, it shall provide those services as advertised.

b) The school shall make known to students those personnel services provided.

Section 451.550 Placement Assistance

a) A school is not required to offer placement assistance. If it does so, it shall disclose the nature of the assistance in its catalog.

b) A school which offers or advertises placement assistance shall file an annual placement report with its renewal application to the Superintendent which shall:

1) be signed and notarized as true and correct by its chief managing employee;

2) contain the statistics required by Section 15.2 of the Act.

c) A school shall not:

1) make any placement guarantee;

2) advertise "lifetime" placement assistance;

3) promise a student a job which uses information, training, or skills provided by a course unless the school can offer the student a contract of employment for a period of not less than ninety (90) days in a business in which such information, training, or skill is a normal condition of employment;

4) make additional charges for placement assistance;
5) solicit or permit its sales representatives to solicit students through a placement or employment agency.

Section 451.555  Student Progress

a) A school shall have and enforce written policies for defining acceptable student progress and academic good standing and shall maintain progress evaluation records that record the student's movement toward completing studies within the time allotted for completion of the curriculum.

b) Students enrolled in home study instruction or distance education shall be informed of their academic progress with the servicing of each examination. If at any point in the curriculum the student's average grades on examinations are less than those required for passing the total course, the student shall immediately be so informed in writing.

Section 451.560  Student Attendance and Tardiness

A school shall adopt policies which stress the importance of regular attendance and shall inform the students about the details of such policies.

Section 451.570  Student Conduct and Discipline

a) The school shall adopt, enforce, and disseminate to its employees and students written policies to ensure standards of student behavior conducive to a favorable learning environment for all of its students.

b) Sanctions shall not be imposed without determination by school officials of the nature of the offense in accordance with the school's published policies. This determination shall include a consideration of statements presented by the individuals involved.

c) The school's policies shall allow a student to appeal to a school administrator to regain full standing after disciplinary action has been taken.

d) The school shall keep written records of the disposition of all disciplinary actions.

Section 451.580  Student Rights
a) A school shall establish a procedure for the fair and prompt resolution of student grievances concerning instructional and business affairs. The procedures shall specify the reasons for which a conference or hearing may be requested and require the recording of any findings.

b) A student's records, including attendance records, shall be available for inspection on request by the student.

c) A school shall terminate a student's enrollment when it has been documented that he/she is unable to remain in good academic standing and to acquire the knowledge and skills necessary for entering the occupation for which he/she is being trained.

d) Schools shall post in a conspicuous place the statement, developed by the Superintendent, of students' rights provided under the Act. A school that offers distance education courses of instruction also shall post the statement in a conspicuous place on its web site.

Section 451.590  Student Complaints

a) A school shall resolve student complaints promptly and fairly and shall not subject a student to punitive action because of written grievances having been filed with the school or the Superintendent.

b) The school shall maintain a written record of its handling of all student complaints.

c) Any student or employee of a school approved by this Act who believes he has been aggrieved by a violation of this Act shall have the right to file a written complaint within one year of the alleged violation. The Superintendent shall acknowledge within 20 days receipt of such written complaint. The Superintendent shall issue a written finding as to whether there is good cause to initiate disciplinary proceedings in accordance with the provisions of this Act. The Superintendent shall furnish such findings to the person who filed the complaint and to the chief operating officer of the school cited in the complaint (Section 17 of the Private Business and Vocational Schools Act; Ill. Rev. Stat. 1988 Supp., ch. 144, par. 152).
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Elizabeth Hanselman, Assistant Superintendent for Special Education
      and Support Services

Agenda Topic: Approval of the ROE #48-Peoria County for the Illinois Virtual School
              Exceeding $1 Million

Staff Contact(s): Dave Andel, Division Administrator for Special Education Services
                  Kathleen Barnhart, Principal Consultant

Purpose of Agenda Item
The Division of Special Education and Support Services requests that the Board approve the
renewal of the contract with the Regional Office of Education #48 – Peoria County for the Illinois
Virtual School.

Relationship to/Implications for the State Board’s Strategic Plan
This recommendation aligns with Goals 1 and 2 from the ISBE Mission and Goals Statements.

Goal 1: Every student will demonstrate academic achievement and be prepared for success
        after high school.

Goal 2: Every student will be supported by highly prepared and effective teachers and school
        leaders.

Expected Outcome(s) of Agenda Item
It is expected that the Board will authorize the State Superintendent to approve the renewal of
this contract for FY13 for an additional year with the total of the contract not to exceed
$5,804,822.00.

Background Information
The Illinois Virtual High School (IVHS) began in January 2001, pursuant to Board action. The
Illinois State Board of Education ran the program from 2001-2003. In 2003, the Illinois Math and
Science Academy (IMSA) assumed day to day operations.

In 2008, ISBE released a Request for Sealed Proposals (RFSP) for the administration and
management of the Illinois Virtual School (IVS) which would expand to include professional
development offerings for teachers as well as continue to offer high-quality, standards-based
courses for students in grades 5-12. These courses would be taught by highly-qualified, Illinois-
certified teachers.

The Regional Office of Education #48 – Peoria County was the successful bidder. Since
assuming management of the IVS, the new administrator has completed a full course review,
moved to a new learning management system, added enhanced and additional course
offerings, worked with districts to design and deliver customized courses, revised teacher
selection, training and competition, and developed online courses for Illinois teachers to support
state and regional initiatives.

Financial Background
On April 1, 2009 the Illinois State Board of Education entered into a contract with Regional Office of Education #48 – Peoria County. The contract was procured through the use of a request for sealed proposal (RFSP) for the administration and management of the Illinois Virtual School.

This request is to renew the current contract from July 1, 2012 through June 30, 2013. This renewal will increase the maximum amount of the contract by $1,200,000. This amendment to the current contract will be funded by the State and District Technology for Support funds.

This contract did not contain a Business Enterprise Program (BEP) goal when bidding was conducted.

The financial background of this contract is illustrated in the table below:

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<th>Current Contract State Funding</th>
<th>Current Contract Federal Funding</th>
<th>Requested Additional State Funding</th>
<th>Requested Additional Federal Funding</th>
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**Effectiveness**

**Quality Curriculum Project**

The Illinois Virtual School instructors are working to complete Phase II of the Illinois Virtual School Quality Curriculum project. Phase II focuses on creating up-to-date course maps for all Illinois Virtual School courses. The course maps will include Illinois Learning Standards, course outcomes, essential skills, learning targets, and assessments matched to the learning targets. Course maps are available on the Illinois Virtual School web portal.

**Flexible Enrollment**

The Illinois Virtual School offers fourteen (14) enrollment terms throughout the year. Each term provides seventeen (17) weeks of instructional support from our Illinois certified teachers. Flexible enrollment allows students more scheduling options within academic calendar if needing to make up credit, wanting to get ahead, or wishing to take a course not offered at their school. During fall 2011, 1062 students enrolled in “Flexible” courses.

Current initiatives of the IVS - Grade 5 – 12 programs

- Fall 2011 enrollment: 1004 enrollments from 144 Illinois schools
- Spring 2012 enrollment: 912 enrollments from 151 Illinois schools
- Summer 2012 enrollment as of 6/1/2012: 1063 enrollments
- Fourteen flexible enrollment terms offered throughout the FY13 school year (17 weeks of instruction per term)
- IVS currently offers 120 courses in a wide range of curricular areas
• IVS will be offering the following new course and enhanced course offerings for fall 2012
  o Music Appreciation
  o Digital Photography
  o Mandarin Chinese I and III
  o Arabic I and II
  o French III
  o American History Honors course
  o Updated English I, English II, Geometry, Algebra II and Consumer Economics courses
• IVS has secured the contract with Chicago Public Schools to provide original credit online courses.
• IVS is implementing, Performer, the newest instance of the Maestro student information system (SIS) for our 5-12 school. Performer will dramatically improve the functionality and navigability of the SIS, while still continuing to provide the security, customized registration functionality, various roles, and integration with our Desire2Learn, learning management system (LMS), for grades/attendance.
• IVS is a new member of the State Virtual School Leadership Alliance.

Current initiatives of the IVS – professional development program:

IVS has built an online delivery system for statewide professional development (IVS-PD). We are partnering with ISBE and regional agencies (ROEs, ISCs, LTCs) to deliver and host professional development opportunities for educators statewide. IVS-PD currently delivers the following online professional development.

• ISBE’s Reading First Academy series for Kindergarten through third grade
• ISBE’s Formative Assessment pilot
• Fundamentals of Literacy Instruction for Students pilot – ROEs/ISCs
• Online Teaching
• IVS is in the midst of planning development for the following online professional development opportunities in conjunction with ISBE and/or ROE representatives.
  • RTI
  • Project CHOICES
  • IATTAP’s online Autism Training Course – up to 1500 enrollments anticipated
  • Pre-School Mathematics course

Future initiatives of IVS:

• Explore opportunities to work with the Center for School Improvement and the ISLE RTTT initiative. IVS hopes to partner on the implementation of a Learning Object Repository (LOR) for hosting OER digital content as well as the development of online professional development focused on OER tagging and rubric training. Additionally, a partnership with other project initiatives currently exploring libraries of digital content (e.g., Illini Cloud and Shared Learning Infrastructure) will be forthcoming.
• Further course enhancements and new offerings in the area of Middle School.
• Expand professional development opportunities.
• Explore new service opportunities that best meet the needs of districts wanting to provide blended/online learning opportunities to all students. These service ideas include:
  o Managing a learning/course management system on a shared server space that utilizes economy of scale for lower costs.
  o Organizing and supporting shared course content
  o Providing helpdesk and technical support
  o Assist with district policy and curriculum adjustments to increase the number of AP courses offered to Illinois students.

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: Approval of the contract renewal with the Regional Office of Education #48–Peoria County, will allow the IVS to continue to operate and provide needed services to the students and teacher of Illinois, as well as, expand course options and develop new services.

Budget Implications: State funding sources currently support this effort.

Legislative Action: None required

Communication: None required.

Pros and Cons of Various Actions
State Board approval allows the contract agreement to be executed in a timely manner so that funds can be utilized during FY13, and services can be delivered to provide continued support for implementation of the Illinois Virtual School.

Superintendent’s Recommendation
I recommend that the following motion be adopted:

The State Board hereby authorizes the Agency staff to renew the contract with the Regional Office of Education #48 – Peoria County through June 30, 2013 and to increase the contract’s amount by $1,200,000, such that the total amount of the contract shall be $5,804,822. This contract is for the administration and management of the Illinois Virtual School.

Next Steps
Upon Board authorization, Agency staff will post a notice of the renewal of this contract on the Illinois Procurement Bulletin. When the posting requirements have been met the agency staff wills renewal the current contract.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susan Morrison, Deputy Superintendent of Education

Agenda Topic: Contract Exceeding $1 Million: Request to extend the contract for American Institutes for Research (AIR) formally known as Learning Point Associates (LPA) for $25,000

Staff Contact(s): Monique M. Chism, Ph.D., Division Administrator for Innovation and Improvement

Purpose of Agenda Item
The Division of Innovation & Improvement requests the Board to authorize the State Superintendent to extend the contract currently held AIR for an additional $25,000. The resulting contract will exceed $1 million over the term.

Relationship to/Implications for the State Board’s Strategic Plan
The 21st CCLC contract will support the following Board goal.

GOAL 1: Every student will demonstrate academic achievement and be prepared for success after high school.

Expected Outcome(s) of Agenda Item
This agenda item will be discussed in the Finance and Audit Committee and then called for a vote during the April Plenary Session. It is expected that the Board will authorize the State Superintendent to extend the contract subject to staff recommendations.

Background Information
The 21st Century Community Learning Centers program is authorized under Title IV, Part B, of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. Grants are made available from the U.S. Department of Education (ED) to state education agencies (SEAs) to provide subgrants to eligible entities. The grant supports the creation of community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. The program helps students meet state and local student standards in core academic subjects, such as reading and math; offers students a broad array of enrichment activities that can complement their regular academic programs; and offers literacy and other educational services to the families of participating children.

The reauthorized federal legislation allows for up to three percent of the state’s annual allocation to be used for state-level activities that include monitoring and evaluating programs and related activities; providing capacity-building, training and technical assistance specific to grantees; comprehensively evaluating the effectiveness of programs and activities; and providing training
and technical assistance to eligible organizations that are applicants for, or recipients of, awards.

The purpose of this contract is to provide technical assistance to the State and assist in the development of materials, and provide statewide technical assistance and professional development to 21st CCLC grantees. For activities involving the statewide evaluation, the contractor will be expected to work with the statewide evaluator that is hired under a separate contract.

**Financial Background**

On September 10, 2007 the Illinois State Board of Education entered into a contract with American Institutes for Research (A/K/A Learning Points Associates). The contract was procured through the use of a request for sealed proposal (RFSP) to provide technical assistance and monitoring of the 21st Century Learning Center grantees.

This request is to extend the current contract from July 1, 2012 through August 31, 2012. This extension will increase the maximum amount of the contract by $25,000. This amendment to the current contract will be funded by the Title IV Part B 21st Century Community Learning grant.

This contract did not contain a Business Enterprise Program (BEP) goal when bidding was conducted. The extension of this contract is to allow time to solicit a new contract. The new solicitation will contain a BEP goal.

The financial background of this contract is illustrated in the table below:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Current Contract State Funding</th>
<th>Current Contract Federal Funding</th>
<th>Requested Additional State Funding</th>
<th>Requested Additional Federal Funding</th>
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<td>$934,892</td>
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<tr>
<td>FY12</td>
<td></td>
<td>$496,612</td>
<td></td>
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<td>$2,431,504</td>
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<tr>
<td>FY13</td>
<td></td>
<td></td>
<td>$25,000</td>
<td></td>
<td>$2,456,504</td>
</tr>
</tbody>
</table>

**Effectiveness**

The impact of the 21st CCLC program is determined by examining seven goals and performance objectives which include:

1) student involvement in school activities;
2) student achievement;
3) positive behavioral changes in students;
4) community benefits;
5) expanded learning opportunities;
6) professional development opportunities for program personnel; and
7) efficient and effective use of funds.
The Division will work with the Technical Assistance Provider to support the 21st CCLC grantees in the achievement of the goals and objectives. The contractor will provide the following specific activities:

- Activity 1: State-Sponsored Workshops
- Activity 2: Technical Assistance and Professional Development
- Activity 3: Quality Assessment and Peer Advisors
- Activity 4: Development of Materials
- Activity 5: Data Gathering and Analysis
- Activity 6: Communication and Reporting

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

Policy Implications: None

Budget Implications: The 21st CCLC program is funded entirely by federal Title IV Part B 21st CCLC funds.

Legislative Action: None

Communication: None

**Superintendent’s Recommendation**

I recommend that the following motion be adopted:

The State Board hereby authorizes the Agency staff to extend the contract with the Regional American Institutes for Research (A/K/A Learning Points Associates) through August 31, 2012 and to increase the contract’s amount by $25,000 such that the total amount of the contract shall be $2,456,504. This contract is to provide technical assistance and monitoring of the 21st Century Learning Center grantees.

**Next Steps**

Upon Board authorization, Agency staff will post a notice of the sole source procurement on the Illinois Procurement Bulletin. When the posting requirements have been met agency staff will extend the current contract for 21st CCLC Technical Assistance for an additional $25,000.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Linda Tomlinson, Ph.D., Assistant Superintendent

Agenda Topic: Approval of Contract Exceeding $1 Million: RFSP: Performance Evaluation Reform Act (PERA) Research-Based Study

Staff Contact(s): Vicki Phillips, Interim Division Administrator for Educator and School Development

Purpose of Agenda Item:
The Illinois State Board of Education (ISBE) seeks a contractor to serve as the entity to conduct a research-based study of the educator performance evaluation system implementation. The successful bidder to this RFSP will design and conduct a study of the validity, reliability, and effectiveness of the reformed evaluation system and make recommendations to ISBE for improvements to the system. The successful bidder will be contracted for these services by ISBE.

Relationship to/Implications for the State Board’s Strategic Plan:
This agenda item relates to Strategic GOAL 2: Every student will be supported by highly prepared and effective teachers and school leaders.

Expected Outcome(s) of Agenda Item:
The successful contractor will design, conduct and report on a rigorous evaluation of the state’s teacher and principal evaluation system under PERA. The contractor will work collaboratively with ISBE, the Performance Evaluation Advisory Council (PEAC), education stake holders, and outside experts to carry out the evaluation and develop findings and recommendations.

Background Information:
In January, 2012, the Illinois General Assembly passed the Performance Evaluation Reform Act (PERA), which substantially re-envisions the State systems for supporting and developing teachers and leaders by, among other things, requiring all teacher and principal evaluation systems to include student growth as a significant factor in evaluations and employing actionable plans for building on reported strengths and addressing documented shortcomings. PERA requires a research-based study be issued by ISBE to assess evaluation systems for validity, reliability, effectiveness, their contribution to the development of staff and improvement of student performance. The research-based study will inform ISBE of changes for improvements to the system.

Financial Background:
Educator and School Development Division is requesting to issue a Request for Sealed Proposal (RFSP) to obtain an entity to conduct the PERA Research Based Study. We anticipate issuing a Request for Sealed Proposal before June 30, 2012 and submitting our request to award a contract to the Board by September, 2012.
The anticipated amount for the initial term is $545,000 with 2 possible one-year renewals for an anticipated total contract amount of $1,454,900. This contract will be funded by Race to the Top federal funding. There will be a 20% Business Enterprise Program (BEP) goal placed on the solicitation, with the expectation that bidders will make a good faith effort to meet this goal.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>State Funding Anticipated</th>
<th>Federal Funding Anticipated</th>
<th>Total Estimated Contract Award Per Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY13</td>
<td>$545,000</td>
<td>$545,000</td>
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</tr>
<tr>
<td>FY14</td>
<td>$636,950</td>
<td>$636,950</td>
<td>$636,950</td>
</tr>
<tr>
<td>FY15</td>
<td>$272,950</td>
<td>$272,950</td>
<td>$272,950</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$1,454,900</td>
</tr>
</tbody>
</table>

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

**Policy Implications**: Rules for Adoption have been approved under Part 50 (Evaluation of Certified Employees under Articles 24A and 34 of the School Code).

**Budget Implications**: The total amount of federal funding available for the initial contract period and two potential contract renewals is $1,454,900.00. For purposes of compliance with Section 511 of P.L. 101-166, 100% of the funds for this program are derived from federal sources.

**Legislative Action**: None needed as PERA was passed by the General Assembly in January, 2012.

**Superintendent’s Recommendation**

The State Board hereby authorizes the State Superintendent to release a Request For Sealed Proposals (RFSP) to obtain an entity to conduct the PERA Research Based Study whereby, upon further State Board approval, one eligible entity will be selected to receive a contract in an amount not to exceed $1,454,900, over the term of the contract. The contract term is anticipated to be September 1, 2012 through June 30, 2013 with 2 possible renewal periods.

**Next Steps**

Agency staff will commence the process of the RFSP in accordance with the approved motion and award a contract. Agency staff will then bring the recommended award to the Board for approval prior to the issuance of any award.
ILLINOIS STATE BOARD OF EDUCATION MEETING
June 20-21, 2012

TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Assistant Superintendent

Agenda Topic: Mentoring and Induction Technical Assistance to RttT LEAs

Staff Contact(s): Vicki Phillips, Educator and School Development

Purpose of Agenda Item
The Division of Educator and School Development requests the Board’s authorization for the State Superintendent to release a Request for Sealed Proposals (RFSP) for an entity to provide technical assistance to Race to the Top Participating LEAs in developing and implementing mentoring and induction programs for new teachers and principals for an amount not to exceed $1,053,424.

Relationship to/Implications for the State Board’s Strategic Plan
The Mentoring and Induction Technical Assistance RFSP supports the following Board Goal:

   Goal 2: Every student will be supported by highly prepared and effective teachers and school leaders.

Expected Outcome(s) of Agenda Item
The Board’s authorization for the State Superintendent to release a Request for Sealed Proposals (RFSP) for an entity to provide technical assistance to Race to the Top Participating LEAs in developing and implementing mentoring and induction programs for new teachers and principals.

Background Information
The federal Race to the Top grant to provides funds for the Illinois State Board of Education (ISBE) to contract with an entity to provide technical assistance for the induction and mentoring programs developed by the Participating LEAs and also for the development of mechanisms to ensure program quality and accountability. Key components of the technical assistance system will include:

   • Tailored Program Improvement: ISBE, working with one or more partner organizations, will assemble a team of staff who will provide tailored technical assistance to individual program leadership teams in Participating LEAs. This focused and consistent coaching and support for individual induction programs will serve as the cornerstone for improving program quality.

   • Formative Assessment and Mentoring Materials: Technical assistance providers will provide guidance and support to programs around the use of formative assessment of new teacher practice protocols and local teacher evaluation procedures.

   • Online Mentoring for Math, Science, and Special Education Teachers: The technical assistance system will provide enhanced mentoring services for first-time STEM teachers via online technology. These services are particularly important for
new teachers in rural and/or many urban settings who may not have access to a qualified, experienced teacher in one of these high-need subject areas.

In order to ensure program accountability, the selected entity will be required to develop and implement a process of ongoing program improvement based upon the Illinois Standards of Quality and Effectiveness for Beginning Teacher Induction Programs, the Illinois Continuum of Induction Program Development, and implementation and impact data. To collect the necessary data for the program accountability process, the contracted entity, working with ISBE, will develop a system that collects and synthesizes program impact data, including teacher effectiveness, teacher retention, student achievement, and teacher efficacy.

**Financial Background**

Educator and School Development Division is requesting to issue a Request for Sealed Proposal (RFSP) to obtain entities to provide technical assistance for the induction and mentoring programs developed by the participating Local Education Agencies (LEA) and for the development of mechanisms to ensure program quality and accountability. We anticipate issuing a Request for Sealed Proposal (RFSP) before August 15, 2012 and submitting our request to award a contract to the Board by October, 2012.

The anticipated amount for the initial term is $392,392 with 3 possible one-year renewals for an anticipated total contract amount of $1,053,424. This contract will be funded by Race to the Top federal funding. There will be a 20% Business Enterprise Program (BEP) goal placed on the solicitation, with the expectation that bidders will make a good faith effort to meet this goal.

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>State Funding Anticipated</th>
<th>Federal Funding Anticipated</th>
<th>Total Estimated Contract Award Per Fiscal Year</th>
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<tr>
<td>Total Cost</td>
<td></td>
<td></td>
<td>$1,053,424</td>
</tr>
</tbody>
</table>

**Effectiveness**

Last Evaluation of the program: Technical Assistance via Race to the Top is a new program. While the Agency has previously supported LEA induction and mentoring programs through other methods, the induction and mentoring technical assistance proposed is a new approach to supporting districts to develop and maintain high quality educator induction programs. Results of evaluation or effectiveness indicators:

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

Policy Implications: The authority to administer this program comes from Race to the Top. However, the Agency will seek to utilize standards and administrative rules where possible to make sure that work completed under Race to the Top is consistent with existing state standards and rules.

Budget Implications: Federal Race to the Top Funds were granted to ISBE in order to contract with an entity to provide technical assistance to Participating LEAs in mentoring and induction programs for new teachers and principals.
**Superintendent’s Recommendation**

I recommend that the following motion be adopted:

The State Board hereby authorizes the State Superintendent to release a Request For Sealed Proposals (RFSP) to obtain entities to provide technical assistance for the induction and mentoring programs developed by the participating Local Education Agencies (LEA) and for the development of mechanisms to ensure program quality and accountability whereby, upon further State Board approval, one eligible entity will be selected to receive a contract in an amount not to exceed $1,053,424, over the term of the contract. The contract term is anticipated to be November 1, 2012 through June 30, 2013 with 2 possible renewal periods.

**Next Steps**

Agency staff will commence the process of the RFSP in accordance with the approved motion and award a contract. Agency staff will then bring the recommended award to the Board for approval prior to the issuance of any award.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
                             Susan Morrison, Deputy Superintendent of Education

Agenda Topic: Approval of 1003(g) School Improvement Grants Exceeding $1 Million

Staff Contact(s): Monique M. Chism, Ph.D., Division Administrator for Innovation and Improvement

Materials: FY 2013 Funding Recommendations for School Improvement Grants

Purpose of Agenda Item
The Division of Innovation & Improvement requests the Board to authorize the State Superintendent to enter into respective grant agreements for the provision of School Improvement Grants (SIG) with Cahokia USD 187 in an amount not to exceed $6,000,000; with Chicago Public Schools 299 in an amount not to exceed $36,179,625; and with East St. Louis SD 189 in an amount not to exceed $6,000,000 over a three (3) year grant term (i.e., FY 2013 through FY 2015).

Relationship to/Implications for the State Board’s Strategic Plan
The School Improvement Grants will support the following Board goal.

GOAL 1: Every student will demonstrate academic achievement and be prepared for success after high school.

Expected Outcome(s) of Agenda Item
It is expected that the Board will authorize the State Superintendent to execute such grant agreements.

Background Information
School Improvement Grants, as authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (ESEA) and under section 1003(g) of the American Recovery and Reinvestment Act of 2009 (ARRA), are made available from the U.S. Department of Education (ED) to state education agencies (SEAs) to provide subgrants to local education agencies (LEAs) for use in Title I schools and Title I eligible secondary schools identified for improvement, corrective action, or restructuring.

The purpose of the grant program is to assist the state’s lowest performing schools that demonstrate the greatest need for the funds and the strongest commitment to use the funds to provide adequate resources in order to raise substantially the achievement of their students so as to enable the schools to make adequate yearly progress and exit improvement status. For each eligible school approved to receive funds under this grant, the LEA must implement one of four school intervention models approved by ED.
On April 13, 2012, ISBE issued a Request for Proposals (RFP) to launch the competitive grant program. The deadline for submission was May 11, 2012. Eight districts (LEAs) submitted a total of 16 proposals on behalf of their eligible schools.

A team of six (6) external reviewers were identified through a national search. ISBE staff from Innovation and Improvement selected reviewers with extensive experience in high school reform efforts, as well as individuals with district/school level administrative experience. The reviewers conducted an independent review of all proposals from May 12 through June 4 using the scoring criteria and rubrics provided in the RFP.

On June 5 and June 6 the reviewers convened in Chicago for the FY 2013 SIG 1003(g) Reviewers Consensus Session to discuss their findings on each proposal and to achieve consensus on the scoring and findings for each school. Ten (10) proposals representing 10 individual schools within three (3) LEAs scored high enough to meet the LEA capacity/school readiness benchmark score of 154 and were subsequently identified as finalists in the grant competition. Representatives from the districts and their schools were invited for interviews with ISBE staff from the Division of Innovation and Improvement.

Staff reviewed proposals to ensure compliance with the key requirements outlined in section 1003(g) of ESEA and defined in the corresponding federal guidance, and they conducted face-to-face interviews with finalists. The LEA finalists and their participating schools were represented in the interviews by school superintendents or their designees, LEA grant/budget administrators, agents from the selected lead partner entities, school principals, SIG team members, union representatives, local board of education/school council members, parents, and community members. The resulting recommendations for awards and funding were developed following a final analysis of the reviewers’ consensus findings, an ISBE key requirements analysis, and outcomes of the finalists’ interviews. Based on this process, agency staff recommends funding eight (8) grants. Award and funding recommendations can be found in the attached materials.

During the term of the grant, it is anticipated that funds will be available for a one year grant period and two additional one-year continuation periods. Funding in the two continuation periods will be contingent upon a sufficient appropriation for the program and satisfactory progress by the grantee in the preceding grant period.

**Effectiveness**

The four school intervention models endorsed by ED are supported by research for effectively improving student achievement. It is anticipated that LEAs which implement selected intervention models with fidelity will dramatically increase student achievement. An official program evaluation will be conducted during the term of the grant.

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

Policy Implications: None

Budget Implications: The SIG program is funded entirely by federal Title I and American Recovery and Reinvestment Act (ARRA SIG) funds.

Legislative Action: None

Communication: None
**Superintendent’s Recommendation**

I recommend that the following motion be adopted:

The Board hereby authorizes the State Superintendent to enter into three (3) respective grant agreements for the provision of School Improvement Grants (SIG) with Cahokia USD 187 in an amount not to exceed $6,000,000; with Chicago Public Schools 299 in an amount not to exceed $36,179,625; and with East St. Louis SD 189 in an amount not to exceed $6,000,000 over a three (3) year grant term (i.e., FY 2013 through FY 2015).

**Next Steps**

Upon Board authorization, agency staff will prepare grant agreements to be executed according to the provisions of the SIG program. Staff anticipates the execution of grant agreements in July so that districts can begin pre-implementation activities and be ready for full implementation at the beginning of the 2012-2013 school year.
<table>
<thead>
<tr>
<th>District Name</th>
<th>School Name</th>
<th>Intervention Model</th>
<th>Number of Students</th>
<th>Grade Levels</th>
<th>Lead Partner</th>
<th>Total LEA Award (3 years)</th>
<th>Total Individual School Award (3 years)</th>
<th>Total Award</th>
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<td>Cahokia High School</td>
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<td>914</td>
<td>9-12</td>
<td>Cambridge Education LLC</td>
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<td>East St. Louis 189</td>
<td>East St. Louis Sr. High School</td>
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<td>$497,010</td>
<td>$5,502,990</td>
<td>$6,000,000</td>
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<td><strong>Total</strong></td>
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<td></td>
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<td><strong>Total $48,179,625</strong></td>
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</table>
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Linda Tomlinson, Ph.D., Assistant Superintendent

Agenda Topic: Contract Exceeding $1 Million: PERA/PEAC Evaluation Training System
Additional Slots

Staff Contact(s): Vicki Phillips, Division Administrator for Educator and School Development

Purpose of Agenda Item
The Center for School Support Services request the Board to authorize the State Superintendent to enter into a contract in excess of $1 million with Consortium for Educational Change to provide 4,000 additional slots for the statute-based pre-qualification training needed in order support the Performance Evaluation Reform Act of 2010 [Public Act 096-0861] initiative.

Relationship to/Implications for the State Board’s Strategic Plan
The PERA/PEAC Evaluation Training System is linked to Board’s Strategic Plan goals of “Every student will demonstrate academic achievement and be prepared for success after high school” and “Every student will be supported by highly prepared and effective teachers and school leaders” by providing a linkage between student growth and educator performance evaluation.

Expected Outcome(s) of Agenda Item
ISBE seeks to provide:

1. A pre-qualification program aligned to the state’s performance evaluation system that individuals conducting evaluations after September 1, 2012 must successfully complete. The pre-qualification program must include a process to ensure evaluators’ ratings align to the requirements of the system;

2. An evaluator re-training program for pre-qualified evaluators to take at least once during his or her five-year certificate renewal cycle for the purpose of maintaining credentials to evaluate certified instructional staff. The evaluator re-training program must be continuously updated, offer modules that build upon each other over time, and address the various skill and knowledge levels among evaluators;

3. A technical assistance system that supports districts with the development and implementation of teacher and principal evaluation systems;

4. Web-based systems and tools that support the implementation of the state’s performance evaluation models for teacher and principal evaluations and evaluator pre-qualification and training programs; and

5. A train-the-trainer program that includes development and delivery of content specific to the evaluator pre-qualification program, the evaluator re-training program, the technical assistance system, and the web-based systems and tools.
**Background Information**

The **Performance Evaluation Reform Act** (PERA) of 2010, as amended by **Public Act (P.A.) 97-0008**, sets forth a number of changes to Article 24A of the School Code [105 ILCS 5/24A] regarding the evaluation of certified instructional staff (i.e., teachers) and principals and assistant principals (hereinafter “principals”). Under PERA, school districts must implement a new performance evaluation systems for teachers and principals that provide for the use of four evaluation ratings (i.e., excellent, proficient, needs improvement, and unsatisfactory) and, ultimately, address student growth as a *significant factor* in the rating of a teacher’s or principal’s performance.

PERA requires that each individual assigned to serve as an evaluator complete a rigorous prequalification process that includes “an independent observer’s determination that the evaluator’s ratings properly align to the requirements” of the state’s performance evaluation system. Once pre-qualified, each evaluator is required to complete an evaluator re-training process at least once during his or her five-year certificate renewal cycle. Districts may use the state’s pre-qualification and/or re-training programs or they may opt to independently develop and offer a pre-qualification and/or training program provided such program or programs are approved by the state as compliant with the requirements of PERA, Article 24A of the School Code, and any other requirements established by ISBE by administrative rule. In every scenario, however, each evaluator would need to pass the assessment that is part of the state’s pre-qualification program in order to be pre-qualified to evaluate certificated staff after September 1, 2012.

The training contract entered into March 14, 2012, allowed for 9,000 educator evaluators to be trained and consequently pre-qualified for evaluation. However, it has been realized that at least an additional 4,000 slots for the statue-based pre-qualification training is needed in order to meet the requirement for educators who evaluate principals, assistant principals, and teachers in any public school in Illinois including those who are employed through career centers and/or special education cooperatives other such public school entity to be provided by September 1, 2012.

**Financial Background**

Educator and School Development Division is requesting to enter into a contract with Consortium for Educational Change to provide 4,000 additional slots for the statue-based, prequalification training needed to meet the requirement for educators who evaluate principals, assistant principals, and teachers in any public school in Illinois including those who are employed through career centers and/or special education cooperatives other such public school entity to be provided by September 1, 2012.

The anticipated amount for this contract is $2,300,000. This contract will be funded by Race to the Top federal funding.

<table>
<thead>
<tr>
<th>Fiscal year</th>
<th>State Funding Anticipated</th>
<th>Federal Funding Anticipated</th>
<th>Total Estimated Contract Award Per Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY13</td>
<td></td>
<td>$2,300,000</td>
<td>$2,300,000</td>
</tr>
</tbody>
</table>

**Effectiveness**

Last Evaluation of the program: N/A

Results of evaluation or effectiveness indicators: N/A

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**
Budget Implications: Funding for the PERA/PEAC Evaluation Training System is from Race to the Top III Funds.

Legislative Action: N/A

Communication: Please see the Next Steps section below.

Superintendent's Recommendation
I recommend that the following motion be adopted:

The State Board hereby authorizes the State Superintendent to enter into a second contract with Consortium for Educational Change through June 30, 2013, for the provision of the Performance Evaluations Reform Act training for an additional 4,000 educators in an amount not to exceed $2,300,000.

Next Steps
State Superintendent will enter into a contract with the Consortium for Educational Change in accordance with Board approval.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Elizabeth Hanselman, Assistant Superintendent for Special Education and Support Services

Agenda Topic: Illinois Department of Juvenile Justice School District 428 Appointments

Materials: Resumes of Four Appointees

Staff Contact(s): Elizabeth Hanselman, Assistant Superintendent, Special Education and Support Services

Purpose of Agenda Item
To review and act upon the recommendations for appointment to the Board of Education of the Department of Juvenile Justice School District.

Expected Outcome(s) of Agenda Item
The anticipated outcome of this agenda item is the appointment of new members to the Board of the Department of Juvenile Justice School District for three-year terms beginning August 1, 2012.

Background Information
Section 5/13-41 of the School Code requires that the State Board of Education appoint four members to the Department of Juvenile Justice School District. An appointment to the Board of Education is for a three-year term.

Appointments to the Board of Education for Department of Juvenile Justice School District are as follows:

1. Director of the Department of Juvenile Justice
2. Appointed by the Director of the Department of Juvenile Justice
3. Appointed by the Illinois State Board of Education

The law further requires that at least one of members shall have knowledge of, or experience in, vocational education and one of whom shall have knowledge of, or experience in, higher and continuing education. The members appointed shall be selected so far as is practicable on the basis of their knowledge of, or experience in, problems of education in correctional, vocational and general educational institutions.

In accordance with the nomination procedures set forth in Article 21-13, the State Superintendent has received the following nominations:

- Mr. James Gunnell, Executive Director of A.E.R.O Special Education Cooperative, Chicago, IL
- Tersa Dunbar Garrett Ed.D., Principal, Nash School, Chicago Public Schools, Chicago, IL
• Mr. Carl Ellis, Telecommunications Specialist, AT&T, Chicago, IL

• Mr. Donald E. Smoot, Retired Director of Three Rivers Education for Employment System, Oakwood, IL

Analysis and Implications for Policy, Budget, Legislative Action and Communications
Policy Implications: Approval of these new members will ensure compliance with the statute citation of the Illinois School Code.
Budget Implications: None
Legislative Action: None

Pros and Cons of Various Actions
We know of no reasons to reject the appointments.

Superintendent's Recommendation
I recommend that the following motion be adopted:

The State Board of Education hereby approves the following recommended appointments to the Board of Education for Department of Juvenile Justice School District:

• Mr. James Gunnell, Executive Director of A.E.R.O Special Education Cooperative, Chicago, IL

• Tersa Dunbar Garrett Ed.D., Principal, Nash School, Chicago Public Schools, Chicago, IL

• Mr. Carl Ellis, Telecommunications Specialist, AT&T, Chicago, IL

• Mr. Donald E. Smoot, Retired Director of Three Rivers Education for Employment System, Oakwood, IL

Next Steps
The above named individuals will be notified about the action taken by the State Board of Education.
James W. Gunnell
Executive Director
A.E.R.O. Special Education Cooperative
7600 S. Mason Ave.
Burbank, Il 60459

Academic Preparation

<table>
<thead>
<tr>
<th>Institution</th>
<th>Degree</th>
<th>Year</th>
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<tbody>
<tr>
<td>Chicago State University</td>
<td>Doctoral Candidate</td>
<td>2013 (anticipated)</td>
</tr>
<tr>
<td>University of Illinois at Springfield</td>
<td>MA</td>
<td>1998</td>
</tr>
<tr>
<td>Eastern Illinois University</td>
<td>MS</td>
<td>1992</td>
</tr>
<tr>
<td>Eastern Illinois University</td>
<td>BA</td>
<td>1982</td>
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</table>

Certificates Held

- Director of Special Education
- Type 75 Administrative #1634357
- Administrator of Special Education
- Standard Secondary Teaching #1941179
- Standard Elementary Teaching #1941180
- Supervisor LBSI
- Supervisor Mentally Handicapped

Council/Boards/Professional Organizations

- Lt. Governor’s Classrooms First Commission
- President, Illinois Alliance of Administrators of Special Education
- South Cook Cooperative Organization for Public Education
- Chair, DuPage West Cook Governing Board
- Stickney Public Mental Health Advisory Board
- Council for Administrators of Special Education (CASE)
- Council for Exceptional Children
- Illinois Association for School Boards
- Illinois Education Round Table
Professional Experiences

- Executive Director, AERO District 806
- State Approved Director of Special Education
- ISBE Special Education Services Division Administrator
- Director of Special Education, IDOC
- No Child Left Behind Act (NCLB) Coordinator
- Title I, II, IV and V Coordinator
- IDEA Grants Management – Part B Flow Thru and Discretionary
- Surrogate Parent Coordinator
- Child Count and FACTS Coordinator
- Continuous Improvement Planning
- Corey H Facilitator (Federal Court)
- Corey H Settlement Agreement
- Corey H Implementation Plan
- OSEP Steering Committee
- ISBE Complaint Investigator
- ISBE Mediator (Dispute Resolution)
- Presenter for ISBE
- Presenter for IAASE
- Presenter for CEC
- Special Education Teacher
- Regular Education Teacher
Tresa D. Dunbar

Henry H. Nash Elementary School  108 E. 89th Place
4837 W. Erie Street  Chicago, Il 60619
(773) 873-1468  TDunbar@cps.k12.il.us

PROFESSIONAL SUMMARY
Highly motivated and goal oriented instructional leader committed to supporting student achievement, creating a culture of professionalism and nurturing innovation. Strong analytical and leadership skills, instructional technology expertise and project management experience. Knowledgeable in local, state and national curriculum standards, diagnostic procedures and instruction of at risk students. Capable of working with all stakeholders to build cohesive, cross-curricular instructional program. Educational advocate and liaison for non-traditional families and communities who require assistance with navigating urban school systems.

PROFESSIONAL EXPERIENCE
Principal, Henry H. Nash Elementary School   July 2006-Present
- Responsible for the general administration and supervision of the school and all employees.
- Responsible for all items related to the school-wide budget and the management of school funds.
- Developed, implemented and monitored a redesign of the entire school schedule including the re-distribution of personnel.
- Created and implemented staff and employee job description and analysis sheets.
- Co-created with Administrative team, proposed and implemented a new discipline program modeled on PBIS principals.
- Coordinate, and supervised all school disciplinary and attendance policies and procedures.
- Observed and evaluated all certified and non-certified staff members.
- Provided support for all classroom teachers and staff members when appropriate.
- Developed and co-led all efforts related to the establishment of a school-wide curriculum, and pacing chart. Chaired all meetings and facilitated efforts to present information to staff and community members.
- Confer daily with all parents, students and community members on issues related to the operation of the school.
- Attend monthly meetings of Alderman (32nd) ward and partner with office on various initiatives regarding the Austin area.
- Coordinate and co-lead all efforts regarding curriculum and instruction in the school building and monitor the implementation of said activities to continuously refine school/individual teacher practice.

LAUNCH Principal, Abraham Lincoln Elementary School   August 2005-Present
- Conducted classroom readiness walk-throughs, internal walk-throughs and teacher observations.
- Led efforts to increase staff professional development based on observations, suggestions and requests.
- Planned implemented workshops on writing extended response for teachers to help increase school’s overall ISAT scores.
- Monitor and review school budget on a daily basis.
- Planned and implemented teacher professional development project. Established and monitored budget. Re-align monies when necessary to meet school wide instructional goals.
Assistant Principal, Simmye G. Anderson Community Academy  December 2003-July 2005
• Facilitated the SIPAAA committee including the development and monitoring of the lump sum budget.
• Identified, developed and facilitated professional development experiences for teachers. Sessions included integration of technology and instructional technology strategies.
• Supervised all mentor and student teachers.
• Completed necessary documentation for transfer of funds and reviewed proposal for purchase of equipment, books and materials.
• Identified and interviewed candidates for teaching positions.
• Monitored daily CEDO Website, Email, DS2 and Security STATUP
• Conducted multiple parent workshops on At Risk Students, Illinois Learning Standards and Standards Based Instruction.
• Monitored staff and student attendance

Assistant Principal, Henry H. Nash Elementary School  July 2002- December 2003
• Identified and wrote proposals for after school programs.
• Led the re-structuring effort of the After School Matters program and Summer school program to include humanities based activities; Chess, Drumline, Girls Social Center. Also, included tutorial services in program based on heterogeneous grouping.
• Monitored daily CEDO Website, Email, DS2 and Security Statup.
• Supervised and monitored all ESP staff, bus monitors and teachers.
• Planned, coordinated and implemented professional development offerings for teachers in the areas of standards based instruction, ISAT and ITBS test data and technology.
• Completed regularly, all necessary documentation for transfer of funds and approved all proposals for purchase of equipment, books and materials.
• Facilitated, implemented and monitored daily student entrance plan.
• Monitored budget on a daily basis and when necessary re-aligned and allocated monies to fit instructional programs.
• Conducted observations of all classroom teachers and when necessary participated in the development of remediation plans.

Assistant Principal, John J. Pershing Magnet School  December 2001-July 2002
• Analyzed and presented school ITBS and ISAT data.
• Established and monitored the instructional classroom process.
• Initiated and encouraged partnerships with the community and provided access through pupil support services for children and families.
• Led the after school program and developed and monitored the overall budget.
• Planned and implemented professional development activities for teachers on Standards based instruction, the Socratic Seminar and instructional technology.

School Consultant, Regions 2, 4 and 6, Chicago Public Schools April 2001-December 2001
• Daily supervision of three recruiters.
• Supported Principals by interfacing with them on a regular basis and conducting human resource workshops on a regular basis.
• Initiated the opening and closing of multiple school staff positions.
• Initiated and developed and utilized the coordination of school seniority lists.
• Conducted multiple Human Resource workshops at the region level the request of the Region Officer.
Teacher and Social Studies Department Chairman, Nancy B. Jefferson Alternative School 1998-2001
- Served as lead teacher in the Social Studies department. Interfaced with school leadership to ensure integration of Standards Based Instruction in department.
- Taught grades various grade levels in a self-contained classroom.
- Implemented and coordinated testing for entire school.
- Coordinated and conducted professional development workshops for peers in the areas of technology integration and Best Practices.
- Developed Instructional remediation plans for students transitioning in the Cook County Jail System.

Teaching Assistant, Department of Curriculum and Instruction, University of Illinois at Champaign-Urbana 1995-1998
- Instructed two weekly classes in the areas of curriculum development and curriculum alignment.
- Conducted weekly school visits to students participating in the student teaching program.
- Conferenced regularly with students who were below level, and developed remediation plans to help them regain passing status in classroom.
- Met with site based supervisors to determine level of effectiveness of student teachers.

Research Assistant, Department of Curriculum and Instruction, University of Illinois at Urbana-Champaign 1994-1996
- Evaluated multiple research projects in several Chicago Public Schools on preschool age children and classroom readiness.
- Evaluated and conducted a study of African-American Female Teachers in several Chicago Public Schools.

Evaluation Specialist, Center for Institutional Research and Evaluation, University of Illinois at Urbana-Champaign 1995-1997
- Conducted research in the areas of TAMS curriculum program effectiveness.
- Evaluated the overall effectiveness in Chicago Public Schools of the TAMS program.

EDUCATION
Ph.D. Curriculum Development, May 1998
University of Illinois at Champaign-Urbana

Ed.M., Elementary Education, August 1994
University of Illinois at Champaign-Urbana

B.S. Education, May 1993
Minor: English
Loyola University Chicago

CERTIFICATES HELD:
Type 03, Elementary Education
Type 75 (Administrative), State of Illinois

ENDORSEMENTS:
Language Arts
Reading
Social Studies
BOOK CHAPTERS:


COMMUNITY SERVICE:
Westside Community Action Council, 2010-present
Austin North Lawndale Community Action Council, 2007-present
Youth Guidance Board of Directors, 2004-2010
The Harbor Aids Advisory Council of Waukegan, Chairman, 2003-2010
Girl Scouts Of America, 2002-present
Henry Booth House, Secretary, 2000-2009
National Council of Negro Women, 1998-present
Urban League Youth Board, 1999-present
Waukegan Public Schools, Workshop Presenter, 1998-present
Alpha Kappa Alpha Sorority, Inc, Theta Omega Chapter, 1993-present
Junior League of Chicago, Member, 2007-present
HIGHLIGHTS OF QUALIFICATIONS

- Experienced public administrator with 20-year background in legal administration.
- Capable manager in hiring, training and evaluation of staff and setting program goals.
- Impeccable researcher and analyzer of policies and procedures related to health and education.
- Extensive knowledge of professional licensing laws and regulations as administered by the State and Federal governments.

EXPERIENCE

AT&T 2001 – PRESENT
TELECOMMUNICATIONS SPECIALIST
- Evaluates the utility and condition of multi-line telephone systems, paging systems, radio base station equipment and other data and voice communication equipment.
- Checks equipment, including test instruments for preventive maintenance, and to ensure compliance with FCC requirements.
- Demonstrates continuous effort to improve operations, decrease turnaround times, streamline work processes and work cooperatively and jointly to provide quality seamless customer service.
- Diagnose problems or malfunctions and accomplish repairs in a minimal amount of time
- Remain aware of changes in the field by reading, attending training, actively participating in the day-to-day activities of the job.
- Work cooperatively with other AT&T employees.
- Communicate orally in the English language with individuals in a face-to-face, one-on-one setting or by telephone.
- Work under pressure, handling significant problems or tasks which come up simultaneously or unexpectedly.
- Establish priorities for own workload.

STATE OF ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION
1981 – 2001

1994 - 2001 DEPUTY DIRECTOR OF ENFORCEMENT ADMINISTRATION
- Plan and direct Enforcement Division administrative programs that include Continuing Education, Controlled Substance Process, Probation Stamping Process, Weapon Discharge Process, Hospital Licensing and several others.
• Review files and reports of unprofessional conduct.
• Interact with Division Managers and provide advisement concerning the planning, development and interpretation of policy statements.
• Evaluate and troubleshoot procedural problems within Division.
• Serve as Division liaison to other State, Federal and local agencies regarding administrative issues.
• Assist in the development and distribution of budget for Division, monitor fund allocation and spending and create budget data reports.
• Utilize knowledge of professional licensing laws, rules and regulations to interpret and develop critical criteria for legislative implementation.
• Develop, plan, and coordinate special projects.
• Certified Rutan interviewer. Create job-related hiring criteria, interview questions and responsibility percent rates; conduct interviews and utilize standardized testing to rank candidates.
• Provide training for Division staff and prepare performance evaluations.

1993 - 94
1992 - 93

SUPERVISOR FOR DENTAL INVESTIGATIONS
SUPERVISOR FOR MEDICAL INVESTIGATIONS

• Responsible for the supervision of statewide program that enforced the licensing laws and rules and regulations for practicing dentists and doctors in Illinois.
• Testified and furnished evidence in court, before the General Assembly and Departmental hearings.
• Initiated investigations based upon complaints filed with the Division.
• Trained other staff on proper procedure for investigations and evidence collection.
• Participated in the establishment and maintenance of interstate, federal and local communication mechanisms concerning reporting of disciplinary actions.
• Established and maintained productive rapport with all other pertinent agencies with duties similar to that of the Division.

EDUCATION

BS Administration of Justice 1977
Southern Illinois University, Carbondale, IL

REFERENCES AVAILABLE UPON REQUEST

- Deliver “conference and keynote” presentations
- Select and negotiate prices for goods and services
- Author, submit, and manage state and federal grants
- Facilitate strategic planning and problem solving sessions
- Select and/or develop vocational and CTE curriculum materials
- Interview, select, supervise, and evaluate clerical & support staff
- Plan and prepare for Board of Control and CTE Directors’ meetings
- Serve as a member of the Illinois Gender Equity Advisory Committee
- Develop and promote Dual Credit agreements for secondary students
- Facilitate business internship opportunities for students and teachers
- Present staff development for teachers, administrators, and counselors
- Create and/or align Grades 9 through 14 curriculum for all CTE disciplines
- Chair the Education for Employment System Directors Leadership Council

Employment History

Three Rivers Education for Employment System, Joliet IL, Director (retired)…………………... 2002 to 2010
Danville Area Community College, Danville IL, Director for Tech Prep and ETC……………….…. 2000 to 2002
Joliet Junior College, Joliet IL, Director for Tech Prep and Education To Careers Services……….1991 to 2000
Joliet High School District #204, Joliet IL, Instructor for Adult Education (part-time)…………….1992 to 1997
Illinois Vocational Student Services Network, Rantoul IL, Career Guidance Consultant……….1990 to 1991
Western Illinois University, Macomb IL, Instructional Materials Coordinator……………………..1989 to 1990
Catlin Community Unit School District #5, Catlin IL, Vocational Agriculture Instructor…………1982 to 1989
Smoot Farms, Danville IL, Owner and operator of grain and livestock farm………………………1978 to 1984
Smoot Construction Co., Inc., Danville IL, Job-site supervisor…………………………………………1969 to 1978

Education

Eastern Illinois University, Charleston IL
  Education Specialist Degree (Education Administration), 2007

Urbana IL University of Illinois, Urbana IL
  Leadership Development Program, College of Education, 1997

Eastern Illinois University, Charleston IL
  Master of Science in Education Degree (Educational Psychology), 1990
  Bachelor of Science Degree (Career Occupations Program) 1988

Danville Area Community College, Danville IL
  Associate Degree in Science, 1969

Additional coursework completed at Chicago State University, Illinois State University, Southern Illinois University, and the University of Illinois.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Susan Morrison, Deputy Superintendent of Education
       Matt Vanover, Director of Public Information

Agenda Topic: Strategic Plan Progress Report - 2012

Materials: DRAFT Strategic Plan Progress Report to Governor Quinn and Illinois General Assembly

Staff Contact(s): Susan C. Morrison
                 Matt Vanover

Purpose of Agenda Item

The purpose of this agenda item is for the Board to discuss and approve a report on the progress of the Strategic Plan as required by PA 93-1036.

Expected Outcome(s) of Agenda Item

The Board is expected to review and approve the report on the progress of the Strategic Plan.

Background Information

The State Board of Education, pursuant to PA 93-1036, must develop and maintain a continuing 5-year Comprehensive Strategic Plan for Elementary and Secondary Education. The Board is required to update and submit the Strategic Plan to the Governor and the Illinois General Assembly on or before July 1 each year.

Superintendent’s Recommendation

The Superintendent recommends approval of the Draft Strategic Plan Progress Report. After discussion in open session, the Board will direct staff to make any additional revisions prior to the deadline for submittal. Pending that discussion, the Superintendent recommends the following motion be adopted:

   The State Board of Education hereby approves the Draft 2012 Strategic Plan Progress Report (as presented, or as revised) per discussion in the June Board meeting.

Next Steps

Staff will forward the approved Strategic Plan Report to the Governor and General Assembly as required by PA 93-1036.
ILLINOIS
State Board of Education
Christopher A. Koch, Ed.D., State Superintendent
Gery J. Chico, Chairman

PROGRESS REPORT
JUNE 2012

Comprehensive Strategic Plan for Elementary and Secondary Education
The State Board of Education consists of nine members who are appointed by the Governor with the consent of the Senate. Board members serve four-year terms, with membership limited to two consecutive terms. The Board appoints the State Superintendent of Education, who may be recommended by the Governor. Currently there is one vacancy.
June 30, 2012

The Honorable Governor Pat Quinn
The Honorable Members of the Illinois General Assembly
Illinois Statehouse
Springfield, Illinois

Re: Illinois State Board of Education Comprehensive Strategic Plan – June 2012 Report

Dear Governor Quinn and Members of the General Assembly:

In 2005, the Illinois State Board of Education first developed and submitted a five-year Comprehensive Strategic Plan for Elementary and Secondary Education, pursuant to Public Act 93-1036. The Strategic Plan, which has evolved over the years, was reassessed in 2008 after an analysis of data and the recognition of emerging trends. The State Board of Education refocused the vision of the plan to strengthen and align its goals with the changing educational demands of preparing students for success in careers and college in the 21st century. A new mission and three goals were adopted.

The Comprehensive Strategic Plan for Elementary and Secondary Education shows the focus of agency resources and energy on our essential mission and goals, which are:

**Mission:** The Illinois State Board of Education will provide leadership, assistance, resources and advocacy so that every student is prepared to succeed in careers and postsecondary education, and share accountability for doing so with districts and schools.

**Goal No. 1:** Every student will demonstrate academic achievement and be prepared for success after high school.

**Goal No. 2:** Every student will be supported by highly prepared and effective teachers and school leaders.

**Goal No. 3:** Every school will offer a safe and healthy learning environment for all students.

The Illinois and national economies have created many challenges in recent years. We have experienced a $650 million reduction in the education budget since 2009, and additional cuts are a distinct possibility for FY 2013. The Board has been able to help the state compete for much needed funds, including dollars from the American Recovery and Reinvestment Act of 2009. In 2010, the state applied for and received its share of more than $400 million of the $26 billion federal Education Jobs Fund bill.

As 2011 came to a close, the U.S. Department of Education announced that Illinois earned a $42.8 million grant in the federal Race to the Top program. About $21 million of the funds will go directly to 37 local districts that have agreed to accelerate education reform. Illinois was one of seven states to be awarded a portion of the $200 million in federal funds in the third round of the competition. In addition, Illinois has been selected as one of five finalists to apply for a new round of funding under the Race to the Top-Early Learning Challenge.
While federal funds have helped tremendously, budget uncertainty remains as we move ahead with the most important reforms ever seen in the Illinois education community. The Board’s strategy focuses on four critical areas to achieve our goals for Illinois schoolchildren. The four initiatives include:

1. Improving internationally benchmarked student learning standards and a new and improved assessment system aligned to college and career readiness standards;
2. Establishing a longitudinal data system that will allow us to collect student data throughout our pre-K to 20 system and ultimately, into the work force;
3. Implementing program and policy changes to improve teacher and school leader effectiveness; and
4. Targeting statewide interventions and support to our lowest performing schools and districts.

The agency’s mission and goals all drive the initiatives and changes we are seeing today. Despite the challenging economic times many are facing, we have much to celebrate. Here are just a few of the highlights that show Illinois is headed in the right direction:

- The graduating Class of 2011’s composite ACT score is the highest of the 10 states that test 90 percent or more of their students. And Illinois’ average ACT composite scores for the past five years have improved, rising from 20.5 in 2007 to 20.9 in 2011.

- A record number of Illinois students took AP exams in 2011, with participation up among all categories (gender, ethnicity and economic class). The percentage of Illinois graduates completing more than one AP exam has more than doubled since 2001, and the percentage of seniors posting a successful score on these rigorous exams has increased by 7.5 percent since 2001, ranking Illinois in the upper half of the nation for the number of seniors who scored a 3 or higher on an AP exam.

- The 2011 state standardized test results showed the achievement gap is narrowing at the elementary school level, particularly due to gains among African American, special education and low-income students. The statewide composite score for students meeting and exceeding on the ISAT saw an increase, going from 80.9 in 2010 to 82 percent in 2011.

- Illinois ranked third nationally for the number of teachers who achieved National Board Certification in 2011 with Chicago Public Schools District 299 boasting the second highest number of teachers per district earning this professional milestone. It was the sixth consecutive year that Illinois has ranked among the top 10 states for the number of new teachers achieving the profession’s highest credential.

The State Board of Education thanks you for your dedication to education. The investments we make in our children today will provide a brighter tomorrow for all of us. We look forward to working with you as we focus on the goal of making sure every student will be prepared for success with the guidance of highly prepared teachers and school leaders in safe and healthy learning environments.

Sincerely,

Christopher A. Koch      Gery J. Chico
State Superintendent of Education    Chairman

Plenary Packet - Page 528
STRATEGIC PLAN UPDATE
Comprehensive Strategic Plan Initiatives

The Illinois State Board of Education drafted its first Comprehensive Strategic Plan in 2005 as required by Public Act 93-1036. The plan focused on three primary goal areas: enhancing literacy, improving educator quality for all children and expanding data-driven management and school support practices. Each year, we revisit the plan to look at the agency’s accomplishments and to guide our essential work of doing all that is possible to ensure every student is prepared to succeed after high school, whether they choose to pursue higher education or directly enter the work force. In 2008, the Board updated their vision for education in Illinois, establishing a new mission and goals.

Our mission
The Illinois State Board of Education will provide leadership, assistance, resources and advocacy so that every student is prepared to succeed in careers and postsecondary education, and share accountability for doing so with districts and schools.

Our goals
1. Every student will demonstrate academic achievement and be prepared for success after high school.
2. Every student will be supported by highly prepared and effective teachers and school leaders.
3. Every school will offer a safe and healthy learning environment for all students.

Our mission and goals drive the everyday activities of the agency and guide the alignment of resources, energy and initiatives. In recent years, the State Board of Education’s strategy has focused on four critical areas to achieve these goals for Illinois schoolchildren. The four initiatives include:

- Improving internationally benchmarked student learning standards and a new and improved assessment system aligned to college and career readiness standards;
- Establishing a longitudinal data system that will allow us to collect student data throughout our pre-K to 20 system and ultimately, into the work force;
- Implementing program and policy changes to improve teacher and school leader effectiveness; and
- Targeting statewide interventions and support to our lowest performing schools and districts.
The State Board of Education and agency staff have been working hard on initiatives that impact these four key areas of reform, the first being the adoption and implementation of world class learning standards and assessments. The Board adopted the Common Core State Standards as Illinois’ newly revised learning standards for K-12 education in English-language arts and math and a new assessment system based on the Common Core will be in place for the 2014-15 school year. The new standards are fewer, clearer and higher than the previous standards, which were adopted in 1997. They will better prepare students for success in college and careers by combining what students need to know and how the knowledge is applied to real-world situations. We need students who can transition into college and careers seamlessly. New science standards are also on the way. The draft of the Next Generation Science Standards was ready for its first public review in May 2012.

The second key reform area is creating and implementing a statewide longitudinal data system. Other states are looking to us as a model as we move forward with stakeholders on the design and development of the statewide Illinois Longitudinal Data System. With funding provided by federal grants that the agency secured, we continue to make progress in building the infrastructure and systems that will support the Illinois Longitudinal Data System. Work includes the collection of early childhood data of children from birth to 5 years of age that participate in early childhood programs funded by the ISBE administered block grant, the ISBE Student Information System collecting courses and grades for all students in public high schools, and the rewriting of teacher data collection systems. The statewide Illinois Longitudinal Data System will provide data to help track the outcomes of students as they progress from pre-K through postsecondary education and into the work force. Longitudinal data supports an in-depth, comprehensive view of student progress and will help guide policymakers on where to invest time, energy and resources to most effectively improve student achievement in Illinois. The ILDS will also connect student data to teachers and principals to support the collection of data to support new teacher evaluation and licensure requirements.

The third key reform area is adopting policies and procedures to ensure that every student is supported by a highly effective teacher in the classroom and a highly effective school leader in every building. It is essential we send our children off to the best educators in Chicago, the southern tip of Illinois and everywhere in between. ISBE has been collaborating with higher education partners to overhaul the state’s principal preparation and certification requirements. ISBE has received national recognition for setting higher standards for principal and teacher preparation programs. We have re-evaluated and approved raising the score needed to pass the
Illinois Test of Basic Skills, the assessment individuals are required to pass in order to be admitted into an educator preparation program. We are also implementing legislation that will improve the way in which our teachers and school leaders are evaluated and these more rigorous evaluations will impact key personnel decisions in our school districts. Starting in the fall of 2012, some districts in Illinois will begin using either their own model or the state’s model for a more meaningful evaluation. Districts throughout the state will follow suit until 2016 when all teachers will be evaluated under a new system.

The fourth initiative is to prioritize resources and have the political will to intervene with drastic measures in our lowest performing schools. We can no longer assume that outcomes for children in schools with student performance many times below the state average will improve without very intentional interventions led by the state. We have already seen significant improvements in the achievement of impacted students. Illinois entered into intergovernmental agreements with North Chicago School District 187 and East St. Louis School District 189 under authority granted by state law and continues to seek state funding to expand this important work. ISBE announced in May 2012 that it has named a Financial Oversight Panel (FOP) for East St. Louis School District 189. The FOP, with five ISBE-appointed volunteer members, will serve District 189 for at least three years in order to help the district achieve financial stability. The Board has also awarded more than $125 million in federal School Improvement Grant funds to go toward 23 of the lowest-performing high schools in the state over the next three years. We absolutely cannot let these schools continue to falter at the cost of countless children and their communities.

As we move ahead on reforms, the Illinois State Board of Education keeps it mission at the forefront. The State Board will continue to provide leadership, assistance, resources and advocacy so that every student is prepared to succeed in careers and postsecondary education. Our children are the drivers of tomorrow’s Illinois economy, so we must invest in the production of college and career ready students. The agency’s initiatives show Illinois schoolchildren are the No. 1 priority.
Goal 1

Every student will demonstrate academic achievement and be prepared for success after high school.

Illinois Statewide Longitudinal P-20 Data System

Many state education agencies are watching closely as the Illinois State Board of Education leads the charge in developing the Illinois Statewide Longitudinal P-20 Data System (ILDS). This multi-year project is establishing a system necessary for ISBE and its education partners to link and analyze P-20 education data as never done before. The Illinois State Board of Education was awarded two federal grants to develop this system, including an $8.9 million grant in 2009 and an $11.9 million American Recovery and Reinvestment Act (ARRA) grant in 2010.

Illinois Public Act 96-0107 authorizes and directs ISBE, the Illinois Community College Board (ICCB) and the Illinois Board of Higher Education (IBHE) to implement the systems and practices necessary to build the ILDS. The system will link student test scores to teachers and principals over time, and even follow students past graduation into higher education and the work force. It will also connect students to career planning and additional resources.

The ILDS project has completed work to define an enterprise-wide data architecture that is now serving as the blueprint for the construction and implementation of a data warehouse. The data warehouse will allow for student-level data maintained by ISBE to be linked to other student-level and P-12 education data. Local districts will be able to obtain numerous additional data reports and have expanded ability to perform longitudinal data analyses using data maintained by ISBE. Included in the warehouse will be a Data Mart specifically for federal reporting that draws
data from multiple systems and significantly reduces the reporting burden on the state and local districts. The design and construction of the warehouse are under way, with a target of implementation of the initial functionality in the fall of 2012.

The ILDS Data Advisory Committee (DAC), a broad-based group of stakeholders, was established in 2009 and continues to advise ISBE and its education partners on data use and management. This group is comprised of members from statewide education partners representing early learning, teachers, principals and administrators, postsecondary, research and work force and employment organizations. Through membership in the DAC, partner organizations are participating directly in the development of project requirements that shape how ILDS will be used to inform education.

ISBE has established a network of data stewards with responsibility for data quality and management for ISBE centers. The data stewards are identifying and documenting business rules for the centers, developing and implementing plans for improving the accuracy of submitted data, implementing processes of statistical checks for LEA data submissions, and are directly supporting LEAs with training and technical support to improve data quality. These resources represent ISBE’s commitment to the collection and use of high-quality education data, and for the support of the users that will draw on the data in the performance of their activities.

As part of the project, ISBE and its education partners are building on existing efforts to enable use of the ISBE unique student identifier for linkages with postsecondary and employment data. Key data sharing agreements have been put in place between ISBE, ICCB and IBHE that enable the sharing and linking of this data. The agreements define the mechanisms and approaches for sharing this education data while meeting the requirements and conditions of the Family Educational Rights and Privacy Act (FERPA) and state privacy protection laws. Per the agreements, ICCB and IBHE are updating their information systems to support the capture of the ISBE student identifier to accomplish this linking.

ISBE is also participating with IBHE and ICCB as they advance work that the Illinois Higher Education Consortium (IHEC) is performing to establish data sharing among public, private and proprietary postsecondary institutions. This effort will simplify the process of linking data with postsecondary institutions by seeking the participation of these institutions in a central data
repository of higher education data. ICCB has in place an extensive data collection practice for community college data, and using ILDS funds a data collection system for four year postsecondary data has been designed and constructed, and preliminary testing completed. Public four year institutions are targeting to contribute data to the repository in 2012, with other four year institutions required to contribute data in 2013.

Grant funding allocated to the Illinois Student Assistance Commission (ISAC) is providing Illinois public high schools access to tools that support the submission of high school transcripts to postsecondary institutions in Illinois, and to out-of-state members of the mid-West Higher Education Compact (MHEC). With the addition of the ISBE student ID to the transcript data, the linking of P-12 with postsecondary data is greatly facilitated through this initiative. Through May 2012, ISAC has registered 214 out of the 873 public and private high schools and have 130 of the high schools operational.

ISBE’s Student Information System’s (SIS) data collection capabilities have been expanded with the implementation of the Statewide Course Classification System. This system provides foundation information for establishing statewide course definitions while maintaining district control of their local curriculum. SIS is now collecting high school course information at the student level, including the grade and completion status for each course. Course collection at the K-8 school level is voluntary during the 2011-12 school year, and required for the 2012-13 school year. Also collected at the high school level for the 2011-12 school year are the teachers assigned to the courses, enabling the establishment of the student to teacher link.

Data that links students and teachers for K-8 is voluntary for 2011-2012, and will be required for the 2012-13 school year. Further enhancement of SIS collection capabilities included an expansion of the early childhood data collection to include infants and toddlers, covering the age range from birth to five for children in programs funded by the early childhood block grant.

In conjunction with an upcoming initiative to rewrite the ISBE teacher and administrator data collection systems, ILDS will house information to support the evaluation of teacher preparation programs, along with teacher and administrator evaluation data. The program area is currently in
the process of defining the data elements that will be collected, and implementation on the new teacher system is planned for the fall of 2012.

The development of the ILDS is a critical step in the building of a data driven decision-making environment to inform our education practices. Development of the ILDS will continue through 2013.

**Revising Illinois Learning Standards**

At the end of fiscal year 2010, the Illinois State Board of Education adopted a revised set of learning standards for K-12 education in mathematics and English language arts. The new Illinois Learning Standards based on the more rigorous Common Core State Standards will better prepare our students for success in college and careers, replacing the current Illinois standards that were developed in 1997.

The new standards are fewer, clearer and higher. New standards in science and other subjects are being developed, to be followed by new assessments.

Since the adoption of the New Illinois Learning Standards based on the Common Core in June 2010, ISBE has been moving forward with implementation. Specifically, there are three phases:

1. Adoption, Communication and Coordination;

2. Communication, Resource Design and Design of Implementation System; and

3. Transition, Implementation and Technical Assistance.

An implementation team representing the various divisions within the agency was established to provide guidance and leadership for the transition. An analysis of the former English and math standards compared to the new standards is guiding professional development for Illinois educators. ISBE created a clearinghouse for the new learning standards on the agency website, produced a multitude of informational materials and held regional meetings to launch the new standards.

The new standards will help achieve the goal of preparing every child to succeed in careers and postsecondary education. Under the new standards, teachers and local school officials can
develop their own education plans to help students achieve these new benchmarks. Students and parents will clearly understand the knowledge students are expected to gain each year. They will better prepare students for success in college and careers by combining what students need to know and how the knowledge is applied to real-world situations. Standards are internationally benchmarked to high-performing countries to help kids compete globally.

Whether students choose to enter the work force right away or go to college, they need skills from consistent standards. Readiness skills include independence, strong content knowledge, comprehension and critique, use of technology, and understanding other perspectives and cultures. Math and English language arts standards were developed first because they teach a foundation upon which students build skill sets in other areas of learning. In English language arts, K-8 standards are listed by grade level, and 9-12 are listed in two-year bands to allow flexibility in course design. The English language arts standards are separated in four strands: reading, writing, speaking and listening and they aim for a balance of literature and informational texts, and the strands incorporate a variety of subjects. The math standards emphasize problem-solving and communication, with high school standards emphasizing the use of math in the real world and geometric concepts developed in the middle grades. Students are expected to reach basic algebraic readiness by eighth grade.

The implementation of the New Illinois Learning Standards Incorporating English Language Arts and Math Common Core continues with various statewide activities and the development of resources to support local level efforts. The gap analysis, which compares the new common core to the former learning standards, continues to be a valuable tool for teachers to review and inform instructional shifts, curriculum changes and the need for professional development. An online district planning tool was developed and continues to be available for district leaders. The online tool provides guiding questions and sample indicators in the categories of leadership, curriculum and instruction, professional development and implications. The tool is designed for schools and districts that are just beginning to detail their implementation plans. Additional resources, including critical area checklists for math, teaching strategies for ELA, webinars and recommended websites to other state resources, are all available on the common core section of the ISBE website.

Four content teams have been established to support implementation. The teams include data and assessment, math, English language arts, and learning supports. Each team will be producing resources and facilitating professional development. The ELA content specialist developed a
two-day professional development series focused on supporting administrators and teachers with the transition to the new Illinois ELA standards. The training provided a process for unpacking the new ELA standards; resources and tools to assist in designing lessons and assessments; and rubrics for monitoring implementation progress. The ELA series of nine workshops took place from January 2012 through April 2012 for more than 1,000 educators throughout the state. The ISBE English Language Arts content specialist will continue to conduct trainings, design resources, and help to facilitate the implementation of the Common Core State Standards across the State of Illinois. In the winter of 2011, ISBE developed a 14 hour professional development series focused on the Common Core K-12 Mathematical practices. The workshop provided a framework to develop a deep understanding of the new math standards, both content and practice; understand the progression of the standards; and assist teachers with transitioning to the new math standards. This train the trainers opportunity resulted in 220 trainers who are now available to deliver this content to their local schools and districts. ISBE is currently working on phase two of the math rollout, which will be in place for the 2012-13 school year. Additionally, a statewide series includes a coordinated event with the ROE/ISCs to host seven administrator institutes to provide an update of the education reform areas including the new standards and assessments. ISBE continues to engage with ICCB and IBHE to co-sponsor alignment meetings and a summit for teacher preparation programs to further demonstrate the college and career readiness message at all levels of the education system. An interagency workgroup includes representation from each agency to recommend state and regional activities and provide collective input and feedback towards policy issues impacting each agency.

The draft of the Next Generation Science Standards was ready for its first public review this spring (http://www.nextgenscience.org) and a second opportunity for public feedback will occur in fall 2012. The science standards are based on the Framework for K-12 Science Education, released by the National Research Council (NRC) in July 2011.

**Partnership for the Assessment of Readiness for College and Careers**

New assessments are being developed as the Illinois State Board of Education continues implementation of the new Illinois Learning Standards. Illinois is one of 13 states serving on the Partnership for the Assessment of Readiness for College and Careers’ governing board, which is
providing leadership and oversight to the development of new assessments for use by states that have adopted the Common Core State Standards. In all, PARCC has 25 member states coming together to create an internationally benchmarked assessment system to be ready for the 2014-15 school year. These assessments will go beyond the traditional paper-pencil fill-in-the-bubble tests, using new innovative computer-based items and more extensive constructed response items. The alignment between curriculum, instruction and assessment will be stronger. Implementation of the new assessment system will contribute to greatly increasing the number of graduating students ready to succeed in college and the work force.

**Race to the Top**

Illinois was awarded a $42.8 million phase three Race to the Top (RTTT3) grant in December 2012 after being a finalist in the competition’s first two rounds. Under the Race to the Top grant, ISBE keeps half of the awarded funds for statewide reform work and distributes the remaining half among the 37 participating districts. Each district’s share is based on a required federal formula directing funds to those with the greatest number of low-income students. In May 2012, the Illinois State Board of Education announced the final 36 Illinois school districts that will join with the state agency as part of the federal Race to the Top program. The districts will serve as leaders by first implementing key initiatives aimed at improving school performance and student achievement across the state under the $42.8 million Race to the Top.

The federal grant is aimed broadly at closing achievement gaps. It will help bolster state initiatives across many areas. Funds will improve Science, Technology, Engineering and Math (STEM) education and build a stronger connection to post-secondary education and training. Funds will also support the on-going implementation of the new rigorous Common Core Learning Standards in Math and English Language Arts as well as innovative data systems that better inform educators and improve classroom instruction. Chief among the reforms is that districts will use new, more comprehensive principal and teacher evaluations that tie student growth to educators’ reviews. Legislation calls for all Illinois districts to incorporate student growth into teacher evaluations no later than fall 2016. Participating Race to the Top districts, however, will be required to pilot these evaluation systems in the fall of 2013.
Illinois specifically established the following three goals for its RTTT3 plan in its application:

- Attract a group of Participating LEAs that can serve as “reform exemplars” for the entire state. These districts will agree to meet a high bar for participation across a comprehensive set of reforms.
- Within the Participating LEAs, build systems and processes to accelerate and sustain improved student outcomes.
- While the Participating LEAs will blaze the path for a comprehensive approach to key reforms, RTTT3 will also build state capacity to extend these reforms statewide.

Learners are at the center of the state’s RTTT3 strategies, with integrated expectations and supports for:

- Implementing standards-aligned instructional systems that address curriculum, grading and reporting; instructional practices; and high quality assessments; and
- Improving educator quality and effectiveness through the establishment of redesigned performance evaluation systems; programs to attract effective educators to High Poverty High Minority schools; and induction and mentoring programs

These strategy areas are supported by three foundational elements:

- A common data and technology platform – the Illinois Shared Learning Environment, which incorporates the Shared Learning Infrastructure and state-level enhancements and extensions to support personalized learning and access to high quality resources.
- A common comprehensive continuous improvement process – the “Rising Star” system, which will guide districts and schools through the procedures and practices for systemic change and instructional improvement.
- Integrated State supports, with increased capacity at ISBE and a new Center for School Improvement as the nexus of the Statewide System of Support.

The state’s achievement goals with Race to the Top include:

- Increasing proficiency levels in reading and math on the ISAT and PSAE: As State assessments are modified to align with the Common Core, Illinois expects steady gains throughout the RTTT grant period.
- The State’s goals are to increase overall National Assessment of Educational Progress proficiency rates in reading and math by 10 percent over the RTTT grant period to align with gains that have been demonstrated by some of the top performing states over the prior decade.
• Consistent with the State’s overall achievement gap objectives, the State has established the goal of a 15 percent increase in black, Hispanic, and low-income subgroup performance on National Assessment of Educational Progress (NAEP).
• With the State’s comprehensive focus on high schools, the our goal is to achieve a 90 percent overall graduation rate in the next six years. For particular student subgroups, ISBE, over the next six years, plans to reduce by 1/2 the difference from 90 percent for each student subgroup's graduation rate.

For more information about the Illinois program, visit the State Board’s Race to the Top web page at: http://www.isbe.net/racetothetop/default.htm.

**Early Childhood Education**

Illinois continues to invest in our youngest children, those who have yet to enter our schools. A recent ISBE evaluation of Preschool for All found that kindergartners who had been in state-funded preschool showed significant gains in school readiness and social skills. These improvements were seen in all income groups with children from low-income families and those at-risk showing the most gains in attention span and the ability to complete tasks. Researchers at the Chicago-based Erikson Institute assessed children in programs at the beginning of their preschool year in fall 2009 and again in fall 2010 as they entered kindergarten. The results back up other research and our long-standing belief that reaching children sooner prepares them for greater future success.

In October of 2011, the Illinois State Board of Education submitted an application for the federal Early Learning Challenge Grant competition. While Illinois was not an Early Learning Challenge Grant recipient in the initial competition, Illinois was notified in April 2012 that it was one of five states eligible to apply in the second round of funding. ISBE has been deeply involved in collaborating with the Department of Human Services, the Governor’s Office, the Department of Children and Family Services, and other partners to improve the quality of early childhood services in Illinois and develop a stronger, more aligned early care and education infrastructure. Recent budget reductions led to a 10 percent cut in funding for early childhood
education in FY10, and an additional 5 percent cut in FY 12. As a result some previously funded programs had to be cut and many children who need access to high-quality preschool programs still cannot attend.

“The State of Preschool 2011: State Preschool Yearbook” shows over the past 10 years, Illinois moved up from serving 22 percent of 4-year-olds in 2002 to 29 percent in 2011. During the same period, the state moved from serving 8 percent of 3-year-olds in 2002 to 20 percent in 2011, making Illinois first in the nation for serving this age group.

Assessment Access for All Students

ISBE makes accommodations available through its state assessments for students with needs documented in a Section 504 Plan or Individualized Education Program (IEP) and for students with limited English proficiency. As part of the administration of the Illinois Standards Achievement Test, more than 53,000 reader scripts were distributed. These test booklets are specially designed to be read aloud for students who need them. In addition, more than 5,000 audio CD-ROMS or audiocassettes were distributed, as well as 1,000 large print tests and 60 Braille tests. For the Prairie State Achievement Examination, about 2,400 reader scripts, 4,800 audio DVD or cassettes, 250 large print and 15 Braille tests were distributed. The Prairie State Achievement Examination also distributed about 12,500 booklets for students who received extended time only for accommodations.

Accommodations were also made for students with limited English proficiency. Linguistically modified (LM) forms were developed for the mathematics and science assessment portions of the Illinois Standards Achievement Test. About 43,000 LM tests were distributed for student use. The linguistically modified items are not easier than their counterparts. They reduce or eliminate unnecessary complex language that interferes with students’ abilities to demonstrate content knowledge. In addition, the mathematics short answer and extended response items were translated into Spanish and students were allowed to respond to the mathematics and reading short answer and extended response items in Spanish. For the Prairie State Achievement Examination, 436 audio DVDs in Spanish were made available for the mathematics and science portions.
CTE Curriculum Revitalization

ISBE is working with Career/Technical Education (CTE) stakeholders to revitalize CTE curriculum to infuse courses with 21st century literacy skills and meet core academic requirements, including the new Illinois Learning Standards based on the Common Core State Standards. This initiative, which is a partnership between ISBE, the Facilitating Council for Agricultural Education, the Southern Illinois University Center for Workforce Development and the Center for Agricultural Research and Training, is led by the Career and Technical Education Division.

The project, now in its seventh year, develops online tools that allow teachers to plan standards-based instruction, document the standards addressed in their curriculum, deliver it via an attractive contemporary online format, and assess student performance. The assessment data generated enables teachers to individualize instruction to the needs of students. Any Illinois teacher can access and use the online tools free of cost.

The project currently hosts 934 lesson plans with accompanying PowerPoints, test items and student electronic units in 15 content libraries. It is expected that a minimum of 60 additional sets of curriculum materials will be posted to the web site in FY 13. This will increase the total inventory to approximately 1,000 sets for the start of the next school year. This development will include the first School Career Counselor lessons.

The CTE curriculum project provides continuous consultation with educators, business and industry leaders from across Illinois and includes professional development activities for both teachers and guidance counselors. These CTE resources utilize the Common Core State Standards and other national content standards that are in alignment with business and industry organizations. Also, this project currently has several math, English and science instructors, as well as counselors utilizing the web materials. The future forecast of the CTE curriculum project is promising as efforts increase to make other high school instructors aware of the resource.
Illinois Statewide Technical Assistance Center (IS-TAC)

The Illinois Statewide Technical Assistance Center (IS-TAC) is a state sponsored and federally funded entity consisting of four collaboratively functioning projects funded by federal Individuals with Disabilities Education Act (IDEA) Part B discretionary monies. The purpose of the IS-TAC is to coordinate a regionalized system of technical assistance and training to build the capacity of schools to promote social and academic success of all students, including those with significant challenges and disabilities. IS-TAC promotes a prevention-based systems’ approach, which includes data-based decision-making and research-based instructional practices.

The four collaborative projects that make up IS-TAC include the following.

1. Positive Behavior Interventions and Supports (PBIS) Network
2. Illinois Autism Training and Technical Assistance Project (IATTAP)
3. Project Children Have Opportunities in Inclusive Community Environments and Schools (CHOICES)
4. Parent and Educator Partnership (PEP)

The mission of IS-TAC is to support local education agencies (LEAs) in implementing school-wide reform efforts that effectuate improved teaching and learning outcomes for all Illinois students and educators. Toward that end, IS-TAC promotes consistent and sustainable use of effective practices for students with special needs, including emotional and/or behavioral disabilities, autism and other significant disabilities.

The priorities set forth by ISBE for IS-TAC and its collaborative projects include the following.

1. Increase the capacity of school districts to successfully educate all students in general education settings;
2. Implement a data-based evaluation system in collaboration with local and national entities;
3. Coordinate across projects the statewide, regional, and district planning and implementation of structures that support training, technical assistance, evaluation, and
dissemination of effective school-wide practices that include PBIS, a least restrictive environment (LRE), and strategies for student with emotional and/or behavioral disabilities, autism spectrum disorders, and other severe disabilities;

4. Facilitate training, technical assistance, evaluation, and dissemination of school-wide PBIS, LRE processes, and effective strategies for students with emotional and/or behavioral disabilities, autism spectrum disorders, and other severe disabilities; and

5. Ensure family and student input and ownership in designing and implementing school-wide systems and supports for individual students with disabilities.

In FY 2012, ISBE issued a Request for Sealed Proposals for new administration and management of the IS-TAC. A major component of the grant was the requirement of collaboration among IS-TAC projects (PBIS, IATTAP, CHOICES/Early CHOICES, and PEP) and with other ISBE Statewide initiatives (i.e., Statewide System of Supports (SSOS), Illinois Association – Regional Superintendents of Schools (IARSS), and the Illinois Response to Intervention (I-RtI) Network). Through the coordination of all the state-level support projects, a platform is developed for providing a common language to Illinois districts/schools within a continuous improvement process where the focus is integrated and supports the development of the “whole” child.

**The Illinois State Response to Intervention (RtI) Plan**

ISBE believes that increased student learning requires the consistent practice of providing high quality instruction matched to student needs. Response to Intervention (RtI), introduced in January 2008, is a general education instructional initiative that requires collaborative efforts from all district staff, general educators, special educators and bilingual/ELL staff. In a quality educational environment, student academic and behavioral needs must be identified and monitored continuously with documented student performance data used to make instructional decisions.

The process of identifying learning needs and providing appropriate and timely instruction is foundational to a successful education system. The academic success of all students is improved when instructional and behavioral goals are frequently monitored. Data derived from such monitoring should then
inform instructional strategies gauged to enhance success. It is important to note that it is through the continuous use of progress monitoring and analysis of student academic and behavioral growth that proper instructional and curricular responses may be made.

Districts are implementing RtI by carrying out their RtI Plans, which are incorporated into their District Improvement Plans, and/or by addressing the RtI indicators within Rising Star. Connecting RtI to district and school improvement allows districts to implement a coordinated system for improving instruction and meeting the needs of diverse learners, thereby improving student outcomes.

ISBE also continued activities under the five-year State Personnel Development Grant (awarded in September 2010) to scale up implementation of a coordinated, statewide system of personnel development and thereby increase the capacity of school systems to establish and use a multi-tiered model of scientific, research-based instruction, intervention and assessment to improve the progress and performance of all students, including those with disabilities.

Through this grant, the agency established the Illinois RtI Network. This network provides standardized professional development consisting of training, technical assistance and coaching to educators and parents throughout the state. These services focus on improving student performance in grades K-12 through the implementation of a multi-tiered system of instruction, intervention and assessment, including RtI, with an emphasis on administrative leadership; scientific, research-based reading and math curricula and instruction at grades K-12; data-based decision making; universal screening and progress monitoring; and parent involvement.

During the past year, the Illinois RtI Network established collaborative agreements with and began providing services to 35 school districts across the state and recently identified over 50 additional districts to be served in the 2012-2013 school year. Through the RtI Network’s coaching-of-coaches framework, districts are being supported in building, implementing, and sustaining a multi-tiered system of supports (MTSS) as an integral part of the school and district improvement process. The coaching-of-coaches component is critical to the sustainability of the statewide implementation of MTSS/RtI, in that existing district and regional personnel will be
trained as coaches and thereby incorporate the content knowledge and competencies developed through their involvement in the RtI Network into their existing jobs.

In addition to the services of Illinois RtI Network, district personnel throughout the state had the opportunity to participate in the ISBE-developed RtI professional development modules. These modules consisted of an overview of RtI, research-based literacy instruction and interventions, and research-based math instruction and interventions. The literacy and math modules were separated into grade level bands of K-3, 4-8 and 9-12. Each module was offered in six locations throughout the state.

**Illinois Virtual School**

The Illinois State Board of Education envisioned increased learning opportunities for students (and educators) throughout the state with the Illinois Virtual School. A contract to manage the Illinois Virtual School was awarded to the Peoria Regional Office of Education, in partnership with the Area III Consortium, in April 2009.

The Illinois Virtual School has grown to employ more than 50 certified teachers and offers online courses to public, private and home-school students in grades 5-12 across the state. Professional development opportunities are also offered to Illinois educators for certificate renewal purposes. More than 130 different courses are offered in the Illinois Virtual School course catalog. Courses have been reviewed for alignment to Illinois learning standards and appropriate assessments.

The Illinois Virtual School has started working on new course offerings for Fall 2012, including music appreciation, digital photography, Mandarin Chinese, Arabic, physical education and an American history honors course. Because schools in Illinois have such varying calendars, IVS offers flexible enrollment, where students have the opportunity to enroll in courses each month.
Goal 2

Every student will be supported by highly prepared and effective teachers and school leaders.

Better Preparing Teachers

The Illinois State Board of Education aims to enhance and strengthen teacher preparation to expand and improve the pool of highly qualified educators for the 21st century. In February 2011, a group of educational stakeholders was formed to look at requirements for the current K-9 certificate for Elementary and Middle Grade licensure based on the Common Core and Illinois Professional Teaching Standards. New learning standards increased the need to evaluate the state’s current requirements for licensure to ensure that all future teachers are prepared to teach the appropriate content. The Elementary and Middle Advisory Group (EMAG) has now been meeting for more than a year to establish standards for preparation programs related to content and pedagogy. The Early Childhood Advisory Group (ECAG) has also been meeting since last spring. These groups of stakeholders are currently convening to recommend requirements for early childhood, requirements for elementary, requirements for endorsements at elementary level, and requirements for middle level endorsements.

Improving School Leadership

ISBE has been working collaboratively with the Illinois Board of Higher Education and other stakeholders to put in place new requirements for principal preparation with an increased focus on instruction. The principal preparation is based on Section 21B-60 of Public Act 097 0607, which stresses that an essential element of improving student learning is supporting and employing effective school principals in leadership roles who can improve teaching and learning and increase academic achievement for all students. Part 30 of the Illinois State Board of Education rules (http://www.isbe.net/rules/archive/pdfs/30ARK.pdf) addresses programs for the preparation of principals in Illinois. New requirements have been implemented and programs are being submitted for review. A panel of stakeholders has met several times to review programs, make suggestions for change and recommend for approval.
Performance Evaluation of Educators

The Illinois State Board of Education continues to work with stakeholders to enact the Performance Evaluation Reform Act (PERA), which is a cornerstone of teacher and principal reform. The Performance Evaluation Advisory Council (PEAC) has worked with the agency to develop new rules which are now in place. PEAC continues to work to develop a teacher evaluation model related to demonstrating growth. The state has contracted with CEC to develop a training program for evaluators of teachers and principals. Every individual who will do evaluations after Sept. 1, 2012, must pass the assessments to become “certified” before he/she can evaluate anyone after this date. We are in the process of beginning training of approximately 13,000 individuals over this summer through the Growth Through Learning System with a website located at [http://www.growththroughlearningillinois.org](http://www.growththroughlearningillinois.org). The training consists of five modules for each of the trainings. Each online, self-paced training module is designed to be taken individually. Each module includes narration and is interactive with practice exercises focusing on the minimum requirements outlined in the module. All modules for both the Teacher and Principal Evaluator Training support the framework of: Module 1 – Understand the foundation for evaluation through PERA, SB7 and school code, Module 2 – Validate through observations and evidence collection, Module 3 – Collaboration through professional conversations, Module 4 – Reflection and reaching summative rating, Module 5 – Student growth.

Once registration occurs each individual will be provided their individual training course based on the area selected. For each individual user, as they complete each module and pass each assessment the next module/assessment will open for use and completion. If a user does not pass an assessment, they will be provided an invitation to register for a remediation session once complete their next module/assessment will open until all modules/assessments have been completed and passed.

Each module will have downloadable reference guides/guidebooks and available resource materials. All modules will reference the minimum requirements based on the administrative rules by using an icon of an exclamation point on the page and all best practices will be
identified with an icon of a star. The assessment for each module will be based on the minimum requirements set forth by the administrative rules.

**Teacher Evaluation Training**

- Five online, self-paced modules (Module 1, Module 2 - Teachscape, Module 3, Module 4) and a separate Student Growth Module 5, where applicable based on require implementation date.
- Approximately 32 hours of training/assessment which includes modules in Adobe Connect as well and Teachscape around collecting and evaluating evidence of professional practice through observation.

**Principal Evaluation Training**

- Five online, self-paced modules which address both professional practice and student growth requirements.
- Approximately 15 hours of training and assessment in Adobe Connect, our E-learning platform.

**Module Validation and Setting Cut Scores**

Growth Through Learning Program has been conducting small subject matter expert (SME) Pilots. This process continues and will allow for the review of all assessment items for each module while determining the difficulty of each assessment item. The data collected will provide the necessary empirical data to guide final scoring and cutoff decisions.

Validation process continues as a larger (50 participant) pilot is conducted for each module. The pilot participants represent the range of participants statewide. Data collected will be analyzed and used to support the validation and setting cut scores. The advisory committee will be review the statistical data collected for final validation and setting cut scores. The process is necessary and phase of the modules will occur.

**New ELIS System Being Developed**

Legislation was passed to change the certification structure to a streamlined licensure system. The new system will migrate over 60 different certificates to one or more of three distinct licenses: Professional Educator License, Educator License with Stipulations and Substitute License. To facilitate such a systemic change, the Teacher Certification Information System
(TCIS) is in the process of being redesigned. The new system, the Educator Licensure Information System (ELIS) will enable certification staff to work smarter. One example of increased efficiency the system will afford is that applications will be held in queue until all required documentation is on file. Currently, an evaluator may have to review the same application several times as documentation often arrives in a piecemeal fashion. ELIS will more closely tie licensure information with employment information. The new licensure system will better represent the content areas and grade levels that a teacher is qualified to teach or specific positions that can be held by licensed administrators and school service personnel. We project that ELIS will be complete by early fall.

The same legislation strengthens alternative routes to Educator Licensure. Multiple options of alternative programs are being merged into one alternative preparation program that will include a two-year residency and a comprehensive assessment of candidates teaching effectiveness. Candidates in alternative programs will have greater support during their first year of teaching than the current programs provide. In addition, the legislation further places a greater emphasis on the process of obtaining National Board for Professional Teaching Standards as a means of professional development and growth of teachers. Additional requirements to strengthen preparation of teachers are:

- Future educators must complete coursework in both the methods of reading and reading in the content area,

- Candidates who complete a preparation program must pass an evidence-based assessment that includes student growth beginning September 1, 2015,

- Applicants must pass the content test(s) prior to student teaching, internship or residency (affects all endorsement types) and the Assessment of Professional Teaching before completing a teacher preparation program,

- Applicants from out of state or out of country must pass the Test of Academic Proficiency (TAP) and content area tests before obtaining the provisional endorsement, and
• Applicants the teacher leader endorsement will have to meet enhanced requirements so that teachers can serve as instructional couches, department chairs, and other leadership positions.

A proposal was approved to increase the fees for licensure, which supports the Teacher Certification Information system, the Educator Certification System and the Illinois Administrator Academy management system as well as supports agency teacher certification personnel costs, equipment to link Regional Offices of Education to ISBE teacher data base, and support fees directed to the Regional Office of Education for the purpose of providing professional development to educators.

Social and Emotional Learning Standards Certification

In accordance with Section 15(a) of Public Act 93-0495, ISBE incorporated social and emotional development standards as part of the Illinois Learning Standards. The IL SEL Standards (http://www.isbe.net/ils/social_emotional/standards.htm) describe the social and emotional learning content and skills for students in grades K-12 and address the following competencies: self awareness and self management skills; social awareness and interpersonal skills; and decision-making skills and responsible behaviors. Part 25, Section 25.115 (Certification) of the Illinois School Code now requires educator preparation programs to incorporate into their programs the Illinois State Board’s Social and Emotional Learning Standards.

Statewide System of Support

The purpose of the Statewide System of Support (SSOS) is to supply a comprehensive continuum of research-based support services and resources designed to improve student outcomes for Illinois districts and schools.

Currently, the state’s regional service delivery system consists of 44 Regional Offices of Education (ROEs) and three Intermediate Service Centers (ISCs). The 44 ROEs serve 101 of Illinois’s 102 counties and the three ISCs serve the densely populated suburban region of Cook County. This regional delivery system fashioned 10 Regional System of Support Providers (RESPROs) that allow for the focus of additional resources and expertise specific to schools and districts failing to meet Adequate Yearly Progress (AYP). Of those 10 RESPROs, six cover the
geographical areas of multiple ROEs, three RESPROs align to the three ISCs, and the remaining one RESPRO provides support solely to the City of Chicago School District 299 and its schools.

Through the RESPROs, more than 200 coaches and school improvement specialists are providing direct assistance to districts and their schools. Strong partnerships with the Illinois Association of School Administrators (IASA), the Illinois Principals Association (IPA), and the Illinois Association of School Boards (IASB) further support the current regional delivery system.

The assistance provided through the Statewide System of Support includes programs and processes representing best practices in these areas: 1) standards-aligned instructional systems, 2) data-driven decision making for continuous improvement, 3) educator talent and effectiveness, 4) analysis and dissemination of research and effective practices, and 5) interventions for turning around low-performing schools.

This year agency staff focused on increasing our coaches guide leadership teams through a continuous improvement process at both the district and school level. Beginning in July 2010, ISBE piloted the Illinois Rising Star tool to support continuous improvement processes. Through Rising Star, a web-based tool, coaches assist district and school teams in evaluating the presence of indicators of effective practices in order to identify gaps and measure progress for continual improvement. The process to evaluate the presence of indicators of effective practice provide substantive direction for all Illinois schools through diagnosis, followed by targeted interventions, differentiated based on level of need, to improve student achievement. Now, in addition to scrutiny of student learning data, teams analyze the district’s and school’s practices that contribute to student outcomes. Rather than focusing only on improvement where the last annual test showed weakness, this continuous improvement approach examines professional practices school-wide and seeks to elevate performance across the board.

In FY 2012, ISBE identified Conditions for Learning Indicators that highlight the system infrastructure, data, and practices of a Comprehensive System of Learning Supports. A Comprehensive System of Learning Supports encompasses the promotion of necessary conditions for learning (i.e., a positive school climate and the development of academic, physical, social, emotional, and behavioral competencies) and addresses barriers to teaching and
learning such as: bullying, disengagement, mental health issues, and behavioral concerns so that all students can learn. These Conditions for Learning Indicators are embedded into the Rising Star System, which includes the Illinois-identified indicators of effective practice. Currently, districts and schools in Corrective Action Status are utilizing these tools for improvement planning and activities. In FY13, all districts and schools will have access to these resources.

ISBE, with both RTTT3 and Title I, Part A 1003(a) funds, will establish the Center for School Improvement (CSI) as the nexus of its Statewide System of Support (SSOS) to provide high-quality, coordinated and consistent support to districts and schools across the State. 1003(a) funds will be used to support CSI’s activities in low-performing schools and districts eligible for such services under federal law. RTTT3 will be used to extend CSI’s services to Participating LEAs, and to build capacity within CSI to support key reforms that are central to this Plan. The CSI provides ISBE with greater flexibility to quickly scale up capacity to work across the State’s reform agenda and move ahead with intensive work in the Participating LEAs while expanding its scope in key areas such as standards implementation and continuous improvement processes.

**Bilingual Teacher Recruitment**

The J-1 Exchange Visitor Program (EVP) is a partnership between the Illinois State Board of Education and both the Spain Ministry of Education and the Mexican Secretary of Public Education. The purpose of these partnerships is to enhance and increase the mutual understanding between the people of the United States and the people of other countries through educational and cultural exchanges. The benefits of this program include improving the instructional skills of bilingual teachers within the State of Illinois and providing highly qualified teachers to address the need for bilingual teachers in various instructional areas with teacher shortages, particularly in the areas of bilingual language arts, reading, mathematics, science, preschool education, bilingual special education, and instruction in the history and culture of the English language learning students’ native countries.

The 2012 Spain recruitment resulted in Illinois school districts hiring the second largest number of teachers nationally for the 2012-2013 school year. School districts participating in the 2012

ISBE recognizes the economic and cultural value of a J-1 EVP in Illinois and continues to evaluate other potential benefits in establishing new Memorandums of Understanding with additional countries. These international partnerships may begin with a small cadre of teachers but will enhance teaching and learning for all teachers and students in the participating districts by promoting the exchange of ideas in the fields of education, economics, science and interculturalism.

**Comprehensive System of Learning Supports**

In FY 2012, ISBE’s Comprehensive System of Learning Supports integrated with the Statewide System of Support (SSOS) infrastructure currently in place to provide professional development to districts and schools. Regional Learning Support Specialists were hired in the spring of 2012 to develop and provide professional development and supports to build the capacity of districts, schools and teachers to promote the necessary conditions for learning and address any barriers to teaching and learning. This would include but not be limited to professional development on the use of social, emotional, and behavioral data to inform instructional and safety practices. In addition, ISBE has established an Interagency Stakeholder group with representatives from state agencies, professional development project directors, community mental health providers, and other partners to identify existing Learning Support professional development activities occurring throughout the state as well as to identify opportunities for coordination and collaboration among participants. ISBE is also in the process of revising its website to disseminate Learning Supports’ content and professional development resources and opportunities in a more comprehensive and coordinated way.

**Illinois Virtual School-Professional Development**

The Illinois State Board of Education offers online learning opportunities for students and educators via the Illinois Virtual School, which is managed and operated by the Peoria Regional Office of Education in partnership with the Area III Consortium. Since being contracted in 2009,
the Illinois Virtual School has grown to employ more than 50 certified teachers. Professional development opportunities are offered to Illinois educators for certificate renewal purposes.

**IVS-PD – Online Professional Development for Illinois Educators:** Since opening the Reading First courses (grades K-3) in January 2011, 406 participants have completed a Reading First course earning a total of 11,238 CPDUs.

IVS recently partnered with Project Choices and ISTAC to house their online courses on the IVS-PD platform. Courses that are being transitioned this summer for release this fall include Autism, Adaptations and Support Systems, Classroom Management, and Getting Started With Co-Teaching.

Finally, content is being developed for the new RtI online courses, which will consist of three grade level courses: K-3, 4-8, and 9-12. Each course will be facilitator-led for 12 weeks, with four weeks devoted to an Overview focused on the 5 Elements/Indicators, four weeks devoted to literature, and four weeks devoted to mathematics. The courses are scheduled to open in Fall 2013.

**IVS Pre-Service Course and Online Teaching:**
IVS has developed a new IVS pre-service course for prospective instructors. With new fall 2012 courses scheduled to start, IVS has completed an application and interview process for hiring new instructors. In total, 11 instructors are currently taking the pre-service course.

In addition to the pre-service course, IVS has a new facilitator-led Online Teaching course ready for release. This course is in our IVS-PD platform and will be available to ROEs/ISCs wanting to offer the course to teachers in Illinois.
**Goal 3**

*Every school will offer a safe and healthy learning environment for all students.*

**Educator Misconduct**

In recent years, ISBE has made it a priority to provide agency staff with the resources to investigate evidence of teacher and administrator professional misconduct. Historically, the agency has not had the necessary resources for these types of investigations, nor has there been an effective reporting mechanism for the agency to be notified when accusations of misconduct arise.

Within the past few years, ISBE has made great strides to address educator misconduct. In fiscal year 2009, for the first time and at the specific request of the State Board, the agency budget included a dedicated line item to address “Educator Misconduct.” The line item was funded in FY09 at $375,000 and was funded in FY10 and FY11 at the same level. With funds from this line item, ISBE has been able to retain the law firm Shefsky & Froelich (Shefsky) to handle investigations of alleged educator misconduct and, where appropriate, to prosecute matters before hearing officers. In FY12, the line item was funded at $184,000. The State Board recommended the line remain at $375,000 in FY13.

Additionally, during FY09, the State Board adopted as one of its legislative proposals SB 2071, which was signed into law Aug. 13, 2009, as Public Act 96-431. This initiative:

- clarified and streamlined the investigation and hearing system;
- improved the reporting of information of actual and possible misconduct to the State Board; and
- added training requirements for school districts related to educator ethics and teacher-student conduct.

Thus far, in FY12, upon the action of the State Superintendent, the State Educator Preparation and Licensure Board (formerly the State Teacher Certification Board) has processed the automatic revocation of certificates for 12 educators pursuant to Section 21B-80 of the School
Code (automatic revocations relate to convictions for one or more offenses enumerated in Section 21B-80). Furthermore, in FY12, Shefsky was sent approximately 40 priority cases for review — to determine whether the State Superintendent had sufficient evidence to initiate certificate action pursuant to Section 21B-75 (where the educator has the right to notice and an opportunity for hearing). Of those, the State Superintendent issued 15 Notices of Opportunity for Hearing, and investigation continues on the remaining files. A small percentage of cases did not require a hearing, either due to voluntary surrender of a certificate or the certificate holder’s decision not to pursue a hearing related to the allegations against him or her. Four hearings regarding educator misconduct have concluded, and currently there are three hearings pending before hearing officers in the pre-hearing/discovery stage, one of which should result in a settlement agreement in May 2012. Notices of opportunity for hearing on at least five additional matters should be issuing in the next few months.

The State Board and Agency staff, with the assistance of Shefsky, continue to make sure that allegations of educator misconduct are reviewed, investigated, and, where appropriate, prosecuted, so that individuals found to have engaged in misconduct are sanctioned.

School and Campus Security Training Program

School districts face many potential risks and hazards in their school buildings, on campus and student transportation. Educators must learn to not simply react to these incidents, but to plan for a variety of threats and respond as a team. Because teachers, support staff and school administrators establish the first line school safety, they should be supported in creating safe learning environment. This requires continuing education and training opportunities to enhance knowledge, skills and abilities to prevent, respond to, and recover from a wide array for emergencies and crises which occur during school or at school events. Educators are the first responders and must be prepared to manage the emergency until help arrives. Once the emergency responders arrive on scene, educators must work collaboratively with them to ensure the safety and accountability of the students, staff and faculty. During emergencies, educators are required by law to remain in “Loco Parentis,” responsible for the safety of students in their care, until the students are reunified with their parents or guardian.

The School and Campus Security Training Program (SCSTP) is a collaborative effort of the Illinois Terrorism Task Force and the Illinois State Board of Education with program fiscal...
administration support from the Illinois Law Enforcement Alarm System. Funded through state Homeland Security Grants, training is provided at no cost to public and non-public schools, higher education institutions and first responder agencies. The program provides awareness and preparedness level training for schools, colleges and universities to plan for, respond to, and recover from an emergency or disaster. All courses are provided free of cost and many qualify for administrator academy credit, continuing education credit or continuing profession development units. Information on the many courses available and the training schedule can be viewed at http://www.isbe.net/safety.

Fifty-eight courses were delivered in FY 2012 to 1,716 participants. Since 2005, the ISBE/ITTF School and Campus Security Training Program has sponsored more than 230 courses for K-12 schools reaching over 8,200 participants from more than 810 public school districts and 540 non-public schools.

- More than 1,200 educators and first responders attended the 34 K-12 courses in FY 2012.
- The 32 K-12 courses were delivered in FY 2012 included two “Multi-hazard Emergency Planning for Schools” (train-the-trainer); two “Multi-Hazard Emergency Planning for Schools”; six “Creating an Action Plan: Forming Critical Incident Response Teams”; 11 “Student Behavioral Threat Assessment”; eight “Understanding and Planning for School Bomb Incidents”; and three “Introduction to the Incident Command System for Schools and National Incident Management System.”
- Fifteen additional courses are scheduled through October 2012. Funding for program activities is through December 2013.
- Completed development of an “Advanced Campus Threat Assessment” course. A pilot of the course was delivered May 2, 2012, with a train-the-trainer course on this curriculum for SCSTP instructors May 3, 2012, at the Oak Brook Education Center. A K-12 “Advanced Student Behavioral Threat Assessment” course is under development to enhance the knowledge and skills of existing school behavioral threat assessment teams. The course will be available after July 2012.
• The “Introduction to Incident Command System for Schools and National Incident Management System” course was translated into Spanish for a largely Hispanic workforce at East Aurora High School District. A real-time interpreter assisted our instructors with presentation to 50 participants on Dec. 20, 2011.

School Construction Grants

The School Construction Program, which was authorized by the Illinois General Assembly in 1997, has provided more than $3.4 billion for building and making renovations at public schools across the state – about 544 school districts from every region of Illinois. The program addresses the shortage of classroom space due to population growth or aging buildings. The Illinois State Board of Education and the Capital Development Board (CDB) administer the program. As required by Public Act 93-0489, a comprehensive capital needs assessment report of school districts is submitted every two years. School districts were asked to submit their needs in October 2010 so ISBE could communicate them to the governor and Illinois General Assembly.

After the FY 2010 authorization of $1.5 billion for school construction during fiscal years 2010-12, $420 million was raised from the sale of bonds. The funds allowed the distribution of $148.5 million to 24 school districts entitled in 2002 for their school construction projects. The list of districts included Chicago School District 299, which received 20 percent of the appropriation.

Additional funds from the bond sale went to 18 school districts on the FY 2003 list, with 20 percent granted to Chicago School District 299. These grants totaled $270 million in state matching funds.

The Illinois General Assembly passed an additional authorization for $640 million in January 2012, for the next round of matching grants. These additional funds went to 31 school districts on the FY 2003 list, with 20 percent granted to Chicago School District 299. These grants totaled $573 million in state matching funds.

School Maintenance Grants

The FY 2010 Capital Bill included $100 million for School Maintenance matching grants.
The School Maintenance Grants allow districts to file applications for funds to assist with the cost of building maintenance. These expenditures would include such items as roofing, windows, electrical needs, etc. The district has to demonstrate a dollar-for-dollar match, with the maximum grant award $50,000 for a $100,000 project. A total of $50 million was released and applications were available until May 1, 2012. A total of 693 applications were received for a total of $39.5 million with 20 percent granted to Chicago School District 299. An additional round of applications will be available with the remaining funds. The remaining $50 million in funding will require additional bond authorization to be passed for FY2013.

**Energy Efficiency Grants**

In the FY 2010 capital bill, $50 million was authorized for School Energy Efficiency Grants. Energy Efficiency Grants require a dollar-for-dollar match and can be used for any energy efficiency needs such as windows, heating systems, roofs, etc. The maximum state grant would be $250,000 for a $500,000 project. Applications were available in October, and 399 applications were received totaling over $80 million in projects. A total of 156 grants totaling $30 million were awarded with an anticipated annual energy savings of $1,549,135. Chicago Public Schools will receive more than $4.9 million or 20 percent of all grants awarded. An additional $20 million is anticipated to be released in FY 2013 for this grant program. Additional bond authorization must be passed for FY 2013.

The Overcrowding School Construction Grants is a new program, and allocation of funds for this program is not expected until fiscal year 2013.

The $75 million authorized for the Chicago School District is for vocational education construction. These funds will be directly sent to Chicago.

**Health/Life Safety**

The Health/Life Safety electronic program has been in operation since January 2008. Since that time updates have been incorporated to allow for electronic processing of forms and approvals between the regional superintendents and district administrators. The back log of health/life and safety 10 year surveys has been alleviated and ISBE is now current in their process.
During FY 2012 ISBE staff approved 632 Fire Prevention and Safety Amendments for Fiscal Year 2011. In these amendments, districts requested to use $145,399,603.71 for Fire Prevention and Safety needs, such as roofing, HVAC systems, tuck pointing, electrical repairs, windows, fire prevention measures, etc. The districts’ regional superintendent and ISBE approved $115,746,312.72 for such needs. If approved, districts have the authority to utilize their Fire Prevention and Safety tax levy or issue Fire Prevention and Safety bonds to obtain funding for the allowable items.

**Healthy Eating Habits**

ISBE continues to promote healthy eating habits for students throughout Illinois by administering the National School Lunch, School Breakfast, Special Milk, After-School Snack, Illinois Free Lunch and Illinois Free Breakfast programs. The agency also promotes safe meals by offering workshops to schools participating in the school-based child nutrition programs on developing a school food safety plan, based on the Hazard Analysis Critical Control Points (HACCP) principals.

Millions of meals and snacks are provided to children throughout the state of Illinois. During state fiscal year 2011, more than 192.7 million lunches were served as part of the National School Lunch Program, more than 60.5 million breakfasts were served, approximately 14.7 million milks were provided as part of the Special Milk Program, and about 4.7 million after-school snacks were served.

**Fresh Fruit and Vegetable Program**

The 2011-12 school year was the fourth year that ISBE administered the Fresh Fruit and Vegetable Program (FFVP) grant in Illinois. The FFVP is a grant funded through the U.S. Department of Agriculture (USDA), which provided $4.7 million to 216 Illinois schools. The FFVP exposed more than 79,615 children to fresh fruits and vegetables throughout the 2011-12 school year. The FFVP funding for Illinois increases to $4.9 million for school year 2012-13, with 267 schools awarded a grant. The program requires that schools receive $50-$75 per enrolled student to use towards the purchase of fresh fruits and vegetables to be consumed at school, as a snack, at times other than during the meal periods. Illinois is funding at $50.15 per student to allow more schools to participate.
HealthierUS School Challenge

The HealthierUS School Challenge (HUSSC) provides USDA recognition to schools that promote healthier food, nutrition and physical activity. The voluntary national certification initiative, HUSSC application and update requirements are available online at http://www.fns.usda.gov/tn/healthierus/index.html for all schools participating in the National School Lunch Program at award levels: Bronze, Silver, Gold and Gold of Distinction. The initiative includes nutrition standards, minimum average daily participation levels (exception for bronze level), as well as nutrition education and physical activity requirements. Awardees are certified for a four-year period and receive financial incentives. Since its inception, Illinois has received 143 HUSSC applications. The application and approval process is ongoing. Currently, 94 schools in 10 Illinois districts have received the HUSSC award.

Effective July 1, 2012, HUSSC applications submitted will be reviewed using new criteria, including breakfast, an “other criteria for excellence” category, updated lunch criteria reflecting NSLP meal pattern requirements and an ADP calculation method change. Schools applying for the HUSSC must participate in the School Breakfast Program. Schools must meet two to eight “other criteria” for different award levels. The criteria include program outreach, physical activity, nutrition education, and school and community involvement in wellness efforts. The ADP will be calculated using attendance rather than school enrollment. Both the current (effective through June 30, 2012) and the new criteria are located at http://www.fns.usda.gov/tn/healthierus/hussc_incentives.pdf.

Illinois Enhanced Physical Education Strategic Plan

The Illinois State Board of Education, the Illinois Department of Public Health and the Illinois Public Health Institute are releasing the Illinois Enhanced Physical Education Strategic Plan in June 2012. A task force comprised of state agencies, advocates, public health and non-profit organizations, disability experts and professional associations across the public health and
education sectors helped guide the effort. The strategic plan envisions daily, high-quality physical education as a reality for all Illinois K-12 students, and highlights the critical role of local school boards, superintendents and principals in enhancing P.E.

Illinois has a track record of prioritizing children’s education and health. Illinois was the first state to require daily physical education for all K-12 students. Physical activity is as important as math, science or any of our other core subjects because we know it correlates directly to the health and well-being of students for the rest of their lives.

Building on ISBE and IDPH’s leadership on this issue and partnership with advocates, public health and non-profit organizations, disability experts, and professional associations across the public health and education sectors, the Illinois legislature is on the verge of creating a statutory Enhance P.E. Task Force that will promote and implement enhanced physical education programs that can be integrated with a broader wellness strategy and health curriculum in elementary and secondary schools through strategies that align with the strategic plan. The statutory task force will also recommend updates to the state’s P.E. standards, based on the growing body of neuroscience research connecting physical activity with improved learning.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Linda Tomlinson, Ph.D., Assistant Superintendent

Agenda Topic: New Leaders Educational Unit Recognition and Program Approval

Staff Contact(s): Vicki Phillips, Division Administrator for Educator and School Development

Purpose of Agenda Item
The State Board of Education will decide whether to approve or deny the educational unit recognition of New Leaders and approval of the New Leaders Principal Preparation Program, so that New Leaders will then be able to offer a Principal Preparation Program in Illinois.

The State Educator Preparation and Licensure Board (SEPLB) voted to recognize New Leaders for unit recognition and approval of the New Leaders Principal Preparation Program on June 19, 2012.

Relationship to/Implications for the State Board’s Strategic Plan
This request is linked to State Board’s Strategic Plan goal that: “Every student will be supported by highly prepared and effective teachers and school leaders.”

Expected Outcome(s) of Agenda Item
The State Board will approve the SEPLB recommendations for recognition of New Leaders as an educational unit and approval of the Principal Preparation Program presented by New Leaders.

Background Information
In 2010, Illinois statute was amended to allow a not-for-profit entity to apply for educational unit recognition independent of any institution of higher education. A not-for-profit entity (or institution of higher education) desiring to provide any type of educator preparation program must first be approved by the Board of Higher education, then recommended by the SEPLB. The process by which this must be accomplished is outlined in Section 25.155 of Part 23 of the Illinois Administrative Rules. 23 Ill. Admin. Code 25.155.

New Leaders notified ISBE of its interest in having its educational unit receive initial recognition. New Leaders submitted a conceptual framework that was reviewed by ISBE staff to ensure that all required elements of the conceptual framework were met (Section 25.155 (d). New Leaders then submitted an institutional report incorporating an overview of the institution, an overview of the unit's conceptual framework, and evidence that it will meet the six National Council for the Accreditation of Teacher Education (NCATE) Standards: (1) Candidate Knowledge, Skills and Dispositions; (2) Assessment System and Unit Evaluation; (3) Field
Experiences and Clinical Practice; (4) Diversity; (5) Faculty Qualifications, Performance and Development; and (6) Unit Governance and Resources.

The New Leaders institutional report stated: “Founded in 2000 by a team of social entrepreneurs consisting of former school administrators, teachers, business leaders and education policy experts, New Leaders is a national nonprofit that develops transformational school leaders and designs effective leadership policies and practices for school systems across the country”. New Leaders is driven by results-oriented leaders with an unwavering commitment to ensuring every child achieves academic excellence and reaches his or her full potential. To achieve this goal, we (New Leaders) have created a program that serves as a pathway for passionate and resourceful educators to become principals in low-income communities across the country.

Pursuant to Section 25.155(b), a review team was formulated to conduct an on-site review visit. The team, selected by ISBE staff, included trained reviewers from the PK-12 system and higher education institutions. The team chair was Norm Stahl (retired) of Northern Illinois University. An ISBE staff member accompanied the team on the visit to address procedural questions and provide guidance to the team on applicable statute and rules. The team visited New Leaders in Chicago on May 15-18, 2012. During the visit, the review team met with New Leaders unit, institutional and program personnel, interviewed program staff and candidates and visited sites utilized by New Leaders in Chicago Public Schools (Section 25.155(h)). A draft report was given to New Leaders before the team left the visit which summarized the team’s findings. (Section 25.155(j).

After the visit, the team chair finalized the report and sent it to New Leaders for review for factual errors. (Section 25.155(j)). The final report found that New Leaders had met all six NCATE standards but noted specific areas for improvement (“AFIs”).

**Standard 1: Candidate Knowledge, Skills, and Dispositions**

Recommendation: Met
Area for Improvement: None

**Standard 2: Assessment System and Unit Evaluation**

Recommendation: Met
Area for Improvement: None

**Standard 3: Field Experiences and Clinical Practice**

Recommendation: Met
Areas for Improvement:

1. Candidates in programs for other school professionals participate in field experiences and clinical practice that require them to engage in structured activities related to the roles for which they are preparing.
Rationale:
There is no policy or plan for all candidates to participate in early field/pre-intern ship experiences.

Standard 4: Diversity

Recommendation: Met
Areas for Improvement:

1. Not all candidates participate in field experiences or clinical practices with exceptional students and students from diverse ethnic/racial, gender, language, and socioeconomic groups.

Rationale:
While diversity is clearly identified in the mission and vision of the unit, the field experiences for the preparation of educators do not prepare candidates to work effectively with diverse populations, including English language learners and students with exceptionalities. Not all candidates participate in field experiences or clinical practices with exceptional students and students from diverse ethnic/racial, gender, language, and socioeconomic groups.

2. There are no structured field experiences or evident policies where field experiences and clinical practice support the development of educators who can apply their knowledge of diversity, including exceptionalities, to work in schools with all students.

Rationale:
While diversity is clearly identified in the mission and vision of the Unit, the field experiences for the preparation of educators do not prepare candidates to work effectively with diverse populations, including English language learners and students with exceptionalities. Not all candidates participate in field experiences or clinical practices with exceptional students and students from diverse ethnic/racial, gender, language, and socioeconomic groups.

Standard 5: Faculty Qualifications, Performance, and Development

Recommendation: Met
Area for Improvement: None

Standard 6: Unit Governance and Resources

Recommendation: Met
Areas for Improvement:

1. The facilities do not support candidate use of information technology.

Rationale:
The unit does not ensure that all candidates have access to the same technologies during the internship experience. Candidates are only able to use the technology available at the school to which they are assigned. There is an informal process that allows interns to seek out opportunities to use technologies at other schools.

2. Candidates do not have access to sufficient library resources and electronic information.

*Rationale:*
The unit does not have a plan to ensure that all candidates will have access to sufficient library and electronic information once the current partnership with the entitling university expires.

New Leaders accepted the team report as written (Section 25.155(k)). On June 19, 2012, the SEPLB reviewed the ISBE institutional review team’s report, and all other relevant documentation. The SEPLB recommended acceptance of the team’s findings with two changes for Areas for Improvement in Standard 6. The SEPLB revised the first Area of Improvement to read: The unit does not have a plan to ensure that all candidates have access to sufficient technology and resources with the rationale that “this clarifies the expectations of the SEPLB.” Further, SEPLB believed that because candidates would have access to virtual libraries they removed the second Area for Improvement. The SEPLB voted to recommend that New Leaders be provided unit recognition.

New Leaders brought one program before the Licensure Board on June 19, 2012 for review. The New Leader Principal Preparation Program has been reviewed by the Principal Preparation Program Review Panel (Section 30.80) and was recommended to make some revisions for program improvement prior to submitting to the Licensure Board. New Leaders made those revisions and submitted the program to SEPLB. The New Leaders program proposal states:

*New Leaders (formerly New Leaders for New Schools) has developed the Aspiring Principals Program (APP), a nationally recognized recruitment, admissions, training and support program that is designed to prepare outstanding principals who can effectively lead schools and drive high academic achievement for every child. To date, we have recruited, selected and trained over 800 school leaders—160 in Chicago Public Schools alone—serving almost a quarter of a million students across the country, including 100,000 in Chicago. Our program’s main activities include recruitment and admissions, training and development and ongoing support.*

*National Recruitment Strategy. Candidates undergo an intensive recruitment and admissions process based on best practices from the education and business worlds. We aggressively recruit current and former educators who possess K–12 instructional expertise, exceptional adult leadership and management skills and an unyielding belief that all students can and will achieve at high levels. We assess candidates using research-based Selection Criteria and rubrics. Our rigorous admissions process includes an extensive online application, a first-round assessment and a finalist selection day that features interviews, case-based scenarios and group observations that test the finalists’ responses to leadership challenges. To date, we have screened more than 12,000 applicants and selectively admitted only the top 6 percent.*
Local Recruitment Strategy. New Leaders’ ongoing assessment of the recruitment and admissions process led to the development of the Emerging Leaders Program (ELP) —a program launched in SY2011–12 that identifies high-potential schoolbased teacher leaders, faculty supervisors and assistant principals within our partner school systems, provides them with additional leadership development to improve student achievement and puts them on a pathway to our Aspiring Principals Program. ELP seeks to strengthen leadership across our partner school systems by building a corps of well-trained, highly effective leaders in a variety of positions. ELP participants will serve as a pipeline of instructional leaders that have honed their leadership skills to become better prepared to assume the principalship in the future. At the same time, ELP serves as a yearlong “interview” for our Aspiring Principals Program.

Once selected into APP, candidates make a six-year contractual commitment to serve in Chicago Public Schools (CPS) and enter a yearlong phase called the “foundational year,” which is designed to develop the skills and knowledge needed by outstanding principals. The foundational year consists of several components, ensuring well-rounded support:

Coursework. Candidates participate in rigorous academic coursework and leadership skill development trainings throughout their foundational year.

Yearlong internship (residency) placement in a high-need public school where candidates work alongside a successful mentor principal, receive ongoing coaching and attend meetings with fellow candidates.

Professional development workshops that build on additional coursework during the internship.

Assessment of candidate learning based on standards that are aligned to our Urban Excellence Framework, which is aligned to Interstate School Leaders Licensure Consortium (ISLLC) and Chicago Public Schools Principal Competencies.

The SEPLB reviewed the New Leader Principal Preparation Program and voted to recommend approval of the program.

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

Budget Implications: N/A

Legislative Action: N/A

Communication: Please see the Next Steps section below.

Superintendent’s Recommendation

I recommend that the following motion be adopted:

The State Board hereby recognizes New Leaders as an educational unit and approves New Leaders to provide their Principal Preparation Program in accordance with Section 25.65 of Part 23 of the Illinois Administrative Code.
**Next Steps**
Upon approval of the educational unit the State Superintendent will notify New Leaders of Recognition of the Institution and Unit and approval of the Principal Preparation Program.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Melissa S. Oller, Chief Internal Auditor

Agenda Topic: Presentation of FY 2011 Financial Audit Report


Staff Contact: Melissa Oller, Chief Internal Auditor

Purpose of Agenda Item
To provide the Board with the results of the FY 2011 Financial Audit, reported finding, and Agency’s response to the finding.

Expected Outcome(s) of Agenda Item
The Board will be informed of the issues identified by the Office of the Auditor General in the FY 2011 Financial Audit report, and accept the audit.

Background Information
The Auditor General is responsible for conducting a Financial Audit of the Agency. The objectives of this audit are to determine if financial statements are fairly presented.

Analysis and Implications for Legislative Action and Communications

Legislative: This audit will be reviewed by the Legislative Audit Commission.
Communications: The audit is issued by the Auditor General and is available to the public.

Superintendent’s Recommendation
I recommend that the State Board adopt the following motion:

I move that the State Board of Education hereby accept the Office of the Auditor General’s Illinois State Board of Education Financial Audit for the Year Ended June 30, 2011.

Next Steps
No further actions necessary.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
        Melissa S. Oller, Chief Internal Auditor

Agenda Topic: FY 2013/FY 2014 Internal Audit Plan

Materials: FY 2013/FY 2014 Internal Audit Plan

Staff Contact: Melissa Oller, Chief Internal Auditor

Purpose of Agenda Item
To provide the Board with the FY 2013/FY 2014 audit plan.

Expected Outcome(s) of Agenda Item
The Board will be informed of Internal Audit’s audit schedule for FY 2013/FY 2014 in relationship to the requirements of the Fiscal Control and Internal Auditing Act (FCIAA) (30 ILCS 10/) and the International Standards For the Professional Practice of Internal Auditing (Standards) (Attribute 2020).

Background Information
The Illinois State Board of Education is required by the FCIAA to maintain a full time program of internal auditing and this plan must be approved by the State Superintendent of Education ensuring that the plan meets the requirements of the Act. The Standards state “The chief audit executive must communicate the internal audit activity’s plans and resource requirements, including significant interim changes, to senior management and the board for review and approval. The chief audit executive must also communicate the impact of resource limitations.”

Analysis and Implications for Policy, Budget, Legislative Action and Communications
A risk based approach was used to develop the audit plan. ISBE managers were surveyed in relation to their programs and functions. Survey results were reviewed and the responses were evaluated based on the following criteria:

- internal controls
- written procedures
- complexity
- changes in function
- last time audit performed
- impact to user’s
- management priority

The audit plan presented will allow ISBE to meet the requirements of the Fiscal Control and Internal Auditing Act (30 ILCS 10/2003) as well as the Standards requirements of Attribute 2020.
Policy Implications: An adequate program of Internal Audit provides assurance to the Board and Agency management that ISBE is compliant with laws, regulations, and policies and procedures; that information has integrity and is reliable; that assets are safeguarded; that operations are effective and efficient; and that goals and objectives are being accomplished.

Legislative Action: The Audit Plan is required by the Fiscal Control and Internal Auditing Act (30 ILCS 10/2003).

Communication: Materials prepared or compiled with respect to internal audits are exempt from the Freedom of Information Act (5 ILCS 140/1) disclosure.

**Superintendent's Recommendation**
I recommend that the following motion be adopted:

I move that the State Board of Education hereby accept the FY 2013/FY 2014 Audit Plan.

**Next Steps**
No further actions necessary.
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| Total Budgeted Hours                                         | 7820    | 7820    |

7820 Available Hours
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Schools
Linda Tomlinson, Ph.D., Assistant Superintendent


Purpose of Agenda Item(s)
The purpose of this agenda item is to review data and set the passing scores for each sub test of the Illinois Certification Testing System (ICTS) Test of Academic Proficiency (TAP): reading, language arts, mathematics, and writing. This agenda item was tabled by the board at the May 17, 2012 meeting.

Relationship to Implications for the State Board's Strategic Plan
The setting of passing scores for each sub area of the TAP has linkage to Goal 2: To ensure that every student will be supported by highly prepared and effective teachers and school leaders.

Background Information
Because the Basic Skills test has been expanded to include additional test items to 1) ensure alignment to the common core and 2) allow for more detailed reporting, the name of the test has been changed to the Test of Academic Proficiency (TAP). As a result, the Board has been asked to review and establish proficiency levels (passing scores) for each of the subtests on the TAP.

On April 18, 2012, the Board ratified the selection criteria for standard setting panelists. On April 24 and 25, 2012, a panel of twenty-three Illinois educators meeting such criteria participated in a passing score review conference. Panelists were first instructed by ISBE staff on the expectations of the “Just Acceptably Qualified Candidate” (JAQC). Panelists were provided with detailed descriptors of “JAQC” and were asked to refer to the descriptors several times throughout the two-day conference. Evaluation Systems, the ICTS testing contractor, provided training in the passing score recommendation process. Panel members then independently read and answered each test question and provided their best professional judgment about the percentage of “just acceptably qualified candidates” (JAQC) who would answer each question correctly.

The group of twenty-three was divided into two groups of 12 and 11 respectively. The two groups met separately to review items in Rounds 2 and 3. Panelists were brought back together in Round 4 to review the range of passing score judgments made by each of the panelists in the two groups. An average of Round 4 resulted in the panel recommended passing scores.

A modified Angoff standard-setting model was used for establishing the recommended raw passing scores. This standard-setting model conforms to accepted industry practice and is used by the State Board of Education in establishing passing scores for all certification tests.
Evaluation Systems provided ISBE with a data report that included tables with the panel-based passing score recommendations. No Standard Error of Measurement (SEM) adjustments to the panel-based passing score recommendations were requested by ISBE staff and none provided by Evaluation Systems.

On May 10, 2012, the State Educator Preparation and Licensure Board approved the panel recommendation for cut scores for each portion of the TAP: reading, language arts, mathematics, and writing. Prior to the review, public comment regarding the panel recommendations was heard. After discussion, the SEPLB voted 11-5 to approve the panel recommendations.

Any examinee who failed the Basic Skills Test five times will have five additional opportunities to pass the TAP. No failed attempt on any of the Basic Skills subtests will carry over to the TAP; however, any subtest of the Basic Skills 300 series an examinee passed will be considered banked and he/she would not need to take the same subtest on the TAP. For example, if an examinee passed the mathematics subtest of the Basic Skills 300 series, he/she would not need to take the mathematics subtest of the TAP.

Institutions determine at what point someone is “fully admitted” to the teacher education program. Additionally, institutions determine which courses a student can take prior to full admission into teacher education and which courses can only be taken after full admission. We have heard from higher education institutions that there is not enough time to remediate students so they can be successful on the TAP during the first year of college. We suggest that institutions consider provisional admission into teacher education and then commit to work with students and provide needed remediation so they will be able to be fully accepted into their programs. Institutions will need to be sure that students understand that provisional admission does not mean that they will be able to finish but rather than students will have additional time to meet requirements and they will be helped by the institution. An institution may require that one or two subareas of the TAP be passed for provisional admission. Candidates must be fully admitted into a program at least one semester prior to student teaching. If a student has not been fully admitted by this point in a program, we would not support someone continuing to pay for a program he/she may not be able to complete.

Institutions have also requested that we consider having the ACT meet the requirement for a test of basic skills. ACT considers college readiness to represent that a student would have a 50% chance of obtaining a B or higher or 75% chance of obtaining a C or higher in first year college courses. An ACT composite score of 22 is considered by ACT as “college ready”. Reviewing data from those who have taken the basic skills test, indicates that, of those taking the test who have an ACT of 22, 53% pass the basic skills test either the first attempt or after multiple attempts. Those with scores less that 22 on the ACT have less chance of passing the basic skills test. Use of the ACT will have the added benefit of reducing costs for students seeking higher education given that all Illinois students must take the ACT prior to graduation. Given that funding for the writing portion of the ACT was eliminated, the writing component of the TAP, however, would continue to have to be used unless students either had taken the writing component as a part of their ACT or would be required to pay for that component of the ACT on their own.

**Expected Outcome(s) of Agenda Item:** Following a review of data and a discussion of the State Educator Preparation and Licensure Board (SEPLB) recommendations, members of the Board will make a final determination on the passing scores for the sub tests of the TAP: reading comprehension, language arts, mathematics and writing. These passing scores will become effective immediately and scores reported within approximately three weeks for the examinees who have taken at least one subtest of the TAP since February 1, 2012. Additionally, if an individual wants to count their composite score of 22 or above to meet the
requirement for a test of basic skills, they will be able to submit official ACT scores and will not be required to take the TAP. Institutions will be able to make decisions about provisionally accepting students into teacher education programs while they assist these students with remediation for the TAP.

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

**Policy Implications:** As expressed in the Standards for Education and Psychological Testing (American Educational Research Association, National Council of Measurement in Education, 1999), the establishment of passing scores “…embodies value judgments as well as technical and empirical considerations.” (p. 54).

The panel-based recommended scores are, for the most part, a product of technical and empirical considerations. Panel members rated the validity of all test items and made judgments about the percentage of “just acceptably qualified candidates” that would answer each item correctly.

**Budget Implications:** None

**Legislative Action:** None

**Communications:** Information regarding the new cut scores, provisional admittance and ACT cut score will be communicated with the field.

**Pros and Cons of Various Actions:**
In establishing the passing scores, the Board is confronted with balancing their quest for seeking higher standards and nurturing new teachers to meet these demands. A major goal of State Board of Education is to improve student achievement in all subject areas. A point of relevance is that students in many other countries perform much higher in major subject areas than our students do.

A data system is being developed to link Illinois educators to student performance. Greater performance from our students demands that higher expectations are placed upon teachers and leaders. One means of ensuring that teachers and administrators meet these higher expectations is to have an appropriate cut score to ensure that all candidates accepted into preparation programs have a certain level of proficiency in reading comprehension, language arts, mathematics and writing.

This trend to raise expectations continues past secondary education and into higher level education. Higher demands and expectations are being placed upon teacher candidates because of the focus on the common core.

**Superintendent’s Recommendations:**
The Superintendent recommends the following motion be adopted:

The State Board of Education hereby sets the passing scores for the sub tests of the TAP as follows:

- TAP Writing sub test passing score is set at a scaled score of 8; Reading Comprehension passing score 37; Language Arts passing score 37; and Mathematics passing score 29.

The State Board of Education sets a composite score of 22 or above on the ACT to meet the requirement for passing a test of basic skills if an individual requests to use
this assessment. The ISBE should align timelines for the ACT to be considered valid with the timelines considered valid for the TAP.

The State Board of Education understands that higher education institutions may need more time to remediate students so that they can pass the TAP. Therefore, institutions may establish requirements for provisionally admitting students into their programs. Further, institutions must commit to assist these students so that they can be successful with the TAP. Institutions shall establish policies for informing their students of any requirements for provisional admission. Students must pass the TAP or have an ACT of 22 or above for “full admission” into teacher education and individuals must be fully admitted one semester prior to student teaching.

**Next Steps:**
ISBE will work with the testing contractor to run score reports using the new cut scores approved by the board. Institutions will receive detailed reports relative to the strengths and weaknesses of each examinee who elects to have his/her score reported to the particular institution. Likewise, each examinee will receive a more detailed report outlining his/her performance on each Standard. ISBE will establish a procedure to align the time ACT test scores are valid with TAP requirements and will establish a procedure for accepting the TAP to meet this requirement.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Marcy Dutton, Interim General Counsel

Agenda Topic: Transfer of Authorization of State Charter Schools to State Charter School Commission

Materials: Red-lined Charter Agreements (separate cover)

Staff Contact(s): Jennifer Saba, Assistant General Counsel, ISBE General Counsel’s Office

Purpose of Agenda Item
To review and act upon the Superintendent’s recommendation to transfer the authorization of Southland College Prep Charter High School (“Southland”) and Prairie Crossing Charter School (“PCCS”) (collectively, the “State Charters”) from the Illinois State Board of Education to the State Charter School Commission (the “Commission”), effective July 1, 2012.

Relationship to/Implications for the State Board’s Strategic Plan
The Commission is responsible for authorizing high-quality charter schools throughout Illinois, particularly schools designed to expand opportunities for at-risk students. By operation of law, authorization of the two State Charters currently under the State Board’s jurisdiction must transfer to the Commission by no later than July 1, 2012. As authorizer of the State Charters, the Commission will be responsible for collecting, analyzing and reporting on each school’s performance, and will make decisions concerning whether to renew or not renew their charter agreements (the “Agreement(s)”) based upon such information.

The performance of these responsibilities directly relates to all three goals of the State Board’s Strategic Plan, including ensuring that: (1) “every student will demonstrate academic achievement and be prepared for success after high school; (2) “every student will be supported by highly prepared and effective teachers and school leaders; and (3) “every school will offer a safe and healthy learning environment for all students.”

Expected Outcome(s) of Agenda Item
The anticipated outcome of this agenda item is the approval of the transfer of authorization of Southland and PCCS from the State Board to the Commission, effective July 1, 2012. Upon such transfer, the Commission will replace the State Board as the authorizer of each school and will hold each school accountable to the terms of its Agreement with the Commission.

Background Information
Public Act 97-0152 amended Article 27A of the Illinois School Code (the Charter School Law) to create the State Charter School Commission. The 9-member Commission is defined by the Act as an independent state agency with statewide charting jurisdiction and authority. As a state-level authorizer of charter schools, the Commission is empowered to consider the appeals of charter agreements and proposals that have been denied, revoked, or not renewed by a local school board, approve quality charter school applications and deny weak or inadequate applications, monitor the performance and legal compliance of charter schools authorized by the Commission, and determine whether each charter school authorized by the Commission merits renewal, nonrenewal, or revocation.
Article 27A-7.5(k) of the Charter School law requires that any charter school authorized by the State Board prior to the effective date of Public Act 97-0152 must have its authorization transferred to the Commission upon a vote of the State Board, which shall then become the school's authorizer for all purposes under the Article. Transfer of any charters from the State Board to the Commission must take place no later than July 1, 2012. Id. Southland College Prep Charter High School and Prairie Crossing Charter School are the only two state-authorized charter schools at this time, and therefore the only charters upon which the State Board must act to transfer authorization from the State Board to the Commission.

As part of the transfer of authorization, the State Board must assign its Charter Agreements with the State Charters to the Commission. Beginning in April 2012, State Board staff met with staff and members of the Commission and representatives of the two State Charters to prepare for the transfer of these schools from the State Board to the Commission, as required by law. In this process, the Commission renegotiated the Charter Agreements with the State Charters and approved certain modifications to such Agreements. The renegotiated Agreements will go into effect upon transfer of authorization, and the State Board will no longer be a party to the Charter Agreements. Redlined copies of the renegotiated Charter Agreements between the Commission and the State Charters are attached here to as Exhibit A.

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

Policy Implication: Approval of the transfer of authorization of the State Charters from the State Board to the State Charter School Commission will ensure compliance with the requirements of the Charter Law.

Budget Implication: The impact on the State Board (i.e., any reduction in workload or impact on the Agency’s budget) is expected to be very minor, since the State Board is the authorizer of only two charter schools at this time.

**Superintendent’s Recommendation**

The State Board of Education hereby approves the transfer of authorization of Southland College Prep Charter High School and Prairie Crossing Charter School from the State Board of Education to the State Charter School Commission, effective July 1, 2012.

**Next Steps**
The State Board of Education website, and the page dedicated to the State Charter School Commission, will be appropriately updated.
Exhibit A
AMENDED CHARTER SCHOOL AGREEMENT

THIS AMENDED CHARTER SCHOOL AGREEMENT ("Amended Agreement") is entered into by and between the Illinois State Board of Education Charter School Commission (the "State Board Commission"), a state agency body politic, and the Southland College Prep Charter School, Inc. an Illinois not-for-profit corporation ("Southland" or the "Charter High School"), an independent public school established under the Illinois Charter Schools Law, 105 ILCS 5/27A-1, et seq. (the "Charter Schools Law"), and effective on the date it is fully executed.

RECITALS

WHEREAS, the State of Illinois enacted the Charter Schools Law as Public Act 89-450, effective April 10, 1996, as amended; and

WHEREAS, the Charter Schools Law was enacted for the following purposes:

(1) To improve pupil learning by creating schools with high, rigorous standards for pupil performance;

(2) To increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for at-risk pupils;

(3) To encourage the use of innovative teaching methods;

(4) To allow for the development of innovative forms of measuring pupil learning and achievement;

(5) To create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;

(6) To provide parents and pupils with expanded choices within the school system;

(7) To encourage parental and community involvement with public schools; and

(8) To hold charter schools accountable for meeting rigorous school content standards and to provide those schools with the opportunity to improve accountability; and
WHEREAS, the Charter Schools Law provides that, in evaluating any charter school proposal submitted to it, a local school board shall give preference to proposals that:

(1) demonstrate a high level of local pupil, parental, community, business, and school personnel support;

(2) set rigorous levels of pupil achievement and demonstrate feasible plans for attaining those levels of achievement; and

(3) are designed to enroll and serve a substantial proportion of at-risk children, provided that nothing in the Charter Schools Law shall be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk children or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy.

WHEREAS, on December 14, 2009, the Charter High School submitted a proposal to Rich Township High School District 227 (“District 227”) to operate a charter school in District 227;

WHEREAS, on February 19, 2010, District 227 denied the proposal;

WHEREAS, on March 5, 2010, Southland submitted a timely appeal (“the appeal”) of said denial to the Illinois State Board of Education (the “State Board”);

WHEREAS, on April 30, 2010, pursuant to its authority under Section 650.60(b) of the 23 Illinois Administrative Code (“Section 650.60(b)”), ISBE State Board staff contacted the Southland developers to request additional information about the materials contained in the proposal;

WHEREAS, on May 6, 2010, Southland submitted information responsive to ISBE staff’s April 30, 2010 request;

WHEREAS, on May 18, 2010, pursuant to its authority under Section 650.60(b), ISBE staff again contacted the Southland developers to request additional information, specifically regarding the provision of special education services;

WHEREAS, on May 18, 2010, and May 19, 2010, Southland submitted information responsive to ISBE State Board staff’s May 18, 2010, request;
WHEREAS, the initial appeal received on March 5, 2010 and additional clarifying documents received on May 6, 2010, May 18, 2010 and May 19, 2010, shall collectively constitute the Charter High School Proposal, a copy of which Charter High School Proposal is incorporated herein by reference as described in Exhibit A;

WHEREAS, at a public meeting on May 21, 2010, the State Board overturned the denial of the High School Proposal by District 227 for the reasons stated in the State Board’s Determination, a copy of which is incorporated by reference as described in Exhibit B;

WHEREAS, pursuant to 105 ILCS 5/27A-9(f) the State Board entered into a Charter School Agreement with the Charter High School on June 24, 2010, with an effective date of July 1, 2010;

WHEREAS, at a public meeting on February 17, 2011, the State Board voted to approve an amendment to the Charter School Agreement requested by the Charter High School by correspondence dated January 3, 2011;

WHEREAS, on July 20, 2011, through Public Act 97-0152, the Commission was established as an independent state commission with statewide chartering jurisdiction and authority which is responsible for the authorization and oversight of charter schools throughout the State of Illinois;

WHEREAS, the State Board transferred all charter school files to the Commission including the file related to the Charter High School;

WHEREAS, the Commission pursuant to Public Act 97-0152 has reviewed the Charter High School file and its related chartering documentation;

WHEREAS, the parties agree that the current charter agreement between the State Board and the Charter High School will be terminated effective June 30, 2012 and that this Agreement supercedes the current charter renewal agreement between the State Board and the Charter High School; and

WHEREAS, the parties desire that the Charter High School be authorized to continue to operate and conduct its affairs in accordance with the terms of this Agreement and the Charter Schools Law;

NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein and for other good and lawful consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:
1. **Recitals Incorporated by Reference.** The recitals to this Amended Agreement are incorporated herein by reference and made a part hereof.

2. **Grant of Charter.** The Charter High School is hereby authorized, and granted a charter in accordance with the Charter Schools Law and the terms and conditions of this Amended Agreement, to operate a charter school as described herein.

3. **Term of Amended Agreement.** This Amended Agreement shall commence on the effective date provided above, and shall expire at midnight, U.S. Central time, June 30, 2015, unless terminated or extended pursuant to the terms hereof.

4. **Educational Program.** The Charter High School shall operate an educational program and program of instruction serving the educational needs of the students enrolled therein.
   
   a. **Mission Statement.** The Charter High School shall operate pursuant to its commitments outlined in the Charter High School Proposal, and such commitments are hereby accepted to the extent that they are consistent with the declared purposes of the General Assembly as stated in the Charter School Law.

   b. **Age, Grade Range.** The Charter High School shall provide instruction to pupils in grades 9 in the 2010-2011 school year, to pupils in grades 9 through 10 in the 2011-2012 school year, to pupils in grades 9 through 11 in the 2012-2013 school year, and to pupils in grades 9 through 12 in the 2013-2014 school year and in every year thereafter as provided in the Charter High School Proposal.

   c. **Enrollment.** Enrollment in the Charter High School shall be open to any pupil who resides within the boundaries of District 227. Each year, if on the date of the Charter High School’s application deadline (which may be no earlier than March 1), there are more eligible applicants for enrollment in the Charter High School than there are spaces available, the students who shall enroll in the Charter High School will be selected by lottery which shall be open to all applicants and the public. The Charter High School shall not request information in the application process about a student’s academic aptitude, special education needs or English language proficiency. Priority for enrollment shall be given to siblings of pupils enrolled in the Charter High School and to pupils who were enrolled in the Charter High School the previous school year, unless expelled for cause. Using the lottery process required herein, the Charter High School shall establish a waiting list of students who shall be offered the opportunity to enroll at the Charter High School if additional space becomes available, and, when such vacancies occur, any students on such a waiting list shall be enrolled in the school in the order in which they appear on the waiting list, as determined by the lottery.
If vacancies occur, students may be allowed to enroll in the Charter High School such that the number of students in each class will not be exactly 125 students, provided that total student enrollment shall not exceed 125 students in the 2010-2011 school year, 250 students in the 2011-2012 school year, 375 students in the 2012-2013 school year, and 500 students in the 2013-2014 school year and thereafter. For example, if only 122 continuing students are enrolled as sophomores for the 2011-2012 school year, the Charter High School may enroll 128 freshmen for the 2011-2012 school year (because 122 sophomores plus 128 freshmen = 250 students, the enrollment cap for the 2011-2012 school year). The Charter High School shall not permit dual enrollment of any student at both the Charter High School and another public school or non-public school. The Charter High School’s enrollment shall never be more than 500 students. Once a student has enrolled, the student shall remain enrolled for the academic year unless there is a documented voluntary withdrawal, transfer, reassignment, or disciplinary suspension or expulsion.

d. Student Transfers. For any student transfer out of the Charter High School shall be documented by the Charter High School shall make reasonable best efforts to obtain a transfer form signed by the student’s parent/guardian which affirmatively states that the student’s transfer is voluntary.

e. Goals, Objectives, Pupil Performance Standards. The Charter High School shall pursue and make reasonable progress toward the achievement of the goals, objectives and pupil performance standards consistent with those set forth in the Charter High School Proposal, provided that such goals, objectives and pupil performance standards shall at all times remain in compliance with Section 2-3.64 of the Illinois School Code, 105 ILCS 5/2-3.64. The Charter High School will be held accountable for the achievement of its students, and if necessary, the State Board Commission will take remedial action, including without limitation, revocation or non-renewal of the Charter High School’s charter.

f. Evaluation of Pupils. The Charter High School’s plan for evaluating pupil performance, the types of assessments to be used, the timeline for achievement of performance standards, and the procedure for taking corrective action in the event that pupil performance at the Charter High School falls below those standards, shall be consistent with the Charter High School Proposal.

g. Curriculum. The curriculum established by the Charter High School shall be consistent with the Charter High School Proposal. Before the Charter High School enrolls any 10th, 11th, or 12th grader, it must submit its proposed curriculum for that grade to the Commission’s approval. Prior to making any material change in its curriculum,
the Charter High School shall submit for approval any such material change to the State Superintendent Commission.

h. **School Year; School Days: Hours of Operation.** Instruction shall commence in the 2010-2011 school year and subsequent school years on dates established by the Charter High School, provided that the beginning date of instruction shall be no earlier than August 15 and no later than September 15 of each school year. Each year, the Charter High School shall provide professional development for all staff as deemed necessary and appropriate, and within budgetary constraints. During its initial year of operation, the Charter High School’s school year will begin on August 16, 2010. The days and hours of operation of the Charter High School shall be Monday through Friday, 8:00 a.m. to 5:00 p.m.

i. **Discipline.** The Charter High School shall implement a system of uniform student discipline. The Charter High School may develop and implement its own system of student discipline, provided that such policy is in compliance with relevant laws and provided that the term "academic probation" means that a student is in need of targeted assistance in order to address academic concerns, and the faculty and staff of the Charter High School will provide such assistance, with the cooperation of the student and his/her parent(s). The Charter High School has the responsibility to ensure that each student enrolled there will succeed academically. The Charter High School will not expel any student due to academic challenges, although a student could be expelled for serious disciplinary infractions, pursuant to the provisions of the Illinois School Code regarding such expulsions.

j. **Governance and Operation.** The operation of the governing board of the Charter High School shall be as set forth below:

(i) Under the current bylaws of the Charter High School, the Charter High School’s Board of Directors has between 6 and 11 members, with any new members to be seated by the vote of a majority of the Board at any duly called meeting of the Board. As required by the Charter High School’s bylaws, its Board of Directors shall include the following individuals: (a) three directors shall be the sitting President, Vice President and Secretary of Matteson School District No. 162, or his/her designee; (b) one director shall be the sitting Superintendent of Matteson School District No. 162 or his/her designee who shall be a properly certified District administrator who reports directly to the Superintendent; (c) one director shall be the President of Governors State University or his/her designee; (d) three directors shall be the Superintendents of Districts 159, 160 and 163, or his/her designee who shall be a properly certified District
administrator who reports directly to the Superintendent; and (e) one director shall be the dean of a University College of Education or his/her designee. The Parties to this Amended Agreement expressly acknowledge that the Superintendents of Districts 159, 160 and 163 have declined the Charter High School’s invitation to serve as directors of the Charter High School or to designate other District administrators to serve as directors of the Charter High School. Remaining director positions may be filled based upon a determination of the majority of the Charter High School’s Board of Directors that the individual(s) selected as directors will make a positive contribution in furtherance of the Charter High School’s mission, by virtue of an array of considerations, including such individual’s experiences, knowledge, expertise or ties to the communities to be served by the Charter High School. The Charter High School may not alter or amend any part of Article IV of its bylaws pertaining to its Board of Directors without obtaining prior written approval from the State Superintendent; its bylaws and shall provide the Commission with copies of such altered or amended bylaws within 30 days of approval by the Charter High School’s Board of Directors.

(ii) The Charter High School’s Board of Directors is responsible for the selection and hiring of the school’s Principal/Chief Executive Officer, for the proper operation of the Charter High School in accordance with the Charter Schools Law, 105 ILCD 5/27A, et seq., and otherwise for the fulfillment by the Charter High School of its obligations under this Amended Agreement;

(iii) The governing board Charter High School’s Board of Directors shall hold meetings at least four times per year; and

(iv) Neither the Charter High School’s Board of Directors nor any of its members shall ever receive any compensation or monetary gain from the Charter High School or any of its subcontractors as a result of this Charter High School or for any other reason.

k. Pupil Transportation. The Charter High School shall meet the transportation needs of its students in the manner as set forth in the Charter High School Proposal, provided that the Charter High School shall specifically address the transportation needs of low-income and at-risk pupils to the extent required by the Charter Schools Law.

l. Bilingual Education. The Charter High School shall provide bilingual education services in a manner consistent with that in the Charter High School Proposal, provided that such services are in compliance with relevant
State and Federal law. The Charter High School 1) shall identify students who require bilingual education by administering the Home Language Survey Form, 2) shall assess the English language proficiency of all students identified as coming from a non-English speaking background, and 3) shall provide a bilingual education or English as a Second Language program for such students. Notwithstanding anything to the contrary in this paragraph, the Charter High School shall have no obligation to provide bilingual education to a greater extent than required under the relevant Federal law and Charter Schools Law.

m. School Calendar. No later than July 1 of each year during which this Amended Agreement is in effect, the Charter High School shall submit to the State Superintendent for approval its school calendar for such academic year and the following summer session.

5. Additional Covenants and Warranties of Charter High School. The Charter High School covenants and warrants as follows:

a. Compliance with Laws and Regulations. The Charter High School shall operate at all times in accordance with the Charter Schools Law and all other applicable Federal and State laws from which the Charter High School is not otherwise exempt and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status or need for special educational services. The Charter High School shall also comply with the following, to the extent applicable to Charter Schools:

(i) The No Child Left Behind Act of 2001 (PL 107-110, signed January 8, 2002);

(ii) Section 2-3.64 of the Illinois School Code (105 ILCS 5/2-3.64), regarding performance goals, standards and assessments;

(iii) Section 10-21.9 of the Illinois School Code (105 ILCS 5/10-21.9) regarding criminal history records checks and checks of the statewide sex offender database of applicants for employment;

(iv) Section 24-24 of the Illinois School Code (105 ILCS 5/24-24) regarding discipline of students;

(v) The Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/1-101, et seq.);
(vi) Section 108.75 of the General Not For Profit Corporation Act of 1986 (805 ILCS 105/1.01, et seq.) regarding indemnification of officers, directors, employees and agents;

(vii) The Abused and Neglected Child Reporting Act (325 ILCS 5/1, et seq.);

(viii) The Illinois School Student Records Act (105 ILCS 5/10-1, et seq.);

(ix) The Freedom of Information Act (5 ILCS 140/1, et seq.);

(x) The Open Meetings Act (5 ILCS 120/1.01, et seq.);

(xi) All applicable health and safety regulations of the State of Illinois, including without limitation those laws specifically identified by the Commission or the State Superintendent Board as being applicable to charter schools. A current list of such laws, which may be added to, deleted from or otherwise amended from time to time by the Commission or the State Superintendent Board is attached hereto as Exhibit C.

(xii) The Individuals with Disabilities Education Act (20 U.S.C. – 1400 et seq.); and

(xiii) The Pension Code (40 ILCS 5/1-101 et seq.). The parties hereby acknowledge and agree that the Charter High School shall comply with the provisions of the Illinois Pension Code which expressly specify applicability to, or require compliance by, charter schools and it is not the intent of the parties that the Charter High School shall comply with any other portions of the Illinois Pension Code.

b. Compliance with Amended Agreement. The Charter High School shall operate at all times in accordance with the terms of this Amended Agreement, and all Exhibits attached hereto. Additionally, the Charter High School’s bylaws may not be inconsistent with the terms of this Amended Agreement, and all Exhibits attached hereto.

c. Maintenance of Corporate Status and Good Standing. The Charter High School shall at all times maintain itself as an Illinois general not-for-profit corporation capable of exercising the functions of the Charter High School under the laws of the State of Illinois, shall remain in good standing under the laws of the State of Illinois, and shall timely make all required filings with the office of the Illinois Secretary of State. Upon request, the Charter High School shall provide
the State Superintendent Board with certified copies of its Articles of Incorporation, a Certificate of Incorporation evidencing its incorporation as a nonprofit corporation, its bylaws, and all amendments or modifications thereto. If the Charter High School is also recognized as an organization exempt from Federal income taxation under Section 501(c)(3) of the Internal Revenue Code, upon request, the Charter High School shall provide the State Superintendent Board with copies of all filings relating to the Charter High School maintaining 501(c)(3) exempt status, and all its filings with the office of the Illinois Attorney General.

d. Personnel. The relationship between the Charter High School and its employees, and the manner in which terms and conditions of employment shall be addressed with affected employees and their recognized representatives, if any, shall be as set forth in the Charter High School Proposal and this Amended Agreement, provided that the Charter High School shall comply with all Federal and Illinois employment laws and regulations made applicable to charter schools under the Charter Schools Law.

No later than September 1 of each year during the term of this Amended Agreement, the Charter High School shall provide the State Superintendent Commission with a current list of all of its employees, and shall cause each of its subcontractors to provide the State Superintendent Commission with a current list of all of such subcontractor’s employees providing services at the Charter High School. Such lists shall contain the names and job positions of all applicable employees. Such list shall also indicate: (i) for each employee, the date of initiation of the criminal background investigation required under 10-21.9 of the School Code and paragraph 5-5e of this Amended Agreement, and the results of such background check; and (2) for each individual employed in an instructional position, evidence of certification, or evidence that such individual is otherwise qualified to teach under Section 27A-10(c) of the Charter Schools Law, and evidence that such individual is Highly Qualified in accordance with Part 25, Appendix D, of 23 Illinois Administrative Code (“Highly Qualified”). For any person hired in an instructional position after September 1 of any school year, the Charter High School shall provide the State Superintendent Commission with such evidence of certification or other qualification no later than ten (10) business days after the individual’s initial date of employment.

e. Criminal Background Checks. The Charter High School shall not knowingly employ and shall not permit its subcontractors to knowingly employ at the Charter High School any individual (i) for whom a fingerprint-based criminal background investigation and statewide sex offender database check has not been initiated, or (ii) who has been convicted for committing or attempting to
commit one of the offenses enumerated in Section 21-23a of the Illinois School Code.

f. Instructional Providers. The Charter School shall employ or otherwise utilize in instructional positions and shall require that its subcontractors employ or otherwise utilize in instructional positions only those individuals who are certificated under Article 21 of the Illinois School Code, 105 ILCS 5/21-1, et seq. and are Highly Qualified, or who are otherwise qualified to teach under Section 27A-10(c) of the Charter Schools Law and are Highly Qualified. For purposes of this Section, “instructional positions” means all those positions involving duties and responsibilities which, if otherwise undertaken in District 227’s Public Schools, would require teacher certification.

g. Building

(i) Existing Facility. The Charter High School shall be located at the Huth School, 3718 West 213th Place, Matteson, Illinois 60443. At the time the Parties entered this Amended Agreement, the Charter High School was located at 4601 Sauk Trail, Richton Park, Illinois 60471, in a building that complies with all applicable occupancy permits and health and safety requirements. For this and any subsequent location of the Charter High School, prior to the attendance of students at such facility, the Charter High School shall have obtained: (1) all applicable occupancy permits and health and safety approvals for such Attendance Center; (2) an executed copy of the lease agreement for such Attendance Center, if occupied under a lease agreement; and (3) evidence of title to such Attendance Center, if owned by the Charter High School. The Charter High School shall take such actions as are necessary to ensure that all leases, occupancy permits and health and safety approvals for all Charter High School Facilities remain valid and in full force, and shall certify to the State Superintendent of Education no later than July 1 of each year during the term of this Amended Agreement that such leases, certificates and approvals remain in force.

(ii) Change in Location. The Charter High School may change the physical location of the Charter High School, provided that the Charter High School fulfills the obligations and provides the information set forth in this Section with respect to such new physical location, and provided further that the Charter High School notifies the State Superintendent of Education of the proposed change in location not less than 30 days prior to the first day of operation in the new physical location of the facility.
h. **Homeless Children.** The Charter High School acknowledges and agrees that the Charter High School must provide services to homeless children in accordance with the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431, *et seq.*).

6. **Financial Operations of Charter High School.**

a. **Financial Management.** The Charter High School shall operate in accordance with Generally Accepted Accounting Principles or other generally accepted standards of fiscal management, provided that the Charter High School’s accounting methods shall comply in all instances with any applicable governmental accounting requirements. The Charter High School shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of the Charter High School’s budget shall be conducted annually by an outside, independent auditor retained by the Charter High School’s Board of Directors. Annually, by December 31, the Charter High School shall submit to the **State Superintendent** a copy of the Form 990 which the Charter High School filed that year with the federal Internal Revenue Service.

b. **Budget and Cash Flow.** The Charter High School shall prepare and provide to the **State Superintendent** a copy of its annual budget and cash flow projections for each year by no later than July 1 of such fiscal year. The fiscal year for the Charter High School shall begin on July 1 of each year and end on June 30 of the subsequent year.

c. **Distribution of Funds / Commission’s Fee.**

i. The State **Superintendent** shall voucher to the State **Comptroller** the Charter High School funds in four quarterly installments payable on or before August 15, November 15, February 15, and May 15 of each fiscal year, provided that the Charter High School submits its enrollment figures by July 15 of each relevant year. The first such voucher shall be August 15, 2010, provided that the State Superintendent has received the required enrollment figures by July 15, 2010. All funds distributed to the Charter High School from the State **Comptroller** shall be used for educational purposes only. The use of such funds for any other purpose is strictly prohibited.

ii. Pursuant to the Charter Schools Law, the Commission shall assess the Charter High School an Operational Fee in an
amount up to 3% of the General State Aid allotted for the fiscal year, beginning in Fiscal Year 2013 (at approximately $162,000). The Commission shall invoice the Operational Fee on a quarterly basis. The Operational Fee shall be due following the Charter High School’s receipt of each Quarterly Installment from the State Board. The actual amount of any Operational Fee shall be determined by the Commission on an annual basis, pursuant to the Commission Policy Regarding Operational Fee for Commission Schools.

d. Refund of Unspent Funds. In the event that this Amended Agreement is revoked or is not renewed by the State Board, the Charter High School shall refund to the State Board all unspent funds in accordance with Section 27A-11(g) of the Charter Schools Law.

e. Tuition and Fees. The Charter High School shall not charge tuition to any student, unless such student would otherwise be liable for tuition costs under the Illinois School Code. The Charter High School may charge reasonable fees, to the extent permitted by law, for textbooks, instructional materials, summer school programs, after school programs, and student activities. However, such fees may not exceed the amount of tuition. Upon request of the Commission, the Charter High School shall provide evidence that such fees are reasonable, which shall include information regarding student fees charged by District 227 area high schools.

f. Outside Funding. The Charter High School may accept gifts, donations or grants pursuant to Section 27A-11(d) of the Charter Schools Law, provided that no such gifts, grants or donations may be accepted if contrary to applicable law or to the terms of this Amended Agreement. In the event that the Charter High School solicits funding from sources other than those set forth in this Section 6, it shall comply with all applicable State and Federal laws regarding the reporting of charitable solicitations.

g. Management and Financial Controls. At all times, the Charter High School shall maintain appropriate governance, financial controls, and managerial procedures which procedures and controls shall include, but not be limited to: (1) generally accepted accounting procedures; (2) a checking account; (3) adequate payroll procedures; (4) bylaws; (5) an organization chart; and (6) procedures for the creation and review of monthly and quarterly financial reports, which procedures shall specifically identify the individual who will be responsible for preparing such financial reports in the following fiscal year. The Charter High School may not enter into any financial transaction with, or pay any
compensation whatsoever to, any of its officers and directors, or any affiliated entity.

h. Annual Audits. The Charter High School shall cause a Financial Statement Audit and Financial and Administrative Procedures Controls Review (collectively, the Financial Audits) to be performed annually at its expense by an outside independent auditor retained by the Charter High School and reasonably acceptable to the State Superintendent\textsuperscript{Commission}. The Financial Audits shall include, without limitation:

(i) An opinion on the consolidated statement of financial position (and Supplementary Schedule of Expenditures of Federal Awards, if applicable);

(ii) A report on compliance and on internal control over financial reporting based on an audit of financial statements performed in accordance with Government Accounting Standards; and

(iii) A report on compliance with requirements of applicable laws and regulations, including the audit requirements contained in the Accountability Plan.

The Financial Audits shall be provided made available to the State Superintendent\textsuperscript{Board and Commission} no later than September 30 or December 31 of each year during the term of this Amended Agreement, beginning with September 30, 2011, December 31, 2012.

i. Quarterly Enrollment Reports. The Charter High School shall prepare or cause to be prepared quarterly enrollment reports, which shall be provided to the State Superintendent\textsuperscript{Board and Commission} on or before July 15, October 15, January 15, and April 15 of each year, beginning July 15, 2010.

j. Withholding of Funds. In the event the Charter High School fails to submit to the State Superintendent\textsuperscript{Board or the Commission} any documents or information required under this Amended Agreement, or fails to follow any procedures and policies set forth in this Amended Agreement, the State Superintendent may submit a written request to the State Superintendent that the State Superintendent\textsuperscript{Commission} withhold any and all payments of funds to the Charter High School, provided that the State Superintendent\textsuperscript{Commission} gives the Charter High School prior written notice enumerating the specific failure(s) and the Charter High School fails to submit the required documents or information within 30 days of receipt of such notice. Upon the Charter High School’s remediation of any such failure(s), the
Commission shall request that the State Superintendent shall immediately release any and all payments of funds due the Charter High School. Repeated violations of this paragraph shall be deemed a material violation of this Agreement, and the Commission may revoke this Agreement and the charter of the Charter High School.

k. Attendance. The Charter High School shall maintain accurate enrollment data and daily records of student attendance and shall provide enrollment and attendance data to the State Superintendent as requested, not more frequently than on a monthly basis. Such enrollment and attendance data shall be maintained and updated at least monthly by the Charter High School.

7. Insurance. The Charter High School shall, at its own expense, purchase and maintain insurance covering all of its operations. Such insurance shall include the types of insurance set forth in Exhibit D hereto, subject to the conditions and in no less than the respective limits set forth therein. All insurers shall be licensed by the State of Illinois and rated B+ or better by A. M. Best or a comparable rating service. No later than fifteen (15) days following the date of approval of the Initial Charter School Agreement by the State Board, and each July 1 thereafter, the Charter High School shall provide the State Superintendents with certificates of insurance or other satisfactory proof evidencing coverage in the types and amounts as set forth above and in Exhibit D. All such insurance policies shall contain a provision requiring notice to the State Board, at least 30 days in advance, of any material change, non-renewal or termination, to the attention of: the Commission.

Jennifer M. Saba
Legal Advisor
Illinois State Board of Education
100 W. Randolph St., Suite 14-300, Chicago, IL 60601

8. Academic Accountability and Evaluations.

a. Accountability Plan. The Charter High School shall be held accountable by the State Board in accordance with the student performance goals outlined in the Charter High School Proposal contained in Exhibit A, including meeting all the student performance targets outlined in the Illinois accountability workbook. Due to potentially sweeping changes regarding testing requirements and other accountability standards that may occur because of amendments to the No Child Left Behind Act or other laws or mandates, the parties agree that the student performance goals outlined in the Charter High School Proposal are subject to re-negotiation effective on or before June 30 of each year of the Amended
Agreement upon written notice from the State Superintendent shall be re-negotiated on or before December 31, 2012. The parties agree to work diligently and in good faith to re-negotiate these student performance goals, the Accountability Plan so as to comply with any and all required changes regarding accountability standards which are established by the Commission or applicable to charter schools under state or federal law.

b. Standardized Tests. The Charter High School shall administer such standardized tests of academic proficiency as are provided for in the Charter High School Proposal and in the State Board’s policies and procedures, and shall participate in State assessments required by Section 2-3.64 of the Illinois School Code.

c. Site Visits. In addition to the above procedures, the Charter High School shall grant reasonable access to, and cooperate with, the State Board or Commission, its officers, employees and other agents, including allowing site visits by the State Board or Commission, its officers, employees and other agents, for purpose of allowing the State Superintendent Board or Commission to fully evaluate every aspect of the operations and performance of the Charter High School pursuant to the Charter Schools Law. Where possible, the State Superintendent Board or Commission shall provide the Charter High School with at least 24 hours prior notice of such site visits.

9. Special Education.

a. Provision of Services. The Charter High School shall provide services and accommodations to students with disabilities as set forth in the Charter High School Proposal and in accordance and compliance with the Individuals with Disabilities Education Act (20 U.S.C. §1400, et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) (Section 504) and the Charter High School Special Education Policy, incorporated by reference as described in Exhibit E. The Charter High School shall provide a full continuum of services to implement the IEP of a student with disabilities.

b. Special Education Personnel. To meet the requirements under the IDEA and Section 504, the Charter High School must, at all times, employ a qualified and certified special education professional for administrative oversight of the special education services at the Charter High School by:

i. hiring a full-time Director of Special Education; or

ii. joining the appropriate Special Education District and entering into a joint operating agreement with that District for the provision of such services; or
iii. contracting with a school district that is located within the County and not a member of the Special Education District for the provision of such services; or

iv. contracting with a qualified and certified special education professional to provide such services.

c. Under any of the alternatives specified in subparagraph (b) above, the personnel providing the required services as Director of Special Education must be available, and when necessary, to ensure that the needs of all children with disabilities are fully satisfied, recognizing that reimbursement would be available only for employment of a fulltime Director of Special Education.

d. The Charter High School must provide technical assistance supervision to the special education staff;

e. The Charter High School must maintain written special education policies and procedures;

f. The Charter High School must continue to train staff member relative to the policies and procedures with specific to the following:

1. The formal referral process;
2. Identification of needed assessments;
3. Timelines;
4. Determination of eligibility; and
5. The IEP process.

g. The State Board shall direct to the Charter High School those federal and state special education funds due to the Charter High School because of the eligible child count or other appropriate special education reimbursement mechanisms based on the Charter High School’s submission of appropriate applications and/or claims.

10. Comprehensive School Management Contracts. No entity or party other than the Charter High School may provide comprehensive school management or operations except upon the prior approval of the State Superintendent Commission.

11. Renewal of Charter; Failure to Renew. No later than January 1, 2015, and no earlier than September 1, 2014, the Charter High School shall provide a written proposal to the State Board Commission in accordance with Section 27A-9 of the Charter Schools Law, setting forth proposed terms of renewal of this Amended Agreement. Pursuant to Section 27A-9(b) of the Charter Schools Law, the renewal proposal of the Charter High School shall contain the most recent annual report and financial statement of the Charter High School. The written proposal may contain proposed changes to this
Amended Agreement that the Charter High School desires to incorporate into the renewed agreement. The renewal proposal shall be evaluated by the State Board Commission in accordance with the requirements of the Charter Schools Law and this Amended Agreement.

The State Superintendent Commission shall provide written notice to the Charter High School indicating whether, and upon what conditions, it is willing to renew the charter of the Charter High School, including any modified terms proposed by the State Superintendent Commission. If there is no agreement on the terms of renewal, then the parties shall fulfill their mutual obligations hereunder to the end of the Term of this Amended Agreement. The State Board Commission may refuse to renew the Amended Agreement upon a finding that any cause for revocation exists under Section 12 hereof.

12. Revocation of Charter. The State Board Commission may revoke this Amended Agreement and the charter of the Charter High School, in accordance with Section 27A-9 of the Charter Schools Law, if the State Board Commission clearly demonstrates that the Charter High School did any of the following, or otherwise failed to comply with the requirements of the Charter Schools Law:

a. Committed a material violation of any of the conditions, standards, or procedures set forth in this Amended Agreement including the Accountability Plan; or

b. Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in this Amended Agreement or in the Accountability Plan; or

c. Failed to meet generally accepted standards of fiscal management; or

d. Materially violated any provision of law from which the Charter High School was not exempted.

In addition, the charter of the Charter High School may be revoked in the event that the parties agree to terminate this agreement by mutual consent.

In the event that the State Board Commission proposes to revoke this Amended Agreement and the charter of the Charter High School, the State Board Commission shall provide the Charter High School with written notice setting forth in detail the grounds for such revocation at least 14 days prior to the date the Board takes final action on such revocation.
13. Resolution of Minor Violations of this Amended Agreement. The parties will make every effort to address minor violations of this Amended Agreement informally. Such “minor violations” include all violations of this Amended Agreement except for violations for which revocation of this Amended Agreement is appropriate under this Amended Agreement. If either party determines that a minor violation of this Amended Agreement has not been resolved through such informal means, such party shall provide the other party with written notice of the perceived minor violation of this Amended Agreement, as well as a demand that said minor violation be cured within thirty (30) days of the date of such written notice. Within such thirty (30) days of receipt of such written notice, the party receiving such notice shall cure the minor violation identified therein or, in the alternative, provide a written response to the other party explaining any inability to cure the minor violation as requested. At the conclusion of the thirty (30) day period required herein, if either party remains dissatisfied with the resolution of any minor violation of the Amended Agreement through the procedures outlined in this provision, the parties may seek to enforce their rights under this Amended Agreement through any and all legal means.


a. To the fullest extent permitted by law, the Charter High School shall indemnify, defend and hold harmless the State Board or Commission, its members, officers, employees, agents, affiliates and representatives, past and present (collectively, the “State Board Indemnites” or the “Commission Indemnites”), from and against any and all liabilities, losses, penalties, damages and expenses, including costs and attorney fees, arising out of all claims, liens, demands, suits, liabilities, injuries (personal or bodily), of every kind, nature and character arising or resulting from or occasioned by or in connection with (i) the possession, occupancy or use of the property of the Charter High School, its faculty, students, patrons, employees, guests or agents, (ii) any act or omission to act, whether negligent, willful, wrongful or otherwise by the Charter High School, its faculty, students, patrons, employees, guests or agents, (iii) a violation of any law, statute, code, ordinance or regulation by the Charter High School, its faculty, students, patrons, employees, sub-contractors, guests or agents, and/or (iv) any breach, default, violation or nonperformance by the Charter High School of any term, covenant, condition, duty or obligation provided in this Amended Agreement including, but not limited to, the Accountability Plan (collectively, the “Covered Losses”). This indemnification shall not apply to the extent that any Covered Loss results from the negligence or wrongful act or omission of any State Board Indemnitees or the Commission Indemnitees or from any act or omission of the Charter High School required by law or this Amended Agreement.
b. This indemnification, defense and hold harmless obligation shall survive the termination of this Amended Agreement. Any indemnified party shall have the right, at its own expense, to participate in the defense of any suit, without relieving the indemnifying party of any of its obligations hereunder.

15. **Disclaimer of Liability.** The parties expressly acknowledge that the Charter High School is not operating as the agent, or under the direction and control, of the State Board or Commission except as required by law or this Amended Agreement, and that the State Board or Commission assumes no liability for any loss or injury resulting from: (1) the acts and omissions of the Charter High School, its directors, trustees, agents, subcontractors or employees; (2) the use and occupancy of the building or buildings occupied by the Charter High School, or any matter in connection with the condition of such building or buildings; or (3) any debt or contractual obligation incurred by the Charter High School. The Charter High School acknowledges that it is without authority to, and will not, extend the faith and credit of the State Board or Commission to any third party.

16. **Governing Law.** This Amended Agreement shall be governed by, subject to and construed under the laws of the State of Illinois without regard to its conflicts of laws provisions.

17. **Waiver.** No waiver of any breach of this Amended Agreement shall be held as a waiver of any other or subsequent breach.

18. **Counterparts; Signature by Facsimile.** This Amended Agreement may be signed in counterparts, which shall together constitute the original Amended Agreement. Signatures received by facsimile (with confirmation thereof) by either of the parties shall have the same effect as original signatures.

19. **Terms and Conditions of Charter High School Proposal.** The parties hereto expressly agree that the Charter High School Proposal sets forth the overall goals, standards and general operational policies of the Charter High School. The Charter High School acknowledges and agrees that the Charter High School Proposal is an integral part of this Amended Agreement, and the State Board or Commission shall have the right to hold the Charter High School responsible for all information, representations and statements contained in the Charter High School Proposal. The parties understand, however, that the Charter High School Proposal is not a complete statement of each detail of the Charter High School’s operation. To the extent that the Charter High School desires to implement specific policies, procedures or other specific terms of operation that supplement or otherwise differ from those set forth in the Charter High School Proposal, the Charter High School shall be permitted to implement such policies, procedures, and specific terms of operation, provided that such policies, procedures and terms of operation are consistent with the goals, standards and general operational
policies set forth in the Charter High School Proposal, this Amended Agreement, and the Charter Schools Law.

20. Amendments. This Amended Agreement may be further amended only by written consent of the parties hereto and, in the case of material amendments, only after submission of such amendments to, and approval by, the State Board Commission in accordance with Section 27A-6(e) of the Charter Schools Law.

21. Assignment. This Amended Agreement may not be assigned or delegated by the Charter High School under any circumstances, it being expressly understood that the charter granted hereby runs solely and exclusively to the Charter High School.

22. Termination. This Amended Agreement may be terminated prior to its expiration by the mutual consent of the parties or revocation of the charter of the Charter High School pursuant to Section 12 hereof. Termination of this Amended Agreement for any reason shall serve to immediately revoke the charter granted hereby.

23. Notices. Any notice, demand or request from one party to any other party or parties hereunder shall be deemed to have been sufficiently given or served for all purposes if, and as of the date, it is delivered by hand, overnight courier, facsimile (with confirmation thereof), or within three (3) business days of being sent by registered or certified mail, postage prepaid, to the parties at the following addresses:

If to the Charter High School: Dr. Blondean Y. Davis
c/o Matteson School District No. 162, Chief Executive Officer
Southland College Prep Charter School, Inc.
3625 W. 215th Street, Matteson, Illinois 60443-2707

Richton Park, Illinois 60471

With copies to: Registered Agent
Robert R. Hall, Jr.
Querrey Odelson & Harrow, Ltd.
175 W. Jackson Boulevard, Suite 1600
Chicago, Illinois 60604-6080

If to the State Board: Christopher A. Koch, Ed.D., Commission: Jeanne L. Nowaczewski
State Superintendent Executive Director

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24. **Severability.** In the event that any provision of this Agreement or the Charter High School Proposal thereof to any person or in any circumstances shall be determined to be invalid, unlawful, or unenforceable to any extent, the remainder of this Amended Agreement, and the Charter High School Proposal of such provision to persons or circumstances other than those as to which it is determined to be invalid, unlawful or unenforceable, shall not be affected thereby, and each remaining provision of this Amended Agreement shall continue to be valid and may be enforced to the fullest extent permitted by law.

25. **Superseder.** This Amended Agreement supersedes and replaces any and all prior agreements and understandings between the State Board of Education and the Charter High School with respect to the subject matter hereof. To the extent that any conflict or incompatibility exists between the Charter High School Proposal as incorporated herein and the other terms of this Amended Agreement, such other terms of this Amended Agreement shall control.

26. **Delegation.** The parties agree and acknowledge that the functions and powers of the State Board of Education may be exercised by the State Superintendent for Education or his/her designee, provided that any ultimate decision regarding renewal, non-renewal or revocation of this Amended Agreement may be made only by the State Board of Education.
26. **Construction.** This Amended Agreement shall be construed fairly as to both parties and not in favor of or against either party, regardless of which party prepared the Amended Agreement.

27. **Incorporation of Exhibits.** All exhibits referenced herein are hereby incorporated into and made a part of this Amended Agreement.

IN WITNESS WHEREOF, the parties have made and entered into this amended and restated Second Amended Charter School Agreement as of the effective date hereof.

**ILLINOIS STATE SUPERINTENDENT CHARTER SCHOOL COMMISSION**

By: __________________________

——Christopher A. Koch, Ed.D

Name: __________________________

Title: __________________________

**SOUTHLAND COLLEGE PREP CHARTER SCHOOL, INC.**

By: __________________________

Name: __________________________

Title: __________________________
EXHIBIT A

CHARTER HIGH SCHOOL PROPOSAL

The following documents are hereby incorporated by reference as if set forth fully herein and collectively constitute the Charter High School Proposal:

1. The initial appeal received on March 5, 2010 and additional clarifying documents received on May 6, 2010, May 18, 2010, and May 19, 2010, collectively constitute the Charter High School Proposal.
EXHIBIT B

Illinois State Board of Education’s Determination

The following document is hereby incorporated by reference as if set forth fully herein:

1. ISBE’s Determination - At a public meeting on May 21, 2010, the State Board overturned the denial of the Charter High School Proposal by District 227 for the reasons stated in the State Board’s Determination.
EXHIBIT C

STATE BOARD OF EDUCATION LIST OF HEALTH AND SAFETY LAWS
APPLICABLE TO CHARTER SCHOOLS

1. The Following Sections of the Illinois School Code, 105 ILCS 5/1-1 et seq.:
   a. Section 2-3.12 (requires compliance with State Board building and life and safety codes).
   b. Sections 10-20.5b (prohibits tobacco use on school property).
   c. Section 10-20.17a (requires in-service training for school personnel who handle hazardous or toxic waste).
   d. Section 10-20.23 (requires schools to have tornado prevention programs).
   e. Section 10-21.10 (prohibits students from having electronic paging devices on school property).
   f. Section 10-21.11 (requires schools to have policies for handling students with chronic infectious diseases).
   g. Section 27-8.1 (requires that students have periodic health examinations and immunizations).
   h. Section 10-22.21b (requires that schools have policies regarding administering medication to students).


3. Eye Protection in School Act, 105 ILCS 115/0.01, et seq.

4. Fire Drill Act, 105 ILCS 120/0.01, et seq.

5. Toxic Art Supplies in Schools Act, 105 ILCS 135/1, et seq.
EXHIBIT D

INSURANCE REQUIREMENTS

1. **Insurance.** Minimum insurance requirements are:

   a. **Workers’ Compensation and Employers’ Liability Insurance:** Workers' Compensation Insurance affording workers’ compensation benefits for all employees as required by law and Employers' Liability Insurance covering all employees who are to provide Services under the Contract with limits of not less than Five Hundred Thousand and 00/100 Dollars ($500,000.00) per occurrence.

   b. **Commercial General Liability Insurance:** Commercial General Liability Insurance or equivalent with limits of not less than One Million and 00/100 Dollars, ($1,000,000.00) per occurrence, and Two Million and 00/100 Dollars ($2,000,000.00) in the aggregate, combined single limit for bodily injury, personal injury and property damage liability coverage shall include the following: all premises and operations, products/completed operations (for a minimum of two (2) years following completion), independent contractors, separation of insureds, defense and contractual liability. Policy shall not exclude sexual abuse/molestation coverage. The Board shall be named as an additional insured on a primary, non-contributory basis for any liability arising directly or indirectly from Services.

   c. **Automobile Liability Insurance:** Automobile Liability Insurance is required when any motor vehicle (whether owned, non-owned or hired) is used in connection with Services to be performed, with limits of not less than One Million and 00/100 Dollars, ($1,000,000.00) per occurrence for bodily injury and property damage.

   d. **School Board Legal/Professional:** School Board Legal/Professional liability insurance covering Charter High School and its directors and officers from liability claims arising from wrongful acts, errors or omissions in regards to the conduct of their duties related to operation and management of the school with limits of not less than Two Million and 00/100 Dollars ($2,000,000.00) per claim. Coverage shall include Employment Practices Liability and Sexual Harassment.

   e. **Umbrella/Excess Liability Insurance:** Umbrella or Excess Liability Insurance with limits of not less than Two Million and 00/100 Dollars
($2,000,000.00) to provide additional limits for underlying general and automobile liability coverages.

f. Property Insurance: Property insurance for full Replacement Cost of property, including State Board or Commission property for which the Charter High School is contractually responsible, by lease or other agreement, from physical loss or damage. Such insurance shall cover boiler and machinery exposures and business interruption/extra expense losses.

g. Fidelity Bond: Fidelity bond coverage in the amount of at least Two Hundred Thousand and 00/100 Dollars ($200,000.00) with a responsible surety company with respect to all of Charter High School’s employees as may be necessary to protect against losses, including, without limitation, those arising from theft, embezzlement, fraud, or misplacement of funds, money, or documents.

2. General. Charter High School’s failure to carry or document required insurance during the term of the contract shall constitute a breach of this Amended Agreement and any failure of the State Board or Commission to demand or receive proof of insurance coverage shall not constitute a waiver of Charter High School’s obligations. The State Superintendent or Commission reserves the right to obtain copies of insurance policies and insurance records by written request at any time from the Charter High School or its subcontractors and to modify, delete, alter or change insurance requirements at any time.

The Charter High School shall require any subcontractors to maintain comparable insurance naming the Charter High School, the State Board and Commission inclusive of its members, employees and agents, and any other entity designated by the State Superintendent or Commission as Additional Insureds. The Charter High School will maintain a file of subcontractor’s insurance certificates evidencing compliance with these requirements.

The State Superintendent or Commission reserves the right to change and or amend insurance requirements as necessary.
EXHIBIT E

Charter High School Special Education Policy

The following documents are hereby incorporated by reference as if set forth fully herein:

1. All additional documents submitted by the Charter High School on May 6, 2010, responsive to ISBE staff’s April 30, 2010, request;

2. All additional documents submitted by the Charter High School on May 18, 2010, and May 19, 2010, responsive to ISBE staff’s May 18, 2010 request;

3. All other documents submitted by the Charter High School regarding special education, including the Special Education Policy and Procedures Manual submitted on June 3, 2010.
Document comparison by Workshare Compare on Tuesday, June 12, 2012 8:40:15 AM

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RENEWAL OF CHARTER AND CHARTER SCHOOL AGREEMENT


RECITALS:

WHEREAS, the State of Illinois enacted the Charter Schools Law as Public Act 89-450, effective April 10, 1996, as amended; and

WHEREAS, the Charter Schools Law was enacted for the following purposes:

(1) To improve pupil learning by creating schools with high, rigorous standards for pupil performance;

(2) To increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for at-risk pupils;

(3) To encourage the use of innovative teaching methods;

(4) To allow for the development of innovative forms of measuring pupil learning and achievement;

(5) To create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;

(6) To provide parents and pupils with expanded choices within the school system;

(7) To encourage parental and community involvement with public schools;

(8) To hold charter schools accountable for meeting rigorous school content standards and to provide those schools with the opportunity to improve accountability; and

WHEREAS, on July 2, 1999, the Charter School entered into a Charter School Agreement with the Illinois State Board of Education (the “State Board”) for a five-year term beginning with the 1999-2000 school year and ending with the 2003-2004 school year, which was approved and certified by the Illinois State Board of Education;
WHEREAS, on May 26, 2004, the Charter School entered into a Charter School Renewal Agreement with the State Board for a five-year term beginning with the 2004-2005 school year and ending with the 2008-2009 school year, which was approved and certified by the Illinois State Board of Education;

WHEREAS, on December 17, 2008, the Charter School submitted a Renewal to the State Board to renew its Charter School Agreement (the “Renewal”), a copy of which is incorporated by reference as described in Exhibit A hereto;

WHEREAS, on February 5, 2009 and March 2, 2009, the Charter School complied with the submission of Additional Information (“Additional Information”), a copy of which is incorporated by reference as described in Exhibit B hereto;

WHEREAS, on March 19, 2009, the State Superintendent issued a Recommendation and the State Board approved the Recommendation that the Charter School be renewed for five years with stipulations (“Recommendation”), a copy of which is incorporated by reference as described in Exhibit C hereto;

WHEREAS, on June 29, 2009, the parties agreed to the specific terms of the stipulations (“Stipulations”), a copy of which is incorporated by reference as described in Exhibit D hereto;

WHEREAS, on July 20, 2011 through Public Act 97-0152, the Commission was established as an independent State commission with statewide chartering jurisdiction and authority with the responsibility to authorize and oversee charter schools throughout the State of Illinois;

WHEREAS, the State Board transferred all charter school files to the Commission including the file related to the Charter School;

WHEREAS, the Commission pursuant to Public Act 97-0152 has reviewed the Charter School file and its related chartering documentation;

WHEREAS, the parties agree that the current charter renewal agreement between the State Board and the Charter School is terminated effective June 30, 2012 and that this Agreement supersedes the current charter renewal agreement between the State Board and the Charter School;

WHEREAS, the parties desire that the Charter School be authorized to continue to operate and conduct its affairs in accordance with the terms of this Agreement and the Charter Schools Law;
NOW, THEREFORE, in consideration of the mutual covenants, representations, warranties and agreements contained herein and for other good and lawful consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Recitals Incorporated by Reference.

The recitals to this Agreement are incorporated herein by reference and made a part hereof.

2. Grant of Charter.

The Charter School is hereby authorized, and granted a renewal of a charter, in accordance with the Charter Schools Law and the terms and conditions of this Agreement, to operate a charter school as described herein.

3. Term of Agreement.

This Agreement shall commence on July 1, 2009, and shall expire at midnight, June 30, 2014, unless terminated or extended pursuant to the terms hereof.

4. Educational Program.

The Charter School shall operate an educational program and program of instruction serving the educational needs of the students enrolled therein.

a. Mission Statement. The Charter School shall operate under the mission statement set forth in the Renewal, and such mission statement is hereby accepted to the extent that it is consistent with the declared purposes of the General Assembly as stated in the Charter School Law.

b. Age, Grade Range. The Charter School shall provide instruction to pupils in grades K through 8, as provided in the Renewal.

c. Enrollment. Enrollment in the Charter School shall be open to any pupil who resides within the Woodland School District 50 or the Fremont School District 79. Each year, the Charter School shall set a deadline for application that is no earlier than March 1 and if, on the date of that deadline, there are more eligible applicants for enrollment in the Charter School than there are spaces available, successful applicants shall be selected by lottery which shall be open to all applicants and the public. The Charter School shall not request information in the application process about a student’s academic aptitude, special education needs or English language proficiency. Priority for enrollment may be given to siblings of pupils enrolled in the Charter School and to pupils who were enrolled in the Charter School the previous school year, unless expelled for cause. Using the lottery process required herein, the Charter School shall establish a waiting list of
students who shall be offered the opportunity to enroll at the Charter School if additional space later becomes available. The Charter School shall not permit dual enrollment of any student at both the Charter School and another public school or non-public school. The Charter School shall serve up to 432 students in grades K through 8. The Charter School understands that any enrollment increase beyond 360 and up to 432 students would require a financial review and negotiation of the per capita tuition rate. Once a student has enrolled, the student shall remain enrolled for the academic year unless there is a documented voluntary withdrawal, transfer, reassignment, or disciplinary suspension or expulsion.

d. Student Transfers. Any student transfer out of the Charter School shall be documented by, the Charter School shall make reasonable best efforts to obtain a transfer form signed by the student’s parent/guardian which affirmatively states that the student’s transfer is voluntary.

e. Goals, Objectives, Pupil Performance Standards. The Charter School shall pursue and make reasonable progress toward the achievement of the goals, objectives, and pupil performance standards consistent with those set forth in the Renewal, provided that such goals, objectives and pupil performance standards shall at all times remain in compliance with Section 2-3.64 of the Illinois School Code, 105 ILCS 5/2-3.64.

f. Evaluation of Pupils. The Charter School’s plan for evaluating pupil performance, the types of assessments to be used, the timeline for achievement of performance standards, and the procedure for taking corrective action in the event that pupil performance at the Charter School falls below those standards, shall be consistent with the Renewal.

g. Curriculum. The curriculum established by the Charter School shall be consistent with the Renewal and as otherwise modified or supplemented herein. The Charter School shall notify the State Board of Education of any material change in its curriculum subsequent to the date of this Agreement.

h. School Year; School Days: Hours of Operation. Instruction shall commence in the 2009-2010 school year and subsequent school years on dates established by the Charter School, provided that the beginning date of instruction shall be no earlier than August 1 and no later than September 15 of each school year. The days and hours of operation of the Charter School shall be as set forth in the Application or as otherwise established by the Charter School. During the term of this Agreement, if the Charter School seeks to change its school year calendar to accommodate a year-round school educational model, it may submit its proposal to the Commission for review and consideration.
i. Student Discipline. The Charter School shall implement a system of uniform student discipline that is consistent with relevant law. The Charter School shall provide the Commission with a copy of its student discipline policy.

j. Governance and Operation. The operation of the governing Board of the Charter School shall be as set forth in the Renewal and in the Additional Information.

k. Pupil Transportation. The Charter School shall meet the transportation needs of its students in the manner as set forth in the Renewal, in the Additional Information and in Exhibit B.

l. School Calendar. No later than July 1 prior to the commencement of each academic year during which this Agreement is in effect, the Charter School shall submit to the State Board Commission its school calendar for such academic year and the following summer session. During the term of this Agreement, if the Charter School seeks to change its school year calendar to accommodate a year-round school educational model, it may submit its proposal to the Commission for review and consideration.

5. Additional Covenants and Warranties of Charter School.

The Charter School covenants and warrants as follows:

a. Compliance with Laws and Regulations. The Charter School shall operate at all times and shall be in compliance with the Charter Schools Law, all other applicable federal, State and local laws, codes, or regulations, from which the Charter School is not otherwise exempt, and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status or need for special educational services. The Charter School shall also comply with the following, to the extent applicable to charter schools:

i. The Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.);

ii. The No Child Left Behind Act of 2001 (PL 107-110, signed January 8, 2002);

iii. Section 2-3.64 of the School Code (105 ILCS 5/2-3.64), regarding performance goals, standards and assessments;

iv. Section 10-21.9 of the School Code (105 ILCS 5/10-21.9;) regarding criminal background investigations of applicants for employment;
v. Section 24-24 of the School Code (105 ILCS 5/24-24;) regarding discipline of students;

vi. The Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/1-101 et seq.);

vii. Section 108.75 of the General Not For Profit Corporation Act of 1986 (805 ILCS 105/1.01 et seq.) regarding indemnification of officers, directors, employees, and agents;

viii. The Abused and Neglected Child Reporting Act (325 ILCS 5/1 et seq.);

ix. The Illinois School Student Records Act (105 ILCS 5/10-1 et seq.);

x. The Freedom of Information Act (5 ILCS 140/1 et seq.);

xi. The Open Meetings Act (5 ILCS 120/1.01 et seq.);

xii. The Pension Code (40 ILCS 5/1-101 et seq.);

xiii. All applicable health and safety regulations of the State of Illinois and the local municipalities, including without limitation those laws specifically identified by the Commission or the State Board as being applicable to charter schools. A current list of such laws, which may be added to, deleted from, or otherwise amended from time to time by the State Board, is attached hereto as Exhibit E;

b. Compliance with Agreement. The Charter School shall operate at all times in accordance with the terms of this Agreement, including the Accountability Plan as later defined herein.

c. Maintenance of Corporate Status and Good Standing. The Charter School shall at all times maintain itself as an Illinois general not-for-profit corporation capable of exercising the functions of the Charter School under the law of the State of Illinois, shall remain in good standing under the laws of the State of Illinois, and shall timely make all required filings with the office of the Illinois Secretary of State. Upon request, the Charter School shall provide the State Board with certified copies of its Articles of Incorporation, a Certificate of Incorporation evidencing its incorporation as a nonprofit corporation, its Bylaws, and all amendments or modifications thereto. The Charter School is also recognized as an organization exempt from Federal income taxation under Section 501(c)(3) of the Internal Revenue Code, and upon request the Charter School shall provide the State Board with copies of all filings relating to the Charter School maintaining 501(c)(3) exempt status.
d. Personnel. The relationship between the Charter School and its employees, and the manner in which terms and conditions of employment shall be addressed with affected employees and their recognized representatives, if any, shall be as set forth in the Renewal and this Agreement, provided that the Charter School shall comply with all Federal and Illinois employment laws and regulations made applicable to charter schools under the Charter Schools Law.

No later than September 1 of each year during the term of this Agreement, the Charter School shall provide the State Board of Education with a current list of all of its employees, and shall cause each of its subcontractors to provide the State Board of Education with a current list of all of such subcontractor’s employees providing services at the Charter School. Such lists shall contain the names, job positions, and social security numbers of all applicable employees. Such lists shall also indicate: (i) for each employee, the date of initiation of the criminal background investigation required under Section 10-21.9 of the School Code and Section 5(e) of this Agreement, and the results of such background check; and (ii) for each individual employed in an instructional position, evidence of certification, or evidence that such individual is otherwise qualified to teach under Section 27A-10(c) of the Charter Schools Law, including information regarding the additional mentoring, training, and staff development, if any, to be provided by the Charter School pursuant to Section 5(f) of this Agreement. For any person hired in an instructional position after September 1 of any school year, the Charter School shall provide the State Board of Education with such evidence of certification or other qualification no later than ten thirty (1030) business days after the individual’s initial date of employment.

e. Criminal Background Checks. The Charter School shall not knowingly employ and shall not permit its subcontractors to knowingly employ any individual (i) for whom a criminal background investigation has not been initiated or (ii) who has been convicted for committing or attempting to commit one of the offenses enumerated in Section 10-21.9 of the Illinois School Code.

f. Instructional Providers. The Charter School shall employ or otherwise utilize in instructional positions and shall require that its subcontractors employ or otherwise utilize in instructional positions only those individuals who are certificated under Article 21 of the School Code, 105 ILCS 5/21-1 et seq., or who are otherwise qualified to teach under Section 27A-10(c) of the Charter Schools Law.


For the term of this Agreement, the Charter School shall be located at 1571 Jones Point Road, Grayslake, Illinois 60030. The Charter School shall have obtained and submitted to the State Board of Education a current list of all of its employees and subcontractors' employees providing services at the Charter School.
the **State Board** for review no later than 30 days prior to the commencement of operation of any new school or building addition: (1) all applicable occupancy permits and health and safety approvals for such addition; (2) an executed copy of the lease agreement for such addition, if occupied under a lease agreement; and (3) evidence of title to such addition, if owned by the Charter School. The Charter School shall take such actions as are necessary to ensure that all leases, occupancy permits and health and safety approvals for all established school buildings remain valid and in force, and shall certify to the **State Board** by August 1, 2009 and thereafter no earlier than June 1 and no later than July 1 of each subsequent year during the term of this Agreement that such leases, certificates and approvals remain in force.

7. Finance

a. Financial Management. The Charter School shall operate in accordance with GAAP or other generally accepted standards of fiscal management, provided that the Charter School’s accounting methods shall comply in all instances with any applicable governmental accounting requirements.

b. Budget and Cash Flow. The Charter School shall prepare and provide to the **State Board** a copy of its annual budget and cash flow projections for each fiscal year by no later than July 1 of such fiscal year. The fiscal year for the Charter School shall begin on July 1 of each year and end on June 30 of the subsequent year.

c. Distribution of Funds/Commission’s Fee.

i. The State Board shall distribute the Charter School Funds, in four quarterly installments payable on or before August 15, November 15, February 15, and May 15 of each fiscal year. The first such distribution shall be August 15, 2009. All funds distributed to the Charter School from the State Board shall be used for educational purposes only. The use of such funds for any other purpose is strictly prohibited.

ii. Pursuant to the Charter Schools Law, the Commission shall assess the Charter School an Operational Fee in an amount up to 3% of the General State Aid allotted for the fiscal year, beginning in Fiscal Year 2013. The Commission shall invoice the Operational Fee on a quarterly basis. The Operational Fee shall be due following the Charter School’s receipt of each Quarterly Installment from the State Board. The actual amount of any Operational Fee shall be determined by the Commission on an annual basis, pursuant to the Commission Policy Regarding Operational Fee for Commission Schools.

d. Refund of Unspent Funds. In the event that this Agreement is revoked or is not renewed by the **State Board**, the Charter School shall refund to the State
Board all unspent funds in accordance with Section 27A-11(g) of the Charter Schools Law.

e. Tuition and Fees. The Charter School shall not charge tuition to any student, unless such student would otherwise be liable for tuition costs under the School Code. The Charter School may, to the extent permitted by law, charge an instructional fee of up to $100 per student for workbooks, textbooks, instructional materials, classroom supplies and any required student activities (including any trips to the Learning Farm), and may separately charge reasonable fees for field trips at or around the time of such field trips, all provided that students eligible for a fee waiver in accordance with the Charter School’s Fee Waiver Policy are not prevented from attending school or any field trip as a result of being unable to pay such fees. The instructional fee referenced above does not apply to student activities, summer school activities, after school activities or any other activities at the Charter School where the activity is not part of the curriculum and participation of the students and/or parents is voluntary.

f. Outside Funding. The Charter School may accept gifts, donations or grants pursuant to Section 27A-11(d) of the Charter Schools Law, provided that no such gifts, grants, or donations may be accepted if contrary to applicable law or to the terms of this Agreement. In the event that the Charter School solicits funding from sources other than those set forth in this Section 7, it shall comply with all applicable State or Federal laws regarding the reporting of charitable solicitations.

g. Management and Financial Controls. At all times, the Charter School shall maintain appropriate governance and managerial procedures and financial controls-which-These procedures and controls shall include, but not be limited to: (1) generally accepted accounting procedures; (2) a checking account; (3) adequate payroll procedures; (4) bylaws; (5) an organization chart; and (6) procedures for the creation and review of monthly and quarterly financial reports, which procedures shall specifically identify the individual who will be responsible for preparing such financial reports in the following fiscal year.

h. Annual Audits. The Charter School shall cause a Financial Statement Audit and Financial and Administrative Procedures Controls Review (collectively, the Financial Audits) to be performed annually at its expense by an outside independent auditor retained by the Charter School and reasonably acceptable to the State Board Commission. The Financial Audits shall include, without limitation:

i. An opinion on the financial statements (and Supplementary Schedule of Expenditures of Federal Awards, if applicable);
ii. A report on compliance and on internal control over financial reporting based on an audit of financial statements performed in accordance with Government Accounting Standards; and

iii. A report on compliance with requirements of applicable laws and regulations, including the audit requirements contained in the Accountability Plan.

The Financial Audits shall be made available to the State Board and Commission no later than September 30, December 31 of each year during the term of this Agreement, beginning with September 30, 2009, December 31, 2012.

i. Quarterly Enrollment Reports. The Charter School shall prepare or cause to be prepared quarterly enrollment reports, which shall be provided to the State Board and Commission on or before July 15, October 15, January 15, and April 15 of each year, beginning July 15, 2009, 2012.

j. Withholding of Funds. In the event the Charter School fails to submit to the State Board or the Commission any documents or information required under this Agreement, or fails to follow any procedures and policies set forth in this Agreement, the State Board or the Commission may submit a written request to the State Superintendent that the State Superintendent withhold any and all payments of funds to the Charter School provided that the State Board or the Commission gives the Charter School prior written notice enumerating the specific failure(s) and the Charter School fails to submit the required documents or information within 30 days of receipt of such notice. Upon the Charter School’s compliance with remediation of any such failure(s), the State Board or the Commission shall request that the State Superintendent immediately release any and all payments of funds due to the Charter School. Repeated violations of this paragraph shall be deemed a material violation of this Agreement, and the State Board or the Commission may revoke this Agreement and the charter of the Charter School.

8. Insurance. The Charter School shall, at its own expense, purchase and maintain insurance covering all of its operations. Such insurance shall include the types of insurance set forth in Exhibit E hereto, subject to the conditions and in no less than the respective limits set forth therein. All insurers shall be licensed by the State of Illinois and rated B+ or better by A. M. Best or a comparable rating service, or shall be an authorized Risk Retention Group acceptable to the State Board or the Commission or a program of self-insurance reasonably acceptable to the State Board or the Commission.

No later than fifteen (15) days following the date of approval of this Agreement by the Illinois State Board of Education Commission, and each July 1 thereafter, the Charter School shall provide the State Board or the Commission with certificates of insurance or other satisfactory proof evidencing coverage in the types and amounts as set forth above and in Exhibit F. All such
insurance policies shall contain a provision requiring notice to the State Board Commission, at least 30 days in advance, of any material change, non-renewal or termination, to the attention of:

Jo-Ann Price
Jeanne L. Nowaczewski
Charter School Consultant
Executive Director

Illinois State Board of Education
Charter School Commission
100 N. First
Michael A. Bilandic Building
160 North LaSalle Street
Suite S-601
Springfield, IL 62777
Chicago, IL 60601


a. Accountability Plan. The Charter School shall be held accountable by the State Board Commission in accordance with the Accountability Plan contained in Exhibit G (“Accountability Plan”). Due to potentially sweeping changes regarding testing requirements and other accountability standards that may occur because of the enactment of the No Child Left Behind Act or other laws or mandates, the parties agree that the Accountability Plan attached as Exhibit G hereto is subject to re-negotiation effective on or before June 30 of each year of the Agreement upon written notice from the State Board no later that April 1 of each year shall be re-negotiated on or before December 31, 2012. The parties agree to work diligently and in good faith to re-negotiate the Accountability Plan so as to comply with any and all required changes regarding accountability standards which are established by the Commission or applicable to charter schools under state or federal law.

b. Standardized Tests. The Charter School shall administer such standardized tests of academic proficiency as are provided for in the Renewal and the State Board’s policies and procedures, and shall participate in State assessments required by Section 2-3.64 of the School Code.

c. Site Visits. In addition to the above procedures, the Charter School shall grant reasonable access to, and cooperate with, the State Board and Commission, its officers, employees and other agents, including allowing site visits by the State Board and Commission, its officers, employees and other agents, for the purpose of allowing the State Board or Commission to fully evaluate the operations and performance of the Charter School pursuant to the Accountability Plan and the Charter Schools Law. Where possible, the State Board or Commission shall provide the Charter School with at least 24 hours prior notice of such site visits.
10. Special Education.

a. The Charter School shall provide services and accommodations to students with disabilities as set forth in the Renewal and in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) (“IDEA”), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) (“Section 504”). The Charter School shall provide a full continuum of services to implement the IEP of a student with disabilities.

b. The Charter School must, at all times, employ a Full-time Director of Special Education. But as an alternative to employing a full-time Director of Special Education to address administrative oversight, Prairie Crossing may:

   To meet the requirement under the IDEA and Section 504, the Charter School must, at all times, employ a qualified and certified special education professional for administrative oversight of the special education services at the Charter School by:

   i. hiring a full-time Director of Special Education; or

   ii. i. joining the Special Education District of Lake County and entering into a joint operating agreement with SEDOL for the provision of such services; or

   iii. ii. contracting with a school district that is located in Lake County and not a member of the SEDOL for the provision of such services; or

   iv. iii. contracting with a qualified and certified special education professional to provide such services.

c. Under any of the alternatives specified in subparagraph (b) above, the personnel providing the required services as Director of Special Education must be available, and when necessary, to ensure that the needs of all children with disabilities are fully satisfied, recognizing that reimbursement would be available only for employment of a fulltime Director of Special Education;

d. The Charter School must provide technical assistance supervision to special education staff;

e. The Charter School must maintain written special education policies and procedures;

f. The Charter School must continue to train staff members relative to the policies and procedures with specific regards to the following:
i. the formal referral process;

ii. identification of needed assessments;

iii. timelines;

iv. determination of eligibility; and

v. the IEP process.

g. The State Board shall direct to the Charter School those federal and state special education funds due to the Charter School because of the eligible child count or other appropriate special education reimbursement mechanisms based on the Charter School’s submission of appropriate applications and/or claims.

11. Comprehensive School Management Contracts. No entity or party other than the Charter School may provide comprehensive school management or operations except upon the prior approval of the Commission.

12. Renewal of Charter; Failure to Renew.

No later than January 1, 2014 and no earlier than September 1, 2013, the Charter School shall provide a written proposal to the State BoardCommission in accordance with Section 27A-9 of the Charter Schools Law, setting forth proposed terms of renewal of the Agreement. Pursuant to Section 27A-9(b) of the Charter Schools Law, the renewal proposal of the Charter School shall contain the most recent annual report and financial statement of the Charter School. The written proposal may contain proposed changes to this Agreement that the Charter School desires to incorporate into the renewed agreement.

The State BoardCommission shall provide written notice to the Charter School indicating whether, and upon what conditions, it is willing to renew the charter of the Charter School, including any modified terms proposed by the State BoardCommission. If there is no agreement on the terms of renewal, the parties shall then fulfill their mutual obligations hereunder to the end of the Term of this Agreement. The State BoardCommission may refuse to renew the Agreement upon a finding that any cause for revocation exists under Section 12 hereof.


The State BoardCommission may revoke this Agreement and the charter of the Charter School, in accordance with Section 27A-9 of the Charter Schools Law, if the State BoardCommission clearly demonstrates that the Charter School did any of the following, or otherwise failed to comply with the requirements of the Charter Schools Law:
a. Committed a material violation of any of the conditions, standards, or procedures set forth in this Agreement including the Accountability Plan; or

b. Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in this Agreement or in the Accountability Plan; or

c. Failed to meet generally accepted standards of fiscal management; or

d. Materially violated any provision of law from which the Charter School was not exempted.

In addition, the charter of the Charter School may be revoked in the event that the parties agree to terminate this Agreement by mutual consent pursuant to Section 21 of this Agreement.

In the event that the State Board Commission proposes to revoke this Agreement and the charter of the Charter School, the State Board Commission shall provide the Charter School with written notice setting forth in detail the grounds for such revocation at least 14 days prior to the date the State Board Commission will take final action on such revocation.

13. Indemnification.

a. To the fullest extent permitted by law, the Charter School shall indemnify, defend, and hold harmless the State Board and Commission, its members, officers, employees, agents, affiliates and representatives, past and present (collectively, the “State Board Indemnitees” and the “Commission Indemnitees”), from and against any and all liabilities, losses, penalties, damages and expenses, including costs and attorney fees, arising out of all claims, liens, demands, suits, liabilities, injuries (personal or bodily), of every kind, nature and character arising or resulting from or occasioned by or in connection with (i) the possession, occupancy or use of the property of the Charter School, its faculty, students, patrons, employees, guests or agents, (ii) any act or omission to act, whether negligent, willful, wrongful or otherwise by the Charter School, its faculty, students, patrons, employees, guests or agents, (iii) a violation of any law, statute, code, ordinance or regulation to the extent applicable to Illinois public schools by the Charter School, its faculty, students, patrons, employees, sub-contractors, guests or agents, and/or any breach, defaults, violation or nonperformance by the Charter School of any term, covenant, condition, duty or obligation provided in this Agreement including but not limited to the Accountability Plan (subparagraphs (i) – (iii) collectively, the Covered Losses). This indemnification shall not apply to the extent that any Covered Loss results from the negligence, willful or wrongful act or omission of any State Board Indemnitees or the Commission Indemnitees or from any act or omission of the Charter School required by law or this Agreement.
b. This indemnification, defense and hold harmless obligation shall survive the termination of this Agreement. Any indemnified party shall have the right, at its own expense, to participate in the defense of any suit, without relieving the indemnifying party of any of its obligations hereunder.


The parties expressly acknowledge that the Charter School is not operating as the agent, or under the direction and control, of the State Board or Commission except as required by law or this Agreement, and that the State Board or Commission assumes no liability for any loss or injury resulting from: (1) the acts and omissions of the Charter School, its directors, trustees, agents, subcontractors or employees; (2) the use and occupancy of the building or buildings occupied by the Charter School, or any matter in connection with the condition of such building or buildings; or (3) any debt or contractual obligation incurred by the Charter School. The Charter School acknowledges that it is without authority to, and will not, extend the faith and credit of the State Board or Commission to any third party.

15. Governing Law.

This Agreement shall be governed by, subject to and construed under the laws of the State of Illinois without regard to its conflicts of laws provisions.

16. Waiver.

No waiver of any breach of this Agreement shall be held as a waiver of any other or subsequent breach.

17. Counterparts; Signature by Facsimile.

This Agreement may be signed in counterparts, which shall together constitute the original Agreement. Signatures received by facsimile by either of the parties shall have the same effect as original signatures.

18. Terms and Conditions of the Renewal

The parties hereto expressly agree that the Renewal sets forth the overall goals, standards and general operational policies of the Charter School, and that the Renewal is not a complete statement of each detail of the Charter School’s operation. To the extent that the Charter School desires to implement specific policies, procedures or other specific terms of operation that supplement or otherwise differ from those set forth in the Renewal, the Charter School shall be permitted to implement such policies, procedures, and specific terms of operation, provided that such policies, procedures and terms of operation are consistent with the goals, standards and
general operational policies set forth in the Renewal, this Agreement, and the Charter Schools Law.

19. Amendments.

This Agreement may be amended only by written consent of the parties hereto and, in the case of material amendments, only after submission of such amendments to, and approval by, the Illinois State Board of Education the Commission in accordance with Section 27A-6(e) of the Charter Schools Law.

20. Assignment.

This Agreement may not be assigned or delegated by the Charter School under any circumstances, it being expressly understood that the charter granted hereby runs solely and exclusively to the Charter School.

21. Termination.

This Agreement may be terminated prior to its expiration by (a) the mutual consent of the parties or (b) revocation of the charter of the Charter School pursuant to Section 12 hereof. Termination of this Agreement for any reason shall serve to immediately revoke the charter granted hereby.

22. Notices.

Any notice, demand or request from one party to any other party or parties hereunder shall be deemed to have been sufficiently given or served for all purposes if, and as of the date, it is delivered by hand, overnight courier, facsimile (with confirmation) or within three (3) business days of being sent by registered or certified mail, postage prepaid, to the parties at the following addresses:

If to the Charter School: Myron Dagley, Nigel Whittington
Executive Director
Prairie Crossing Charter School
1571 Jones Point Road
Grayslake, IL 60030

With copies to: Geoff Deigan, Steve Achtemeier
Charter School Board President
Prairie Crossing Charter School
1571 Jones Point Road
Grayslake, IL 60030

Respicio F. Vazquez
23. Severability.

In the event that any provision of this Agreement or the application thereof to any person or in any circumstances shall be determined to be invalid, unlawful, or unenforceable to any extent, the remainder of this Agreement, and the application of such provision to persons or circumstances other than those as to which it is determined to be invalid, unlawful or unenforceable, shall not be affected thereby, and each remaining provision of this Agreement shall continue to be valid and may be enforced to the fullest extent permitted by law.

This Agreement supersedes and replaces any and all prior agreements and understandings between the State Board Commission and the Charter School. To the extent that any conflict or incompatibility exists between the Application as incorporated herein and the other terms of this Agreement, such other terms of this Agreement shall control. Notwithstanding anything in this Agreement to the contrary, the Charter School does not consent to comply with any laws, regulations, or policies from which it is exempted under the Charter Schools Law.


The parties agree and acknowledge that the functions and powers of the State Board Commission may be exercised by the State Superintendent, Executive Director, provided that any ultimate decision regarding renewal, non-renewal or revocation of this Agreement may be made only by the State Board Commission.


It is expressly agreed and understood that as a condition precedent to this Agreement becoming effective on the effective date hereof, the Charter School shall have taken, completed, and satisfied on or before the date specified herein any action or obligation which is required to be completed before such effective date, and that failure to do so shall constitute grounds for the State Board Commission to declare this Agreement null and void.

27. Construction.

This Agreement shall be construed fairly as to both parties and not in favor of or against either party, regardless of which party prepared the Agreement.

28. Incorporation of Exhibits.

All exhibits referenced herein are hereby incorporated into and made a part of this Agreement.
IN WITNESS WHEREOF, the parties have made and entered into this amended and restated Agreement as of the effective date hereof.

| ILLINOIS STATE SUPERINTENDENT CHARTER |
| PRAIRIE CROSSING CHARTER SCHOOL |
| SCHOOL COMMISSION |

______________________________  ______________________________
Title: __________________________  Title: __________________________
EXHIBIT A

Renewal

The following document is hereby incorporated by reference as if set forth fully herein and
collectively constitute the Charter School Proposal:

1. The Application of the Charter School dated December 17, 2008, as approved by the
   State Board on March 20, 2009 (the Renewal), and additional clarifying documents received on
**Additional Information**

The following documents are hereby incorporated by reference as if set forth fully herein:

1) Additional information submitted on February 5, 2009
   a) Outreach clarification
   b) Transportation policy clarification
   c) Special Education clarification
   d) Governance clarification
      i) Provisions for OMA violations
      ii) Posting of missing minutes
      iii) Rationale for approving renewal in spite of OMA violations
      iv) Current Board member listings
      v) Role confusion explanation
      vi) Management structure
      vii) Listing of board committees—including purposes and manner of member selection
   e) Renewal requirements
      i) Assessment information
      ii) Financial information
   f) Standards and assessment information
   g) Other
      i) Renewal assurances
      ii) Health/life safety
      iii) Rest room availability for students during farm visits
   h) Attachments
      i) Ads, press releases, enrollment information and flyers form 2004-present
      ii) Lottery results for 2004-2009
      iii) Enrollment timeline
      iv) Enrollment diversity
      v) Spanish and English language ad copies
      vi) Transportation Policy, 700.2
      vii) Website for Board agendas and meeting minutes
      viii) Board of Directors membership
      ix) Management Flow Chart
      x) Amended and Restated By-Laws, Draft effective February 24, 2000
      xi) Reading Improvement Grants
      xii) Summary of Student Fees
      xiii) Reconciliation of Total Expenses
      xiv) Signed Renewal Assurances
      xvi) Special Education Inservice
2) **Additional Information submitted on March 2, 2009**
   a) Outreach clarification
   b) Transportation policy clarification
   c) Governance clarification
   d) Renewal Requirements
   e) Other—Procedures for students at-risk for aggressive behaviors and/or bullying
   f) Attachments
      i) Attachment A—Outreach materials
         1. Fremont area child care & agencies for outreach initiative
         2. Admissions policy, 500.6
      ii) Attachment B (English and Spanish outreach forms 2009)
         1. Registration for 2009-2010 lottery
         2. Admissions to PCCS, 500.6 (revised and readopted November 25, 2008)
         3. Transportation Policy, 700.2 (Adopted November, 2008)
         4. Volunteer Policy, 700.3 (adopted December 17, 2003)
         5. Fee Waiver Policy, 800.3 (amended May 22, 2007)
      iii) Attachment C—Lottery registration forms 2009
         1. Acceptance form (enrolling new students after lottery)
         2. Kindergarten screening letter
         3. School supply list
         4. Parent assessment of child
         5. Registration for “Getting to Know You” camp
         6. Request for records
         7. Eye examination report
         8. Letter to parents with fall registration information
         9. Student enrollment form
         10. Procedures and Policies concerning permissions sought in enrollment form
         11. School calendar
         12. Carpool man
         13. Supply list (8th Grade)
         14. After School Program registration form and policies
         15. Medical and dental information
         16. Dental exam waiver and proof of dental examination forms
         17. Certificate of child health examination
         18. Fee Waiver Policy, 800.3 (amended May 22, 2007)
         19. Request for Fee Waiver/Payment Plan
      iv) Attachment D—Enrollment forms 2008-2009 school year
         1. Student Discipline Policy
            a) Goals and expectations
(4) Prohibited behavior
(5) Minor infractions, serious infractions, and major infractions
(6) Weapons
(7) Bullying procedures for students at risk for aggressive behaviors and/or bullying
(8) Gangs and bang-related activities
(9) Required notices
(10) Delegation of authority
(11) Suspension procedures
(12) Expulsion procedures
(13) Discipline of students with disabilities
(2) Procedures for student intervention process
(3) TAT Intervention request form
(4) TAT intervention record
EXHIBIT C

Recommendation of the State Superintendent of the State Board

The following document is hereby incorporated by reference as if set forth fully herein:

Exhibit D

Stipulations

The following document is hereby incorporated by reference as if set forth fully herein:

1. Governance:
   a. PCCS Charter School minutes from its board meetings will be posted on the PCCS Charter School website in accordance with the Illinois Open Meetings Act by the first Monday of the month after they are approved. PCCS Charter School will send an email to ISBE Commission with a link or links to the minutes posted on the PCCS Charter School website for the respective meeting(s).

2. Financial:
   a. PCCS Charter School’s annual budget will be posted on the PCCS Charter School website, and PCCS Charter School will send an email to ISBE the State Board and the Commission with a link or links for such budget by July 1st of each year.
   b. The annual financial report (audit) must be posted on the PCCS Charter School website, and PCCS Charter School will send an email to ISBE the State Board and the Commission with a link or links for such financial report by September 30th of each year. The audit must include a detailed statement that discloses the costs of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of those costs to other schools or other comparable organizations.
   c. PCCS Charter School fees collected will be itemized and separated in PCCS Charter School’s final annual audit.

3. Outreach/Transportation:
   a. No later than September 15th of each year, PCCS Charter School must submit to ISBE the Commission for review and approval the following items:
      i. Outreach materials with translations in Spanish, such as flyers, press releases, newspaper ads, etc. included in all All the materials must be include references to:
         1. how transportation is provided and how assistance will be provided if required, especially to low-income and at-risk students;
2. how fee waivers are determined and a description of the process to obtain such waivers:
3. how appropriate services will be provided to Limited English Proficient students in compliance with applicable federal and state laws; and
4. how services are available and provided for Special Education students in compliance with applicable federal and state laws.

ii. Listing of when, where and how the information will be distributed and the contact information for each entity that receives the information.

iii. Justification as to why these places were chosen and how this fulfills the outreach requirement to reach the entire geographic and demographic areas of both districts.

iv. If ISBE the Commission does not disapprove the September 15th – PCCS-Charter School outreach materials by October 15th of each year, such materials will be deemed approved.

b. By April 1st of each year, PCCS Charter School will provide a report summarizing the applicant pool by district and the results of the lottery. By September 1st of each year, PCCS Charter School will provide student enrollment demographics from the students who were successful in the lottery and enrolled in PCCS Charter School. The data from this report must be used by PCCS Charter School to modify, as needed, the outreach activities for the next school year to ensure that efforts are being made to reach all students and families of both feeder districts.

4. Exit Summaries:

a. With the submission of the PCCS Charter School’s annual report to ISBE, PCCS Charter School will provide to ISBE the Commission all exit interview summaries completed and submitted to PCCS Charter School in that respective year.
STATE OF EDUCATION LIST OF HEALTH AND SAFETY LAWS APPLICABLE TO CHARTER SCHOOLS

1. The Following Sections of the Illinois School Code, 105 ILCS 5/1-1 et seq.:
   a. Section 2-3.12 (requires compliance with State Board of Education Illinois building and life and safety codes).
   b. Sections 10-20.5b, (prohibits tobacco use on school property).
   c. Section 10-20.17a (requires in-service training for school personnel who handle hazardous or toxic waste).
   d. Section 10-20.23 (requires schools to have tornado protection programs).
   e. Section 10-21.10 (prohibits students from having electronic paging devices on school property unless otherwise authorized by the school board).
   f. Section 10-21.11 (requires schools to have policies for handling students with chronic infectious diseases).
   g. Section 27-8.1 (requires that students have periodic health examinations and immunizations).
   h. Section 10-22.21b (requires that schools have policies regarding administering medication to students).

3. Eye Protection in School Act, 105 ILCS 115/0.01 et seq.
4. Fire Drill Act, 105 ILCS 120/0.01 et seq.
5. Toxic Art Supplies in Schools Act, 105 ILCS 135/1 et seq.
EXHIBIT F

INSURANCE REQUIREMENTS

1. Worker’s Compensation and Employers’ Liability Insurance. Workers’ Compensation insurance as required by state law (can be provided by an authorized risk retention group or a commercial insurance company). Employers’ Liability insurance for employee accidents or diseases. (Employers’ Liability Insurance Limits: $100,000 per employee; Aggregate Limit for disease –– $500,000.)

2. Commercial General Liability Insurance. With a combined single limit of $1,000,000 per occurrence for personal injury and property damage liability, and premises and operations, including independent contractors, contractual liability, and products/completed operations coverage. The Charter School shall have its general liability insurance endorsed to provide that the State Board of Education and Commission, a body politic and corporate, and its members, employees, and agents, and any other entity as may be designated by the State Board Commission are named as “Additional Insureds” on a primary basis, without recourse or contribution from the additional insureds for claims arising out of operation of the Charter School.

3. School Board Legal/Professional Liability Insurance. To protect the Charter School and its directors and officers from liability claims arising from wrongful acts, errors or omissions that do not involve bodily injury or property damage. (Limits: $1,000,000)

4. Commercial Automobile Liability Insurance. For bodily injury or property damage arising from owned, leased, hired or non-owned vehicles used by the Charter School. (Combined Single Limit: $1,000,000)

5. Umbrella (Excess) Liability Insurance. To provide excess protection over underlying general and professional liability coverages. (Limits: $2,000,000)

6. Property Insurance. To insure the replacement value of school property, including property for which the Charter School is contractually responsible by lease or other agreement, for loss or insurance from “special perils” of physical loss or damage. Such insurance shall cover boiler and machinery exposures and business interruption/extra expense losses.
EXHIBIT G

Accountability Plan

The State Board Commission and the Charter School have determined the Accountability Plan components are as follows:

1. Annual reporting of all elements required on the school report card must be submitted annually to the State Board Commission by the Director by July 15.
2. All students must take the appropriate assessments required under the law.
3. Students must meet or exceed state standards, as outlined in the Illinois Accountability Workbook, for all grades assessed.
4. An Individual Remediation Plan will be developed by a Teacher’s Assistance Team for any student who does not meet the state standards.
5. Education elements including the following to be submitted annually to the State Board Commission by the Director of PCCS Charter School on or before June 30:
   a. Class size.
   b. Enrollment, lottery procedures.
   c. Enrollment of students with disabilities.
   d. Personnel credentials.
   e. Best instructional practices.
   f. Updated goals, objectives, and pupil performance standards.
   g. Evaluation of student performance including types of assessments to be used, timelines for achievement of standards, and procedures for taking corrective action if student performance falls below those standards.
   h. Results of corrective action.
6. Annual submission of documents to the State Board Commission submitted annually to the State Board Commission by the Director on or before September 30.
   a. Audit report.
   b. Copies of annual inspections.
   c. Annual Charter School Report Information.
   d. Copies of the Statements of Economic Interest filed by the Prairie Crossings board members and the administrative staff with the Lake County Clerk’s Office.

The Accountability Plan components stated herein shall be re-negotiated and replaced by a new, revised Accountability Plan on or before December 31, 2012 as stated in Paragraph 9a herein.
Document comparison by Workshare Compare on Wednesday, June 13, 2012 12:14:40 PM

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TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Robert Wolfe, Acting Chief Financial Officer

Agenda Topic: Dissolution of Venice School District 3 Financial Oversight Panel

Materials: Venice School District 3 FACTS Report
Venice FOP dissolution petition letter

Staff Contact(s): Deb Vespa

Purpose of Agenda Item
To approve the dissolution of the Venice School District 3 Financial Oversight Panel

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item will impact all three goals of the State Board’s Strategic Plan.

Expected Outcome(s) of Agenda Item
Approval of the dissolution of the Venice Financial Oversight Panel effective June 30, 2012

Background Information
Venice is a small unit district located approximately four miles north of East St. Louis. Current enrollment is 153, kindergarten through twelfth grade students. The 118 kindergarten through eighth grade students attend Venice Elementary School. The 35 high school students are tuitioned to East St. Louis School District 189 or Brooklyn-Lovejoy School District 188.

On May 23, 2012, the Venice School District Financial Oversight Panel (FOP) submitted a letter to ISBE petitioning for the dissolution of the FOP. The FOP has been established in the district for nine years. If the Board approves the dissolution effective June 30, 2012, this will be a year earlier than the maximum FOP term of ten years.

On June 25, 2003, the State Board approved the Venice School District Financial Oversight Panel. At that time the district was incurring a/an:

- Deficit of revenue to expenditure of $394,000
- Negative operational fund balances of $25,000
- Tax Anticipation Warrants of $161,000
- Operational budget of $4.1 million
- Financial Profile score of 1.65 (the lowest category of Financial Watch)

Since that time, many difficult decisions have been made to achieve financial stability for the district.

- The FOP and State Board worked in conjunction with the Regional Superintendent, to replace all local board members. Prior to this, the Board did not submit a budget that was complete, reasonably capable of being achieved, met the requirements in the
School Code, or that was consistent with the financial plan in effect. This was in accordance with Section 1B-13 of the School Code. [105 ILCS 5/1B-13]

- “Shared serves” with area school districts was implemented:
  1. Passed a successful referendum to deactivate the high school and tuition the students to E. St. Louis School District 189 and Brooklyn-Lovejoy School District 188.
  2. Discontinued the district operated transportation program and their hot lunch program and contracted with area school districts for the services.
- Issued Working Cash Fund Bonds of $400,000;
- Combined classrooms to allow for the fund balances to be reestablished;
- Contained labor costs.

The 2011 Annual Financial Report reflects a/an:
- Surplus of revenue to expenditure of $474,000;
- Positive operational fund balances of $3.7 million (176% of the operational budget);
- No outstanding Tax Anticipation Warrants;
- Outstanding liability of $125,000 on the $400,000 Working Cash Fund Bonds;
- Operational budget of $2.1 million;
- Financial Profile score of 4.0 (the highest category for six years in a row of Financial Recognition).

The district has also implemented positive changes in the areas of instruction and administrative capacity:
- Kindergarten through fourth grade are now single classes and the district has established a combined middle school for fifth through eighth grade;
- A full-time principal has been hired;
- The district has been making incremental improvements towards achieving AYP. In 2011, they received the ISBE Academic Improvement Award for continuous improvement towards meeting AYP;
- The district is currently engaged in reorganization discussions with Brooklyn-Lovejoy School District 188;
- District Board extended Superintendent Cullen’s contract for five years.

The FOP has set goals and reviewed the District Board and Administration for accomplishments and improvements in:
- Financial Stability
- Administrative Leadership
- Board of Education (responsibilities)
- Teaching and Learning
- Labor Relations

While the district has also expressed some ongoing concerns, ISBE staff do not believe these should prevent the dissolution of the FOP. The District has experienced administration in place to contend with these concerns which include:
- District’s tuition charges will increase to $12,000 per pupil for the high school students attending East St. Louis SD. This is an increase of $6,000 from the original agreement
- District’s Equalized Assessed Valuation for the 2011 tax year has slightly increased. However, the District has not seen any real increases in local EAV. The estimate for the Fiscal Year 2013 General State Aid Entitlement has the District moving from flat grant into the alternate formula calculation for General State Aid;
- District is heavily reliant on Corporate Personal Property Replacement Taxes. The future of this revenue source is uncertain;
- There are no significant sources of other local revenue;
- The District Board has greatly increased the available local property tax levy taking into consideration the low equalized assessed valuation. Their total tax rate in the 2010 tax year was $5.41620;
- Based upon the latest Audited Financial Statements (FY11), the District’s operating expense per pupil is still high at $22,561 (statewide average $12,711). The latest per capita tuition charge is $12,711 (statewide average $9,440).

Below is a comparison of district finances from 2003-2011:

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<th>FY 2005</th>
<th>FY 2007</th>
<th>FY 2011</th>
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<td>Results of Operations</td>
<td>$(394,000)</td>
<td>$(241,057)</td>
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<td>Ending Fund Balance</td>
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<td>Outstanding Short-Term Debt</td>
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<td>Outstanding Long-Term Debt</td>
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<td>Enrollment</td>
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Many thanks and appreciation must be given to the current FOP members, including Mr. Rudolph Wilson, Chairperson, Ms. Mary Kane, Mr. Dennis Brueggemann, and the Financial Administrator, Mr. Jeff Endres. It is because of the great work and dedication of these individuals, the local school board, Superintendent Cullen, and others before them that Venice School District 3 have made great strides over the past nine years and allowed them to petition the State Board for dissolution of the FOP a year ahead of schedule. It should also be noted that “Rudy” and Mary dedicated their time on the FOP and for the students and community of Venice since the FOP’s inception in 2003.

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

Policy Implications: None at this time

Budget Implications: This should improve the budget implications as ongoing staff time and travel will no longer be required in Venice School District 3

Legislative Action: None at this time

Communication: Following Board action, notification will be made to the district Superintendent

**Pros and Cons of Various Actions**
Pros: Through genuine dedication and determination, the Venice School District has improved their fiscal stability enough that the Financial Oversight Panel feels they can recommend dissolution of the FOP prior to the end date.

Cons: None

Superintendent’s Recommendation

I recommend that the following motion be adopted:

The State Board of Education approves the dissolution of the Venice School District Financial Oversight Panel, effective July 1, 2012 and that all controls and powers are relinquished back to the Venice School Board and their administrators in accordance to the Illinois School Code.

Next Steps

Communicate decision to Venice School District and continue to monitor.
Superintendent: Dr. Cullen Cullen
Number of Students: 153
School Type: Unit District
Number of Teachers: 10
County: Madison
Average Teacher Salary: $44,592
Tax Cap School District: NO
Average Administrator Salary: $91,889
Low Income Rate: 95.1%
IEP: 18.3%

School Performance:
- Overall Performance - All State Tests:
  - 2009 - 2010: 51.3% (State: 76.4%)
  - 2010 - 2011: 51.2% (State: 76.5%)
- Ave. Class Size
  - Kindergarten: 14.0 (State: 20.9)
  - First: 13.0 (State: 21.6)
  - Third: 11.0 (State: 22.3)
  - Sixth: 5.0 (State: 22.0)
  - Eighth: 11.0 (State: 21.3)

Revenue Sources:
- Local: 53.6% (State: 65.3%)
- State: 26.0% (State: 22.3%)
- Federal: 20.4% (State: 12.4%)

2010 EAV: $12,977,934
- Operation & Maint. Fund: $0.398
- Transportation Fund: $0.183

2009-10 OEPP: $24,633
- Education Fund: $2,425
- Working Cash Fund: $0.046

SUMMARY OF OPERATING FUNDS

<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Revenues</td>
<td>3,151,142</td>
<td>3,122,129</td>
<td>3,233,348</td>
<td>3,400,347</td>
<td>2,310,500</td>
<td>2,412,776</td>
<td>2,648,241</td>
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<tr>
<td>Expenditures</td>
<td>3,392,199</td>
<td>2,199,752</td>
<td>2,355,592</td>
<td>2,069,345</td>
<td>2,228,806</td>
<td>2,692,086</td>
<td>2,173,965</td>
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<tr>
<td>Results of Operation</td>
<td>(241,057)</td>
<td>922,377</td>
<td>877,756</td>
<td>1,331,002</td>
<td>81,694 (279,310)</td>
<td>474,276</td>
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<td>Other Sources/Uses</td>
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<td>0</td>
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<td>Other Changes to Fund Bal.</td>
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<td>1,165,352</td>
<td>2,043,108</td>
<td>3,374,110</td>
<td>3,455,804</td>
<td>3,184,996</td>
<td>3,659,272</td>
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</table>

**DRP**

Note: **DRP** indicates a deficit reduction plan would have been

Cash & Investments:
- 285,579
- 285,579
- 1,82,960
- 2,173,199
- 3,374,110
- 3,467,857
- 3,227,867
- 3,672,706
- 3,562,068

Outstanding Debt:
- Short-Term Debt
  - 400,000
  - 400,000
  - 365,000
  - 320,000
  - 275,000
  - 225,000
  - 275,000
  - 180,000
  - 180,554
- Long-Term Debt
  - 248,940
  - 285,030
  - 290,534
  - 266,590
  - 260,032
  - 278,593
  - 1,230,323
  - 1,408,690
  - 1,435,893
  - 1,317,553
  - 1,311,373
  - 1,504,266
  - 1,790,955

Profile Score: 2.55
Profile Designation: WATCH RECOGNITION RECOGNITION RECOGNITION RECOGNITION RECOGNITION RECOGNITION

Summary: Venice CUSD 3
May 23, 2012

Dr. Christopher Koch  
State Superintendent  
Illinois State Board of Education  
100 N. 1st Street  
Springfield, Illinois  62777

Dear Dr. Koch:

At the May 23, 2012, Venice Financial Oversight Panel (FOP) meeting, the FOP discussed the financial history and current position of Venice Community Unit School District No. 3 (District) to determine the possibility of petitioning the Illinois State Board of Education for dissolution of the panel.

Venice School District is a small unit District located four miles north of E. St. Louis. Their current enrollment is 153; 118 kindergarten through eighth grade students attending at the District and 35 high school students attending on a tuition basis at E. St. Louis School District 189 or Brooklyn School District 188.

The FOP was approved by the State Board of Education at their June 25, 2003 meeting. For the fiscal year ending June 30, 2003, the District realized a deficit of ($394,000) and a negative operational fund balance of ($25,000). For the last audited fiscal year 2011, the District realized a surplus of $474,000 and an ending fund balance of $3.7 million. The District has been realizing budgetary surpluses since fiscal year 2006, with the exception of fiscal year 2010. In fiscal year 2010, the District conducted extensive capital improvements and utilized existing fund balances.

Over the past couple of years, the FOP has been reviewing benchmarks with the District board and administration. These benchmarks include indicators for:

- Financial Stability
- Administrative Leadership
- Board of Education
- Teaching and Learning
- Labor Relations

Financial Stability: Because of the current state and federal funding decreases and uncertainty with future funding, the District, as with all Districts in the state, needs to continue to be fiscally prudent. However, the current superintendent, Dr. Cullen Cullen,
has been proactive with maintaining cash flows and budgetary forecasts. He has also involved the Venice School District and Brooklyn School District in a reorganization feasibility study and the two Districts are discussing reorganization. If the reorganization is not successful, the administration will need to address the increasing tuition costs payable to E. St. Louis School District for the deactivated high school students attending there. Since the current superintendent’s contract is finalized for the next five years, the FOP believes the District’s financial stability should continue to the best of their ability.

**Administrative Leadership:** As stated above, the Superintendent’s contract has been approved for five years. With the employment of Dr. Cullen Cullen, the FOP believes the District has the best administrative leadership in place since the inception of the FOP. The District has also hired a building principal that will begin in July. In the past, the District had employed a retired part-time principal/curriculum director. The newly hired principal will do both.

**Board of Education:** Over the last several years, the Board of Education has developed an understanding of and adherence to the governance role and ethical responsibilities. They have been actively participating in the TAG program with IASB. The FOP has stressed the importance of annual self-evaluations and timely evaluations of the superintendent, relative to the goals and objectives denoted in his contract. The Board has also developed several community activities in which they participate: PTO, Community Night, and hiring a parent educator to promote family and community participation, etc.

**Teaching and Learning:** The District has been making incremental improvements towards achieving AYP. In 2011, they received the ISBE Academic Improvement Award for continuous improvement towards meeting AYP. They are currently employing the use of ThinkLink and DRA Assessments. The literacy and math programs have been updated.

**Labor Relations:** One of the goals of the superintendent was to have a ratified teachers’ contract before the dissolution of the FOP. The superintendent was successful in these negotiations and the teachers’ contract has been ratified for three additional years. No grievances have been filed in school years 2010, 2011, or in 2012.

The FOP commends the efforts of the District board, administration and staff for realizing stability over the past few years. Even as these achievements are appreciated, the FOP also notes the following challenges:

- District’s Tuition charges will increase to $12,000 per pupil for the high school students attending East St. Louis SD. This is an increase from the $6,000 from the original agreement.
- District’s Equalized Assessed Valuation for the 2011 tax year has slightly increased. However, the District has not seen any real increases in local EAV. The estimate for the Fiscal Year 2013 General State Aid Entitlement
has the District moving from flat grant into the alternate formula calculation for General State Aid.

- District is heavily reliant on Corporate Personal Property Replacement Taxes. The future of this revenue source is uncertain.
- There are no significant sources of other local revenue.
- The District Board has greatly increased the available local property tax levy taking into consideration the low equalized assessed valuation. Their total tax rate in the 2010 tax year was $5.41620.
- Based upon the latest Audited Financial Statements (FY11), the District's operating expense per pupil is still high at $22,561. The District's latest per capita tuition charge is $12,711.

Because of the District's financial and leadership improvements realized over the past few years, the Venice Financial Oversight Panel believes the Venice School District is under good leadership that will strive to continue, to the best of their ability, to realize these improvements. With all said, the Venice Financial Oversight Panel hereby petitions the Illinois State Board of Education for dissolution of the Venice Financial Oversight Panel effective July 1, 2012.

Sincerely,

Chairman Rudolph Wilson

Member Dennis Brueggemann

Member Mary Kane
Illinois State Board of Education

June 20-21, 2012

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Robert Wolfe, Acting Chief Financial Officer

Agenda Topic: Approval of the East St. Louis School District #189 Financial Oversight Panel’s petition for an application for an Emergency Financial Assistance Loan

Materials: East St. Louis School District #189 Financial Oversight Panel’s Petition

Staff Contact(s): Deb Vespa, Division Administrator School Business Services

Purpose of Agenda Item
To obtain the State Board’s approval of the East St. Louis School District Financial Oversight Panel’s petition for an Emergency Financial Assistance Loan for the East St. Louis School district for an amount not to exceed $29,876,000.

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item will impact all three goals of the State Board’s Strategic Plan.

Goal 1: Every student will demonstrate academic achievement and be prepared for success after high school.

Goal 2: Every student will be supported by highly prepared and effective teachers and school leaders.

Goal 3: Every school will offer a safe and healthy learning environment for all students.

Expected Outcome(s) of Agenda Item
The anticipated outcome of this agenda item is that the State Board of Education will provide the authorization to present the petition for an Emergency Financial Assistance to the Illinois Finance Authority.

Background Information
105 ILCS 5/1B-8 (Section 1B-8) provides school districts that are experiencing financial difficulty and have been placed under a Financial Oversight Panel (FOP) the opportunity to receive an Emergency Financial Assistance Loan. Section 1B-8 stipulates that the maximum amount of this loan is to be calculated at $4,000 times the number of pupils enrolled in the school district during the preceding school year, that is, the year prior to the State Board’s approval of the school district’s petition for emergency financial assistance.

At the May 29, 2012 FOP meeting for East St. Louis School District #189 (District), the FOP approved to submit a petition for an Emergency Financial Assistance Loan (loan) in accordance with Section 1B-8. A petition was received by the State Superintendent on June 6, 2012.
requesting approval of a loan in an amount not to exceed $29,876,000 to assist the District with their cash flow and to assist with the day-to-day expenditures.

The petition must be approved by the State Board to be presented to the Illinois Finance Authority (IFA) so that it may review the terms and conditions of the Emergency Financial Assistance Loan, including the schedule of repayments. Agency staff will assist the IFA an offer suggested terms based on the financial status of the school district

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

Policy Implications: If the State Board approves the petition, projected cash flow deficits in the first quarter for FY 2013 for the district will be eliminated.

**Superintendent’s Recommendation**

I recommend that the following motion be adopted:

The Board hereby approves the East St. Louis School District #189 Financial Oversight Panel's petition for an Emergency Financial Assistance Loan in an amount not to exceed $29,876,000 in accordance with 105 ILCS 5/1B-8 and authorizes Agency staff to present the petition to the Illinois Finance Authority at its July 2012 Board Meeting.

**Next Steps**

Agency staff will work with the School District Administration and the Financial Oversight Panel to present a proposal to the Illinois Financial Authority to seek their approval of the Emergency Financial Assistance Loan.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Robert Wolfe, Acting Chief Financial Officer

Agenda Topic: FY2013 Budget Update

Materials: FY 2013 General Assembly Appropriation

Staff Contact(s): Nicole Wills, Governmental Relations
Cynthia Riseman, Governmental Relations

Purpose of Agenda Item
The purpose of this agenda item is to update the Board on the status of the Fiscal 2013 budget.

Expected Outcome(s) of Agenda Item
The Committee will review the FY 2013 budget. This item is for informational purposes only at this time.

Background Information
On Thursday May 31, 2011, the General Assembly passed Senate Bill 2413 which includes the FY 2013 budget for the Illinois State Board of Education. As of this writing, the bill has not been acted upon by the Governor.

The General Assembly established the framework for the state’s FY 2013 budget when both chambers adopted House Joint Resolution (HJR) 68 which established a revenue estimate for FY 2013 of $33.7 billion. The House of Representatives went a step further and adopted House Resolution (HR) 706 which set expenditure levels for each of the five appropriations committees in the House. While the Senate did not adopt a similar resolution, the budget that has been sent to the Governor falls within those parameters. HR 706 established a spending limit for the House Elementary and Secondary Education Committee of $6.491 billion. This represented approximately a $260 million decrease from FY 12 appropriation levels. On May 31, an additional $50 million was appropriated to K-12 education. Thus, the General Assembly approved a budget bill to be sent to the Governor that reflects an overall reduction of $212.3 million from FY 2012.

Analysis and Implications
As shown in Appendix A, a number of programs were reduced when compared to FY 2012 funding levels. The most severe programmatic reductions are shown below.

- $161.3 million (3.6%) reduction in General State Aid
- $24.9 million (7.7%) reduction in Early Childhood
- $12 million (45.6%) reduction in Illinois Free Lunch/Breakfast
- $2.8 million (30%) reduction Alternative Learning/Regional Safe Schools
- $2.06 million (14.6%) reduction in Truant Alternative and Optional Education
- $1.3 million (81.5%) reduction in Children’s Mental Health Partnership

All Mandated Categoricals with the exception of Illinois Free Lunch/Breakfast and Private Tuition were funded at the Board’s FY 2013 request. Private Tuition received a $29 million increase, but it was less than the $36 million the Board had requested.
After being reduced by nearly 10 percent in FY 2012, the agency’s administrative budget was spared further cuts and in fact saw an increase in the contractual services line which had been reduced severely in FY2012. Salary, benefit and travel lines were all funded at FY 2012 levels.

The largest reduction in ISBE’s budget is the $161 million reduction to General State Aid. The General Assembly did not change the $6,119 GSA foundation level. Based on preliminary data this will mean a proration of 89%, which is a loss of approximately two and one-half General State Aid payments. No GSA payments would be made in June, 2013 and only a portion of the first May payment would be made. The 89% proration results in an effective foundation level of approximately $5,733. This amounts to a return to the FY 2008 foundation level of $5,734.

One new program was added to the budget. The General Assembly added $1 million for the Illinois Coalition for Immigrant and Refugee Rights. The Coalition is to prepare parent mentoring classes and support activities in local school districts.

Lastly, the General Assembly re-appropriated the appropriations from the FY 2010 Capital Spending bill into FY 2013. Those appropriations include spending authority for programs such as School Construction, School Maintenance Grants, Energy Efficiency Grants and grants to Schools for overcrowding. All though spending authority has been granted by the General Assembly, the General Assembly did not provide authorization of any additional bond issuance to provide the funding for the programs in FY 2013.

**Superintendent’s Recommendation**
This item is for informational purposes only.

**Next Steps**
Staff will begin work on loading the budget into the Agency’s internal systems in anticipation of a July 1, 2012 effective date. Staff will update the Board on any actions taken by the Governor related to the budget.
## General State Aid

|                        | FY 12 ISBE Appropriation | FY 13 Board Recommend | FY 13 Governor's Budget | FY 13 Governor's GA Action SB 2413 | FY 12 FY13 FY13 FY13 Percent Percent Percent Percent Increase (Decrease) Increase (Decrease) Increase (Decrease) Increase (Decrease) |
|------------------------|--------------------------|-----------------------|-------------------------|-----------------------------------|--------------------------------|--|--|--|--|
| **General State Aid**  |                          |                       |                         |                                   |                               |                               |                               |                               |                               |
| **Statutory Foundation Level** | $6,119                   | $6,119                | $6,119                  | $6,119                            | $0                        | 0.00% | $0                        | 0.00% |
|                         | Prorated 95%             | Prorated 95%          | Prorated 92%            | Prorated 89%                      | (189,737.8)               | -7.7% | (99,766.1)               | -4.2% |
| GSA Formula Grant       | 2,361,036.8              | 2,451,008.5           | 2,344,896.9             | 2,261,270.7                       | (156,312.5)               | -9.0% | 91,741.8                 | 6.2%  |
| GSA Poverty Grant       | 1,489,562.7              | 1,737,617.0           | 1,662,390.2             | 1,581,304.5                       | (16,588.0)                | -0.9% | (153,327.7)               | -25.7%|
| PTELL Adjustment        | 597,505.0                | 460,765.3             | 440,817.4               | 444,177.3                         | (99,766.1)                | -21.4%| (153,327.7)               | -25.7%|
| **Subtotal, General State Aid** | $4,448,104.5             | $4,649,390.8          | $4,448,104.5            | $4,286,752.5                      | (362,638.3)               | -7.8% | (161,352.0)               | -3.6% |
| **Mandated Categoricals** |                          |                       |                         |                                   |                               |                               |                               |                               |
| Sp Ed - Personnel Reimbursement | 465,700.0               | 440,200.0             | 440,200.0               | 440,200.0                         | 0                            | 0.0% | (25,500.0)               | -5.5% |
| Sp Ed - Funding for Children Requiring Sp Ed Services | 343,375.7               | 314,196.1             | 320,919.4               | 314,196.1                         | 0                            | 0.0% | (29,179.6)               | -8.5% |
| Sp Ed - Orphanage Tuition | 101,700.0                | 111,000.0             | 111,000.0               | 111,000.0                         | 0                            | 0.0% | 9,300.0                  | 9.1%  |
| Sp Ed - Private Tuition  | 177,743.7                | 213,800.0             | 213,800.0               | 206,843.3                         | (6,956.7)                  | -3.2% | 29,099.6                 | 16.4% |
| Sp Ed - Summer School   | 11,200.0                 | 10,100.0              | 10,100.0                | 10,100.0                          | 0                            | 0.0% | (1,100.0)                | -9.8% |
| Sp Ed - Transportation  | 436,800.0                | 440,500.0             | 440,500.0               | 440,500.0                         | 0                            | 0.0% | 3,700.0                  | 0.8%  |
| **Subtotal, Special Ed Categoricals** | $1,536,519.4             | $1,529,796.1          | $1,536,519.4            | $1,522,839.4                      | (6,956.7)                  | -0.5% | (13,680.0)               | -0.8% |
| Illinois Free Lunch/Breakfast | 26,300.0                | 37,200.0              | 26,300.0                | 14,300.0                          | (22,900.0)                 | -61.6%| (12,000.0)               | -45.6%|
| Orphanage Tuition       | 13,000.0                 | 13,000.0              | 13,000.0                | 13,000.0                          | 0                            | 0.0% | 0.0                      | 0.0%  |
| Transportation - Regular/Vocational | 205,808.9               | 205,808.9             | 205,808.9               | 205,808.9                         | 0                            | 0.0% | 0.0                      | 0.0%  |
| **Subtotal, Mandated Categoricals** | $1,781,628.3             | $1,785,805.0          | $1,781,628.3            | $1,755,948.3                      | (29,856.7)                 | -1.7%| (25,860.0)               | -1.4% |
| **Standards and Assessments** |                          |                       |                         |                                   |                               |                               |                               |                               |
| Assessments             | 24,000.0                 | 27,400.0              | 27,400.0                | 27,400.0                          | 0                            | 0.0% | 3,400.0                  | 14.2% |
| Growth Model            | 0.0                      | 2,400.0               | 0.0                     | 0.0                               | (2,400.0)                  | -100.0%| 0.0                      | 0.0%  |
| Response to Intervention| 0.0                      | 0.0                   | 0.0                     | 0.0                               | (0.0)                       | NA | (0.0)                   | NA |
| American Diploma Project| 0.0                      | 0.0                   | 0.0                     | 0.0                               | (0.0)                       | NA | (0.0)                   | NA |
| Learning Stds & Assessments/Stds Materials & Training | 2,000.0                  | 2,000.0               | 2,000.0                 | 2,000.0                           | 0                            | 0.0% | 0.0                      | 0.0%  |
| **Subtotal, Standards, Assessments and Accountabili** | $26,000.0                | $31,800.0             | $29,400.0               | $29,400.0                         | (2,400.0)                  | -7.5% | 3,400.0                  | 13.1% |
| **Academic Improvement** |                          |                       |                         |                                   |                               |                               |                               |                               |
| Early Childhood Education | 325,123.5               | 345,000.0             | 345,123.5               | 300,192.4                         | (44,807.6)                 | -13.0%| (24,931.2)               | -7.7% |
| Arts and Foreign Language | 1,000.0                 | 1,000.0               | 1,000.0                 | 500.0                             | (500.0)                     | -50.0%| (500.0)                 | -50.0%|
| Bilingual Education    | 63,381.2                 | 70,381.2              | 66,381.2                | 63,381.2                           | (7,000.0)                   | -9.9%| 0.0                      | 0.0%  |
## Comparison of FY 2013 GA Action

<table>
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<tr>
<th>$000s</th>
<th>FY 12 ISBE Appropriation</th>
<th>FY 13 ISBE Board Recommend</th>
<th>FY 13 Governor’s Budget</th>
<th>FY 13 GA Action SB 2413</th>
<th>to FY13 Board Increase (Decrease)</th>
<th>Percent Increase (Decrease)</th>
<th>to FY 2012 Approp Increase (Decrease)</th>
<th>Percent Increase (Decrease)</th>
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</table>

### College and Career Readiness

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<tr>
<th></th>
<th>FY 12</th>
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<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
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<td>Advance Placement Classes</td>
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<td>0.0</td>
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<tr>
<td>Agricultural Education</td>
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<td>1,800.0</td>
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<tr>
<td>Career and Technical Education Programs</td>
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<td>38,562.1</td>
<td>38,062.1</td>
<td>38,062.1</td>
<td>(500.0)</td>
<td>-1.3%</td>
<td>(500.0)</td>
<td>-1.3%</td>
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<td>Subtotal Career and College Readiness</td>
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<td>457,270.3</td>
<td>452,866.8</td>
<td>404,462.7</td>
<td>(52,807.6)</td>
<td>-11.5%</td>
<td>(25,404.2)</td>
<td>-5.9%</td>
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### School Reform and Accountability

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<th>FY 13</th>
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<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowest Performing Schools</td>
<td>1,002.8</td>
<td>3,000.0</td>
<td>3,000.0</td>
<td>1,002.8</td>
<td>(1,997.2)</td>
<td>-66.6%</td>
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<td>Statewide System of Support</td>
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<td>0.0</td>
<td>0.0</td>
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<tr>
<td>Children's Mental Health Partnership</td>
<td>1,620.0</td>
<td>2,000.0</td>
<td>1,620.0</td>
<td>300.0</td>
<td>(1,700.0)</td>
<td>-85.0%</td>
<td>(1,320.0)</td>
<td>-81.5%</td>
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<td>State and District Technology Support</td>
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<td>3,000.0</td>
<td>3,000.0</td>
<td>3,000.0</td>
<td>0.0</td>
<td>0.0%</td>
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<td>Digitized Educational Materials</td>
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<td>District Accountability System</td>
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<tr>
<td>Subtotal, School Reform and Accountability</td>
<td>5,622.8</td>
<td>8,000.0</td>
<td>7,620.0</td>
<td>4,302.8</td>
<td>(3,697.2)</td>
<td>-46.2%</td>
<td>(1,320.0)</td>
<td>-23.5%</td>
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### Regional Delivery System

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<tr>
<th></th>
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<th>FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Offices of Education - Bus Driver Training</td>
<td>70.0</td>
<td>70.0</td>
<td>70.0</td>
<td>70.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Regional Offices of Education - Salaries</td>
<td>0.0</td>
<td>9,800.0</td>
<td>0.0</td>
<td>0.0</td>
<td>(9,800.0)</td>
<td>NA</td>
<td>0.0</td>
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<tr>
<td>Regional Offices of Education - School Services</td>
<td>0.0</td>
<td>4,950.0</td>
<td>0.0</td>
<td>2,225.1</td>
<td>(2,725.0)</td>
<td>-55.0%</td>
<td>2,225.1</td>
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</tr>
<tr>
<td>Subtotal, Regional Offices of Education</td>
<td>70.0</td>
<td>14,820.0</td>
<td>70.0</td>
<td>2,295.1</td>
<td>(12,525.0)</td>
<td>-84.5%</td>
<td>2,225.1</td>
<td>3178.6%</td>
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</tbody>
</table>

### Special Education

<table>
<thead>
<tr>
<th></th>
<th>FY 12</th>
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<th>FY 13</th>
<th>FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Autism</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Blind and Dyslexic</td>
<td>816.6</td>
<td>894.0</td>
<td>816.6</td>
<td>816.6</td>
<td>(77.4)</td>
<td>-8.7%</td>
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</tr>
<tr>
<td>Community and Residential Services Authority</td>
<td>592.3</td>
<td>627.0</td>
<td>592.3</td>
<td>592.3</td>
<td>(34.7)</td>
<td>-5.5%</td>
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<td>0.0%</td>
</tr>
<tr>
<td>Materials Center for the Visually Impaired</td>
<td>1,421.1</td>
<td>1,421.1</td>
<td>1,421.1</td>
<td>1,421.1</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Philip J. Rock Center and School</td>
<td>3,577.8</td>
<td>3,577.8</td>
<td>3,577.8</td>
<td>3,577.8</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Subtotal, Special Education</td>
<td>6,507.8</td>
<td>6,619.9</td>
<td>6,507.8</td>
<td>6,507.8</td>
<td>(112.1)</td>
<td>-1.7%</td>
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### Educator Quality and Support

<table>
<thead>
<tr>
<th></th>
<th>FY 12</th>
<th>FY 13</th>
<th>FY 13</th>
<th>FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Board Certification</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Teach for America</td>
<td>1,225.0</td>
<td>1,975.0</td>
<td>1,975.0</td>
<td>1,225.0</td>
<td>(750.0)</td>
<td>-38.0%</td>
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<tr>
<td>Performance Evaluations</td>
<td>0.0</td>
<td>200.0</td>
<td>0.0</td>
<td>0.0</td>
<td>(200.0)</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
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<tr>
<td>Principal Mentoring Program</td>
<td>0.0</td>
<td>900.0</td>
<td>0.0</td>
<td>0.0</td>
<td>(900.0)</td>
<td>-100.0%</td>
<td>0.0</td>
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<tr>
<td>Teacher and Administrator Mentoring Program</td>
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<td>3,157.6</td>
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<td>(3,157.6)</td>
<td>-100.0%</td>
<td>0.0</td>
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<td>Subtotal, Educator Quality and Support</td>
<td>2,225.0</td>
<td>7,232.6</td>
<td>2,975.0</td>
<td>2,225.0</td>
<td>(5,007.6)</td>
<td>-69.2%</td>
<td>0.0</td>
<td>0.0%</td>
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</table>

### Other Statewide District Categorical Assistance

<table>
<thead>
<tr>
<th></th>
<th>FY 12</th>
<th>FY 13</th>
<th>FY 13</th>
<th>FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
<th>FY 12 - FY 13</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Consolidation Costs</td>
<td>1,800.0</td>
<td>4,600.0</td>
<td>1,800.0</td>
<td>2,805.0</td>
<td>(1,950.0)</td>
<td>-39.0%</td>
<td>1,005.0</td>
<td>55.8%</td>
</tr>
<tr>
<td>Financial Oversight /School Management Assistance</td>
<td>0.0</td>
<td>150.0</td>
<td>0.0</td>
<td>0.0</td>
<td>(150.0)</td>
<td>-100.0%</td>
<td>0.0</td>
<td>NA</td>
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<tr>
<td>Subtotal, Other Statewide District Categorical Assistance</td>
<td>1,800.0</td>
<td>4,750.0</td>
<td>1,800.0</td>
<td>2,805.0</td>
<td>(1,945.0)</td>
<td>-40.9%</td>
<td>1,005.0</td>
<td>55.8%</td>
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</table>
## FY 13 Comparison of FY 2013 GA Action to FY12 Approp

<table>
<thead>
<tr>
<th>$000s</th>
<th>FY 12 ISBE Appropriation</th>
<th>FY 13 Board Recommend</th>
<th>FY 13 Governor's Budget</th>
<th>FY 13 GA Action SB 2413</th>
<th>to FY13 Board</th>
<th>Percent Increase (Decrease)</th>
<th>to FY 2012 Approp</th>
<th>Percent Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Student Health and Safety Initiatives</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternative Learning/Regional Safe Schools</td>
<td>9,341.9</td>
<td>9,341.9</td>
<td>9,341.9</td>
<td>6,539.3</td>
<td>(2,802.6)</td>
<td>-30.0%</td>
<td>2,802.6</td>
<td>-30.0%</td>
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<tr>
<td>Re-Enrolling Students - Alternative Schools Network</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Re-Enrolling Students - IHOPED</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Homeless Education</td>
<td>1,000.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>(1,000.0)</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Truant Alternative and Optional Education</td>
<td>14,059.0</td>
<td>14,059.0</td>
<td>14,059.0</td>
<td>12,000.0</td>
<td>(2,059.0)</td>
<td>-16.6%</td>
<td>(2,059.0)</td>
<td>-16.6%</td>
</tr>
<tr>
<td><strong>Subtotal, Health &amp; Safety Initiatives before lump sum</strong></td>
<td>23,400.9</td>
<td>24,400.9</td>
<td>23,400.9</td>
<td>18,539.3</td>
<td>(5,861.6)</td>
<td>-24.0%</td>
<td>(4,861.6)</td>
<td>-20.8%</td>
</tr>
<tr>
<td>Temporary Relocation Expense Fund Deposit--Lump Sum</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Educator Investigations/Hearings--Lump Sum</td>
<td>184.0</td>
<td>375.0</td>
<td>184.0</td>
<td>184.0</td>
<td>(191.0)</td>
<td>-50.9%</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Subtotal, Student Health and Safety Initiatives</strong></td>
<td>23,584.9</td>
<td>24,775.9</td>
<td>23,584.9</td>
<td>18,723.3</td>
<td>(6,052.6)</td>
<td>-24.4%</td>
<td>(4,861.6)</td>
<td>-20.6%</td>
</tr>
<tr>
<td><strong>Miscellaneous</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>After School Matters</td>
<td>2,500.0</td>
<td>0.0</td>
<td>2,500.0</td>
<td>2,500.0</td>
<td>2,500.0</td>
<td>NA</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Tax Equivalent Grants</td>
<td>222.6</td>
<td>222.6</td>
<td>222.6</td>
<td>222.6</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Illinois Coalition for Immigrant and Refugee Rights</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>1,000.0</td>
<td>NA</td>
<td>1,000.0</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Subtotal, Miscellaneous</strong></td>
<td>5,445.2</td>
<td>2,945.2</td>
<td>2,945.2</td>
<td>3,722.6</td>
<td>777.4</td>
<td>26.4%</td>
<td>(1,722.6)</td>
<td>-31.6%</td>
</tr>
<tr>
<td><strong>Subtotal Grants without GSA/MCATS</strong></td>
<td>501,122.5</td>
<td>558,213.9</td>
<td>527,769.7</td>
<td>474,444.2</td>
<td>-83,769.7</td>
<td>-15.0%</td>
<td>-26,678.3</td>
<td>-5.3%</td>
</tr>
<tr>
<td><strong>TOTAL - GRANTS</strong></td>
<td>6,730,855.3</td>
<td>6,993,409.7</td>
<td>6,757,502.5</td>
<td>6,517,145.0</td>
<td>(476,264.7)</td>
<td>-6.8%</td>
<td>(213,710.2)</td>
<td>-3.2%</td>
</tr>
<tr>
<td><strong>ADMINISTRATION --GENERAL FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Services</td>
<td>16,036.3</td>
<td>16,629.6</td>
<td>16,629.6</td>
<td>16,036.3</td>
<td>(593.3)</td>
<td>-3.6%</td>
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</tr>
<tr>
<td>Retirement Pick-Up</td>
<td>191.8</td>
<td>198.9</td>
<td>198.9</td>
<td>191.8</td>
<td>(7.1)</td>
<td>-3.6%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Retirement</td>
<td>200.0</td>
<td>200.0</td>
<td>200.0</td>
<td>200.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Social Security/Medicare</td>
<td>517.6</td>
<td>536.8</td>
<td>536.8</td>
<td>517.6</td>
<td>(19.2)</td>
<td>-3.6%</td>
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<td>0.0%</td>
</tr>
<tr>
<td><strong>Sub-Total Personal Services and Benefits</strong></td>
<td>16,745.7</td>
<td>17,565.3</td>
<td>17,565.3</td>
<td>16,745.7</td>
<td>(819.6)</td>
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<td>0.0%</td>
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<td>Contractual</td>
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<td>6,000.0</td>
<td>6,000.0</td>
<td>0.0</td>
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<td>1,500.0</td>
<td>33.3%</td>
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<tr>
<td>Travel</td>
<td>166.3</td>
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<td>300.0</td>
<td>166.3</td>
<td>(133.8)</td>
<td>-44.6%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
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<td>Commodities</td>
<td>71.3</td>
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<td>72.0</td>
<td>71.3</td>
<td>(0.7)</td>
<td>-1.0%</td>
<td>0.0</td>
<td>0.0%</td>
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<td>Printing</td>
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<td>65.0</td>
<td>65.0</td>
<td>64.7</td>
<td>(0.3)</td>
<td>-0.5%</td>
<td>0.0</td>
<td>0.0%</td>
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<td>Equipment</td>
<td>132.2</td>
<td>250.0</td>
<td>250.0</td>
<td>132.2</td>
<td>(117.8)</td>
<td>-47.1%</td>
<td>0.0</td>
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<td>Telecommunications</td>
<td>450.0</td>
<td>450.0</td>
<td>450.0</td>
<td>450.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Operation of Automotive Equipment</td>
<td>23.8</td>
<td>25.0</td>
<td>25.0</td>
<td>23.8</td>
<td>(1.2)</td>
<td>-4.8%</td>
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<td>0.0%</td>
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<tr>
<td><strong>Subtotal, Operations</strong></td>
<td>22,154.0</td>
<td>24,727.3</td>
<td>24,727.3</td>
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<td>(1,073.4)</td>
<td>-4.3%</td>
<td>1,500.0</td>
<td>6.8%</td>
</tr>
<tr>
<td>Strategic Plan</td>
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<td>200.0</td>
<td>0.0</td>
<td>(200.0)</td>
<td>-100.0%</td>
<td>(100.0)</td>
<td>-100.0%</td>
</tr>
<tr>
<td><strong>Subtotal, Lump Sums</strong></td>
<td>100.0</td>
<td>200.0</td>
<td>200.0</td>
<td>0.0</td>
<td>(200.0)</td>
<td>-100.0%</td>
<td>(100.0)</td>
<td>-100.0%</td>
</tr>
<tr>
<td><strong>TOTAL - ADMINISTRATION AND LUMP SUMS</strong></td>
<td>22,254.0</td>
<td>24,927.3</td>
<td>24,927.3</td>
<td>23,654.0</td>
<td>(1,273.3)</td>
<td>-5.1%</td>
<td>1,400.0</td>
<td>6.3%</td>
</tr>
<tr>
<td><strong>General Funds Total</strong></td>
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<td>7,018,337.0</td>
<td>6,782,429.8</td>
<td>6,540,799.0</td>
<td>(477,538.0)</td>
<td>-6.8%</td>
<td>(212,310.2)</td>
<td>-3.1%</td>
</tr>
<tr>
<td><strong>Textbook Loan Program - Reappropriation</strong></td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td><strong>General Funds Total With Reappropriation</strong></td>
<td>6,753,109.2</td>
<td>7,018,337.0</td>
<td>6,782,429.8</td>
<td>6,540,799.0</td>
<td>(477,538.0)</td>
<td>-6.8%</td>
<td>(212,310.2)</td>
<td>-3.1%</td>
</tr>
<tr>
<td>$000s</td>
<td>FY 12 ISBE Appropriation</td>
<td>FY 13 Board Recommend</td>
<td>FY 13 Governor's Budget</td>
<td>FY 13 GA Action SB 2413</td>
<td>to FY13 Board Increase (Decrease)</td>
<td>Percent Increase (Decrease)</td>
<td>to FY 2012 Appropriation Increase (Decrease)</td>
<td>Percent Increase (Decrease)</td>
</tr>
<tr>
<td>-------</td>
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<td>-----------------------</td>
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<td>---------------------------------</td>
<td>-----------------------------</td>
<td>----------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>ADMINISTRATION—OTHER STATE FUNDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Personal Services</td>
<td>164.9</td>
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<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>-(164.9)</td>
<td>NA</td>
</tr>
<tr>
<td>Retirement Pick-Up</td>
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<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>0.0</td>
<td>NA</td>
</tr>
<tr>
<td>Retirement</td>
<td>10.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>(10.0)</td>
<td>NA</td>
</tr>
<tr>
<td>Social Security/Medicare</td>
<td>6.3</td>
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<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>(6.3)</td>
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</tr>
<tr>
<td>Group Insurance</td>
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<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>(41.2)</td>
<td>NA</td>
</tr>
<tr>
<td><strong>Subtotal, Operations</strong></td>
<td>222.4</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>NA</td>
<td>(222.4)</td>
<td>NA</td>
</tr>
<tr>
<td>Ordinary &amp; Contingent Expenses - Indirect Cost Recovery</td>
<td>7,015.2</td>
<td>7,015.2</td>
<td>7,015.2</td>
<td>7,015.2</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Ordinary &amp; Contingent Expenses - Chicago Teacher Cert.</td>
<td>2,208.9</td>
<td>2,208.9</td>
<td>2,208.9</td>
<td>2,208.9</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Ordinary &amp; Contingent Expenses - Teacher Certificate Fee</td>
<td>3,700.0</td>
<td>5,000.0</td>
<td>5,000.0</td>
<td>5,000.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>1,300.0</td>
<td>35.1%</td>
</tr>
<tr>
<td>Ordinary &amp; Contingent Expenses - School Infrastructure</td>
<td>600.0</td>
<td>600.0</td>
<td>600.0</td>
<td>600.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Subtotal, Lump Sums</strong></td>
<td>13,524.1</td>
<td>14,824.1</td>
<td>14,824.1</td>
<td>14,824.1</td>
<td>0.0</td>
<td>0.0%</td>
<td>1,300.0</td>
<td>9.6%</td>
</tr>
<tr>
<td><strong>TOTAL - ADMINISTRATION</strong></td>
<td>13,746.5</td>
<td>14,824.1</td>
<td>14,824.1</td>
<td>14,824.1</td>
<td>0.0</td>
<td>0.0%</td>
<td>1,077.6</td>
<td>7.8%</td>
</tr>
<tr>
<td>GRANTS—OTHER STATE FUNDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>After School Rescue Fund</td>
<td>0.0</td>
<td>200.0</td>
<td>200.0</td>
<td>200.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>200.0</td>
<td>NA</td>
</tr>
<tr>
<td>Charter Schools Revolving Loan Fund</td>
<td>20.0</td>
<td>20.0</td>
<td>20.0</td>
<td>20.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Drivers Education Fund</td>
<td>24,229.6</td>
<td>17,500.0</td>
<td>17,500.0</td>
<td>17,500.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>(6,729.6)</td>
<td>-27.8%</td>
</tr>
<tr>
<td>Personal Property Replacement Tax Fund</td>
<td>13,031.5</td>
<td>0.0</td>
<td>16,975.0</td>
<td>12,025.0</td>
<td>12,025.0</td>
<td>NA</td>
<td>(1,006.5)</td>
<td>-7.7%</td>
</tr>
<tr>
<td>School District Emergency Financial Assistance Fund</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>1,000.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>School Technology Revolving Loan Fund</td>
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<td>5,000.0</td>
<td>5,000.0</td>
<td>5,000.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>State Board of Education Special Purpose Trust Fund</td>
<td>8,484.8</td>
<td>8,484.8</td>
<td>8,484.8</td>
<td>8,484.8</td>
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<td>0.0</td>
<td>0.0%</td>
</tr>
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<td>Temporary Relocation Expenses Revolving Grant Fund</td>
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<td>1,400.0</td>
<td>1,400.0</td>
<td>1,400.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Subtotal, Grants</strong></td>
<td>53,165.9</td>
<td>33,604.8</td>
<td>50,579.8</td>
<td>45,629.8</td>
<td>12,025.0</td>
<td>35.8%</td>
<td>(7,536.1)</td>
<td>-14.2%</td>
</tr>
<tr>
<td><strong>TOTAL - GRANTS</strong></td>
<td>53,165.9</td>
<td>33,604.8</td>
<td>50,579.8</td>
<td>45,629.8</td>
<td>12,025.0</td>
<td>35.8%</td>
<td>(7,536.1)</td>
<td>-14.2%</td>
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<td>TOTAL--OTHER STATE FUNDS - ISBE</td>
<td>66,912.4</td>
<td>48,428.9</td>
<td>65,403.9</td>
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<td>(6,458.5)</td>
<td>-9.7%</td>
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<td>OTHER STATE FUNDS - CHARTER SCHOOL COMMISSION</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Charter School Commission Fund to Charter School Comm</td>
<td>300.0</td>
<td>500.0</td>
<td>500.0</td>
<td>300.0</td>
<td>(200.0)</td>
<td>-40.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>FEDERAL FUNDS</td>
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<td>ADMINISTRATION Operations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Services</td>
<td>16,755.7</td>
<td>17,375.7</td>
<td>17,375.7</td>
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<td>0.0%</td>
<td>620.0</td>
<td>3.7%</td>
</tr>
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<td>Retirement Pick-Up</td>
<td>105.5</td>
<td>109.4</td>
<td>109.4</td>
<td>109.4</td>
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<td>0.0%</td>
<td>3.9</td>
<td>3.7%</td>
</tr>
<tr>
<td>Retirement</td>
<td>6,825.0</td>
<td>7,507.5</td>
<td>7,507.5</td>
<td>7,507.5</td>
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<td>0.0%</td>
<td>682.5</td>
<td>10.0%</td>
</tr>
<tr>
<td>Social Security/Medicare</td>
<td>1,179.0</td>
<td>1,222.6</td>
<td>1,222.6</td>
<td>1,222.6</td>
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<td>43.6</td>
<td>3.7%</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>4,510.9</td>
<td>5,052.2</td>
<td>5,052.2</td>
<td>5,052.2</td>
<td>0.0</td>
<td>0.0%</td>
<td>541.3</td>
<td>12.0%</td>
</tr>
<tr>
<td><strong>Sub-Total Personal Services and Benefits</strong></td>
<td>29,376.1</td>
<td>31,267.4</td>
<td>31,267.4</td>
<td>31,267.4</td>
<td>0.0</td>
<td>0.0%</td>
<td>1,891.3</td>
<td>6.4%</td>
</tr>
<tr>
<td>Contractual</td>
<td>24,310.0</td>
<td>25,525.5</td>
<td>25,525.5</td>
<td>25,525.5</td>
<td>0.0</td>
<td>0.0%</td>
<td>1,215.5</td>
<td>5.0%</td>
</tr>
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<td>Travel</td>
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<td>2,030.0</td>
<td>2,030.0</td>
<td>2,030.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Commodities</td>
<td>410.0</td>
<td>410.0</td>
<td>410.0</td>
<td>410.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Printing</td>
<td>498.0</td>
<td>498.0</td>
<td>498.0</td>
<td>498.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Equipment</td>
<td>616.0</td>
<td>677.6</td>
<td>677.6</td>
<td>1,000.0</td>
<td>322.4</td>
<td>47.6%</td>
<td>384.0</td>
<td>62.3%</td>
</tr>
<tr>
<td>Telecommunications</td>
<td>459.0</td>
<td>459.0</td>
<td>459.0</td>
<td>459.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Subtotal, Operations</strong></td>
<td>57,699.1</td>
<td>60,867.5</td>
<td>60,867.5</td>
<td>61,189.9</td>
<td>322.4</td>
<td>0.5%</td>
<td>3,490.8</td>
<td>6.1%</td>
</tr>
<tr>
<td><strong>TOTAL-- ADMINISTRATION</strong></td>
<td>57,699.1</td>
<td>60,867.5</td>
<td>60,867.5</td>
<td>61,189.9</td>
<td>322.4</td>
<td>0.5%</td>
<td>3,490.8</td>
<td>6.1%</td>
</tr>
</tbody>
</table>
### GRANTS

#### Career and Technical Education

<table>
<thead>
<tr>
<th>FY 12 ISBE Appropriation</th>
<th>FY 13 Board Recommend</th>
<th>FY 13 Governor's Budget</th>
<th>FY 13 GA Action SB 2413</th>
<th>Percentage Increase (Decrease)</th>
<th>FY 13 to FY 12 Appropriation</th>
<th>FY 13 to FY 12 Governor's Budget</th>
<th>FY 13 to FY 12 GA Action SB 2413</th>
</tr>
</thead>
<tbody>
<tr>
<td>Career and Technical Education - Basic</td>
<td>55,000.0</td>
<td>55,000.0</td>
<td>55,000.0</td>
<td>55,000.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>0.0</td>
</tr>
<tr>
<td>Career and Technical Education - Tech Prep</td>
<td>5,000.0</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>(4,900.0)</td>
</tr>
<tr>
<td><strong>Subtotal, Career and Technical Education</strong></td>
<td><strong>60,000.0</strong></td>
<td><strong>55,100.0</strong></td>
<td><strong>55,100.0</strong></td>
<td><strong>55,100.0</strong></td>
<td><strong>0.0</strong></td>
<td><strong>0.0%</strong></td>
<td><strong>(4,900.0)</strong></td>
</tr>
</tbody>
</table>

#### Child Nutrition

| FY 13 FY 13 FY 13 Percent Percent |
|--------------------------|------------------------|-------------------------|--------------------------|-------------------------------|-----------------------------|-----------------------------|---------------------------------|
| Child Nutrition Programs | 725,000.0 | 725,000.0 | 725,000.0 | 725,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| Child Nutrition Programs - ARRA | 914.3 | 0.0 | 0.0 | 0.0 | 0.0 | NA | (914.3) | NA |
| **Subtotal, Child Nutrition** | **725,914.3** | **725,000.0** | **725,000.0** | **725,000.0** | **0.0** | **0.0%** | **(914.3)** | **-0.1%** |

#### Individuals with Disabilities Act

| FY 13 FY 13 FY 13 Percent Percent |
|--------------------------|------------------------|-------------------------|--------------------------|-------------------------------|-----------------------------|-----------------------------|---------------------------------|
| Individuals with Disabilities Education Act | 650,000.0 | 700,000.0 | 700,000.0 | 700,000.0 | 0.0 | 0.0% | 50,000.0 | 7.7% |
| Individuals with Disabilities Education Act - ARRA | 354,535.9 | 0.0 | 0.0 | 0.0 | 0.0 | NA | (354,535.9) | NA |
| Individuals with Disabilities Education Act - Deaf and Blind | 450.0 | 500.0 | 500.0 | 500.0 | 0.0 | 0.0% | 50.0 | 11.1% |
| Individuals with Disabilities Education Act - Model Outreach | 400.0 | 0.0 | 0.0 | 0.0 | 0.0 | NA | (400.0) | NA |
| Individuals with Disabilities Education Act - Preschool | 25,000.0 | 25,000.0 | 25,000.0 | 25,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| Individuals with Disabilities Education Act - Preschool - AR | 12,818.0 | 0.0 | 0.0 | 0.0 | 0.0 | NA | (12,818.0) | NA |
| Individuals with Disabilities Education Act - State Improvements | 3,700.0 | 4,000.0 | 4,000.0 | 4,000.0 | 0.0 | 0.0% | 300.0 | 8.1% |
| Bellfaire JCB | 0.0 | 0.0 | 0.0 | 500.0 | 500.0 | NA | 500.0 | NA |
| **Subtotal, Individuals with Disabilities Act** | **1,046,903.9** | **729,500.0** | **729,500.0** | **730,000.0** | **500.0** | **0.1%** | **(316,903.9)** | **-30.3%** |

#### NCLB (excluding Assessments)

| FY 13 FY 13 FY 13 Percent Percent |
|--------------------------|------------------------|-------------------------|--------------------------|-------------------------------|-----------------------------|-----------------------------|---------------------------------|
| NCLB - Title I - Advanced Placement Program | 3,000.0 | 3,000.0 | 3,000.0 | 3,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| NCLB - Title I | 750,000.0 | 825,000.0 | 825,000.0 | 825,000.0 | 0.0 | 0.0% | 75,000.0 | 10.0% |
| NCLB - Title I - ARRA | 381,125.2 | 150,000.0 | 150,000.0 | 150,000.0 | 0.0 | 0.0% | (231,125.2) | -60.6% |
| NCLB - Title I - Reading First | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | NA | 0.0 | NA |
| NCLB - Title I - Striving Readers | 50,000.0 | 500.0 | 500.0 | 500.0 | 0.0 | 0.0% | (49,500.0) | -99.0% |
| NCLB - Title II - Enhancing Education Through Technology | 20,000.0 | 5,000.0 | 5,000.0 | 5,000.0 | 0.0 | 0.0% | (15,000.0) | -75.0% |
| NCLB - Title II - Enhancing Education Through Technology | 18,566.2 | 100.0 | 100.0 | 100.0 | 0.0 | 0.0% | (18,466.2) | -99.5% |
| NCLB - Title II - Math/Science Partnerships | 12,000.0 | 14,000.0 | 14,000.0 | 14,000.0 | 0.0 | 0.0% | 2,000.0 | 16.7% |
| NCLB - Title II - Teacher/Principal Training | 157,000.0 | 157,000.0 | 157,000.0 | 157,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| NCLB - Title II - Transition to Teaching | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | NA | 0.0 | NA |
| NCLB - Title III - Language Acquisition | 40,000.0 | 45,000.0 | 45,000.0 | 45,000.0 | 0.0 | 0.0% | 5,000.0 | 12.5% |
| NCLB - Title IV - 21st Century/Community Service Program | 60,500.0 | 65,000.0 | 65,000.0 | 65,000.0 | 0.0 | 0.0% | 4,500.0 | 7.4% |
| NCLB - Title IV - Safe and Drug Free Schools | 15,000.0 | 500.0 | 500.0 | 500.0 | 0.0 | 0.0% | (14,500.0) | -96.7% |
| NCLB - Title V - Charter Schools | 9,000.0 | 9,000.0 | 9,000.0 | 9,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| NCLB - Title V - Innovative Programs | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | NA | 0.0 | NA |
| NCLB - Title VI - Rural and Low Income Schools | 2,000.0 | 2,000.0 | 2,000.0 | 2,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| NCLB - Title X - Homeless Education | 5,000.0 | 5,000.0 | 5,000.0 | 5,000.0 | 0.0 | 0.0% | 0.0 | 0.0% |
| NCLB - Title X - Homeless Education - ARRA | 645.2 | 0.0 | 0.0 | 0.0 | 0.0 | NA | (645.2) | NA |
| **Subtotal, NCLB (excluding Assessments)** | **1,523,836.6** | **1,281,100.0** | **1,281,100.0** | **1,281,100.0** | **0.0** | **0.0%** | **(242,736.6)** | **-15.9%** |
### Comparison of FY 2013 GA Action

<table>
<thead>
<tr>
<th>$000s</th>
<th>FY 12 ISBE Appropriation</th>
<th>FY13 Board Recommend</th>
<th>FY13 Governor's Budget</th>
<th>FY13 GA Action SB 2413</th>
<th>to FY13 Board Increase (Decrease)</th>
<th>Percent Increase (Decrease)</th>
<th>to FY 2012 Approp Increase (Decrease)</th>
<th>Percent Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assessments</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Assessments</td>
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<td>23,780.3</td>
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<td>ONPAR</td>
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<td>2,000.0</td>
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<td>0.0</td>
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</tr>
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<td><strong>Subtotal, Assessments</strong></td>
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<td>25,780.3</td>
<td>25,780.3</td>
<td>25,780.3</td>
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<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Other Grants</strong></td>
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<td></td>
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<td>NA</td>
</tr>
<tr>
<td>Longitudinal Data System</td>
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<td>5,200.0</td>
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</tr>
<tr>
<td>Longitudinal Data System - ARRA</td>
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<td>NA</td>
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<tr>
<td>Early Learning Challenge</td>
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<td>10,000.0</td>
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<td>2,700.0</td>
<td>37.0%</td>
</tr>
<tr>
<td>Race to the Top</td>
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<td>42,800.0</td>
<td>42,800.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>(7,200.0)</td>
<td>-14.4%</td>
</tr>
<tr>
<td><strong>Subtotal, Other Grants</strong></td>
<td>140,700.0</td>
<td>63,500.0</td>
<td>63,500.0</td>
<td>63,500.0</td>
<td>0.0</td>
<td>0.0%</td>
<td>(77,200.0)</td>
<td>-54.9%</td>
</tr>
<tr>
<td><strong>TOTAL - GRANTS</strong></td>
<td>3,523,135.1</td>
<td>2,879,980.3</td>
<td>2,879,980.3</td>
<td>2,880,480.3</td>
<td>500.0</td>
<td>0.0%</td>
<td>(642,654.8)</td>
<td>-18.2%</td>
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<tr>
<td><strong>TOTAL - FEDERAL FUNDS</strong></td>
<td>3,580,834.2</td>
<td>2,940,847.8</td>
<td>2,940,847.8</td>
<td>2,941,670.2</td>
<td>822.4</td>
<td>0.0%</td>
<td>(639,164.0)</td>
<td>-17.8%</td>
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<td><strong>GRAND TOTAL</strong></td>
<td>10,400,855.8</td>
<td>10,007,613.7</td>
<td>9,788,681.5</td>
<td>9,542,923.1</td>
<td>(464,690.6)</td>
<td>-4.6%</td>
<td>(857,932.7)</td>
<td>-8.2%</td>
</tr>
<tr>
<td><strong>GRAND TOTAL w/ Reappropriations</strong></td>
<td>10,400,855.8</td>
<td>10,007,613.7</td>
<td>9,788,681.5</td>
<td>9,542,923.089</td>
<td>(464,690.6)</td>
<td>-4.6%</td>
<td>(857,932.7)</td>
<td>-8.2%</td>
</tr>
</tbody>
</table>
TO: Governmental Relations Committee
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Marcy Dutton, Interim General Counsel

Agenda Topic: 2012 Legislative Update
Materials: 2012 Public Act Chart
Staff Contact(s): Nicole Wills, Liaison, Governmental Relations
Cynthia Riseman, Liaison, Governmental Relations

Purpose of Agenda Item
The purpose of the agenda item is to update the Board on the status of education-related legislation the Agency staff has been tracking during the Spring session. The attached public act chart summarizes all legislation passed by both chambers during the spring session. This chart will be updated as the Governor takes action on each bill.

Background Information
Governmental Relations staff tracked approximately 300 bills during the spring legislative session, approximately 40 of which passed both chambers. The attached chart provides a summary of all the bills that staff tracked and passed during the spring session.

Over the next few months these bills will be transmitted to the Governor and acted upon. If any legislation is vetoed or amendatorily vetoed by the Governor, the General Assembly will act upon them when they return for Veto Session, which will be held November 27th-29th and December 4th-6th.

Superintendent’s Recommendation
This item is for informational purposes only.

Next Steps
Bills that become Public Acts will be assigned to the appropriate agency staff to begin implementation. Staff will update the Board on actions taken by the Governor related to the legislation.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Public Act</th>
<th>Sponsor</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB 1473</td>
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<td>Rep. Flowers Sen. Delgado</td>
<td>Allows the Chicago Board of Education to develop a plan for implementing a program that seeks to establish common bonds between youth of various backgrounds and ethnicities, which may be similar to that of the Challenge Day organization. There is no effective date listed in this legislation, so it will be effective January 1, 2013.</td>
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<tr>
<td>HB 3806</td>
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<td>Rep. Cavaletto Sen. Luechtefeld</td>
<td>Amends the Juvenile Court Act of 1987 to make changes in the provision relating to truant minors in need of supervision, to state that the definition of &quot;chronic truant&quot; has the same meaning ascribed to it in the School Code. This legislation is effective immediately.</td>
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<tr>
<td>HB 3810</td>
<td></td>
<td>Rep. Crespo Sen. Cullerton</td>
<td>Amends the School Code and the Board of Higher Education Act. Deletes provisions concerning General Assembly scholarships and provides that before September 1, 2012, each member of the General Assembly may nominate persons to receive a scholarship or certificate of scholarship under the General Assembly scholarship provisions as they existed before the effective date of the amendatory Act. The bill also creates the Tuition and Fee Waiver Task Force to conduct a thorough review and evaluation of the tuition and fee waiver programs offered by public institutions of higher education as well as the findings and recommendations made by the Board of Higher Education in its tuition and fee waiver report. The bill sets out members of the task force, the task force’s duties, public hearings, administrative support and requires the task force to submit a report setting forth its review and evaluation of the tuition and fee waiver programs offered by public institutions of higher education on or before April 15, 2013 to the Governor, the General Assembly, and the Board. This legislation is effective immediately.</td>
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<tr>
<td>HB 3819</td>
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<td>Rep. Chapa LaVia Sen. Martinez</td>
<td>Amends a section of the Code establishing the Advisory Council on Bilingual Education to provide that by no later than January 1, 2013, the Council must submit a report to the State Superintendent of Education, the Governor, and the General Assembly addressing certain questions concerning the modification of bilingual education programs. It also provides that the report must also address whether and how the bilingual parent advisory committees within school districts can be supported in order to increase the opportunities for parents to effectively express their views concerning the planning, operation, and evaluation of bilingual education programs. The bill also amends provisions concerning parent and community participation to provide that once established, parent advisory committees shall autonomously carry out their affairs, including the election of officers and the establishment of internal rules, guidelines, and procedures. There is no effective date listed in this legislation, so it is effective January 1, 2012.</td>
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<tr>
<td>HB 3826</td>
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<td>Rep. Chapa LaVia Sen. Koehler</td>
<td>Amends the School Code to provide that &quot;service animal&quot; means a dog or miniature horse trained or being trained as a hearing animal, a guide animal, an assistance animal, a seizure alert animal, a mobility animal, a psychiatric service animal, an autism service animal, or an animal trained for any other physical, mental, or intellectual disability. Permits a person accompanied by a service animal use of a public place of accommodation even if the animal is not wearing a harness, backpack, or vest identifying it as a service animal. Defines &quot;miniature horse&quot;. This legislation is effective immediately.</td>
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<tr>
<td>HB 3887</td>
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<td>Rep. Kay Sen. McCarter</td>
<td>Amends the Abused and Neglected Child Reporting Act to add personnel of institutions of higher education, athletic program personnel, and early intervention providers to the list of mandated reporters under the Act. This legislation is effective immediately.</td>
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<td>HB 4029</td>
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<td>Rep. Linda Chapa LaVia Sen. Muirce</td>
<td>In the provision concerning the powers of a school board with regard to the awarding of contracts, deletes a requirement that transportation contracts in excess of $25,000 be awarded to the lowest bidder. It further provides that at no time shall a cause of action lie against a school board for awarding a pupil transportation contract per the standards set forth in the provisions of the School Code concerning the award of contracts to the lowest responsible bidder unless the cause of action is based on fraudulent conduct. This legislation is effective immediately.</td>
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<tr>
<td>HB 4043</td>
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<td>Rep. Bradley Sen. Forby</td>
<td>Amends the School Code to provide that if a petition is filed for the consolidation of Christopher Unit School District 99 and Zeigler-Royalton Community Unit School District 188, the change is granted and approved at election, and no appeal is taken, then the change shall become effective after one or both of the school districts have been awarded school construction grants under the School Construction Law (instead of after the time for appeal has run for the purpose of all elections). This legislation is effective immediately.</td>
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<tr>
<td>HB 4510</td>
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<td>Rep. Acevedo Sen. Munoz</td>
<td>This bill amends the State Employment Records Act and creates the Asian-American Employment Plan Advisory Council. It requires that the Department of Central Management Services (CMS) prepare an Asian-American Employment Plan each year and report on each state agency’s activities that implement the plan. Each State agency will implement strategies and programs in accord with the State Asian-American Employment Plan to increase the number of Asian State employees in supervisory, technical, professional, and managerial positions and will make a report annually to CMS Department and the Department of Human Rights concerning the agency’s activities in implementing the plan. The bill further creates the Asian-American Employment Plan Advisory Council, to the appointed by the Governor, and requires CMS to consult with the Council when developing the State Asian-American Employment Plan. This legislation is effective immediately.</td>
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<tr>
<td>HB 4570</td>
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<td>Rep. Jefferson Sen. Holmes</td>
<td>Amends the Illinois State Collection Act of 1986. Provides that all debts owed to State agencies that exceed $250 (now, $1,000) and are more than 90 days past due shall be placed in the Comptroller’s Offset System. Provides that all debt, and maintenance of that debt, that is placed in the Comptroller’s Offset System must be submitted electronically to the office of the Comptroller. Provides that, upon processing a deduction to satisfy a debt owed to a State agency and placed in the Comptroller’s Offset System, the Comptroller shall give written notice to the person subject to the offset. Provides that, if the person subject to the offset has not made a written protest within 60 days after the Comptroller has given notice, or if a final disposition is made concerning the deduction, the Comptroller shall pay the deduction to the State agency. Provides that, for a debt owed to a State agency and placed in the Comptroller’s Offset System, the Comptroller shall deduct, from a warrant or other payment, its processing charge and the amount certified as necessary to satisfy the debt owed to the State agency. Provides that the Comptroller shall deduct a processing charge of up to $15 per transaction for each offset and such charges shall be deposited into the Comptroller Debt Recovery Trust Fund. There is no effective date listed, so it will be effective January 1, 2013.</td>
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<td>HB 4602</td>
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<td>Rep. Burke</td>
<td>Amends the School Code. In a Section concerning the debt limitations of school districts, provides that, in addition to all</td>
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<td>HB 4687</td>
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<td>Rep. Pihos Sen. Maloney</td>
<td>Amends the Open Meetings Act to provide that any required agenda posted to set forth the general subject matter of any resolution or ordinance that will be the subject of final action at the meeting. It further requires the public body conducting a public meeting to ensure that at least one copy of any requested notice and agenda for the meeting is continuously available for public review during the entire 48-hour period preceding the meeting. The bill also specifically allows posting of the notice and agenda on a website that is maintained by the public body to satisfy the requirement for continuous posting and specifies that if a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the control of the public body, then that lack of availability does not invalidate any meeting or action taken at a meeting. There is no effective date listed, so it will be effective January 1, 2013.</td>
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<td>HB 4993</td>
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<td>Rep. Cross Sen. Holmes</td>
<td>Amends the School Code to provide with respect to administrative certificates, that a candidate (i) who has enrolled and began coursework prior to August 1, 2011 in an Illinois program approved by the State Board of Education for the preparation of administrators and (ii) who successfully completes that program prior to January 1, 2013, may apply for the general administrative endorsement until January 1, 2013 without his or her 2 years of full-time teaching or school service personnel experience having been accrued while the individual held a valid early childhood, elementary, secondary, special K through 12, special pre-school through age 21, or school service personnel certificate. This legislation is effective immediately.</td>
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<td>HB 5003</td>
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<td>Rep. Tom Cross Sen. Mattle Hunter</td>
<td>Amends the State Commemorative Dates Act. Designates November 14 of each year as Diabetes Awareness Day. This legislation is effective immediately.</td>
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<td>HB 5013</td>
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<td>Rep. Gabel Sen. Steans</td>
<td>Amends the School Code to provide that, on or before December 1 of each year, every public school district and registered nonpublic school shall make publicly available the immunization data they are required to submit to the State Board of Education by November 15. It further provides that the immunization data made publicly available must be identical to the data the school district or school has reported to the State Board of Education. This legislation is effective January 1, 2013.</td>
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<tr>
<td>HB 5114</td>
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<td>Rep. Burke Sen. McGuire</td>
<td>Amends the School Code with respect to safety education to provide that the definition of &quot;safety education&quot; includes, for students enrolled in grades 6 through 8, instruction in cardio-pulmonary resuscitation and how to use an automated external defibrillator by watching a training video on those subjects. This legislation is effective immediately.</td>
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<td>HB 5602</td>
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<td>Rep. Sente Sen. Milner</td>
<td>Amends the School Code and the Juvenile Court Act of 1987. Provides that any information provided to appropriate school officials whom the school has determined to have a legitimate educational or safety interest by local law enforcement officials about a minor who is the subject of a current police investigation that is directly related to school safety shall</td>
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<td>consist of oral information only, and not written law enforcement records, and shall be used solely by the appropriate school official or officials whom the school has determined to have a legitimate educational or safety interest to protect the safety of students and employees in the school and aid in the proper rehabilitation of the child. Provides that the information derived orally from the local law enforcement officials shall be kept separate from and shall not become a part of the official school record of the child and shall not be a public record. Provides that this limitation on the use of information about a minor who is the subject of a current police investigation shall in no way limit the use of this information by prosecutors in pursuing criminal charges arising out of the information disclosed during a police investigation of the minor. There is no effective date listed, so it will be effective January 1, 2013.</td>
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<tr>
<td>HB 5650</td>
<td></td>
<td>Rep. McAsey Sen. Garrett</td>
<td>Creates the State Vehicle Use Act. Provides that each State agency shall designate a vehicle use officer who shall assist the State agency in drafting a vehicle use policy. Sets forth the required contents of the vehicle use policy. Provides that, for cases in which a State employee would otherwise use a State-owned vehicle but uses his or her own vehicle instead, a State agency may reimburse the State employee for automobile travel expenses. Provides that the Department of Central Management Services shall distribute a spreadsheet or otherwise make data entry available to each State agency to facilitate the collection of data for publishing on the Department’s website. Provides that each State agency shall be responsible for the validity and accuracy of the data provided. Provides that the Department shall, beginning on July 1, 2013, make available to the public on its Internet website vehicle cost data and an annual vehicle breakeven analysis. Provides that the Department may not make any new motor vehicle purchases until the Department sets forth procedures to condition the purchase of new motor vehicles on (i) a determination of need based on a breakeven analysis, and (ii) a determination that no other available means would be more cost-effective to the State. Provides that the Department may purchase motor vehicles not meeting or exceeding a breakeven analysis only if there is no alternative available to carry out agency work functions and the purchase is approved by the Manager of the Division of Vehicles upon the receipt of a written explanation from the agency head of the operational needs justifying the purchase. This legislation is effective January 1, 2013.</td>
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<td>HB 5689</td>
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<td>Rep. Lilly Sen. Harmon</td>
<td>Creates the Eradicate Domestic Violence Task Force. Requires the Eradicate Domestic Violence Task Force, which will be provided administrative staff and support by the Clerk of the Circuit Court in the First Judicial District. The task force is designed to develop a statewide effective and feasible prevention course for high school students designed to prevent interpersonal, adolescent violence based on the Step Back Program. This bill further sets forth the duties of the task force, the composition of the task force, and the underlying purposes of the task force. This legislation is effective immediately.</td>
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<td>SB 275</td>
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<td>Sen. Cullerton Rep. Pritchard</td>
<td>Amends the Civil Administrative Code of Illinois and the School Code. In provisions amending the School Code, it provides that an active duty service member or spouse of an active duty service member may obtain a Professional Educator License with Stipulations, and a provisional educator endorsement in a specific content area or areas, notwithstanding any other requirements of Article 21B if he or she holds a valid teaching certificate or license in good standing from another state,</td>
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<td>SB 639</td>
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<td>Sen. Delgado Rep. Beiser</td>
<td>Amends the School Construction Law to include the rehabilitation of aging buildings to alleviate classroom shortages and the rehabilitation of school facilities determined to be severe and continuing health or life safety hazards on the list of projects that are to be prioritized. This legislation is effective June 1, 2012.</td>
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<tr>
<td>SB 2332</td>
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<td>Sen. Kotowski Speaker Madigan</td>
<td>FY13 Capital Reapproriations bill This bill is effective July 1, 2012.</td>
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<td>SB 2348</td>
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<td>Sen. Steans Speaker Madigan</td>
<td>FY12 supplemental bill containing one item pertaining to ISBE. Provides a reduction in appropriations from the driver’s education fund for FY 12 to $18,172,200 from $24,229,600 due to the nature that revenues to fund driver’s education are not being realized to a level to support the higher appropriation. This bill is effective July 1, 2012.</td>
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<tr>
<td>SB 2706</td>
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<td>Sen. Haine Rep. Mautino</td>
<td>This legislation provides that after July 1, 2015, each educational service region must contain at least 61,000 (instead of 43,000) inhabitants. Before June 30, 2013, regions may be consolidated voluntarily or by joint resolution of the county boards of regions seeking to join a voluntary consolidation, effective July 1, 2015, to meet these population requirements. The boundaries of regions already meeting these population requirements on the effective date of the amendatory Act may not be changed except to consolidate with another region or a whole county portion of another region that does not meet these population requirements. Before January 1, 2014, locally determined consolidation decisions result in more than 35 regions of population greater than 61,000 each (instead of 45 regions of population greater than 43,000 each), the State Board of Education, before June 1, 2014, shall direct further consolidation, beginning with the region of lowest population, until the number of 35 (instead of 45) regions is achieved. It further removes a provision that requires, if any region does not meet the population requirements, the State Board, within 15 days, to direct such consolidation of that region with another region or regions to which it is contiguous as will result in a region conforming to the population requirements. Provides that if, within 90 days after the most recent certified federal census, a region does not meet the population requirements, then regions may be consolidated voluntarily under specified provisions of the School Code or by joint resolution of the county boards of regions seeking to join a voluntary consolidation to meet the population requirements. Provides that if locally determined consolidation decisions result in a region not meeting the population requirements or result in more than 35 regions, then the State Board shall have the authority to impose further consolidation by order of the State Superintendent of Education, with the order being a final order subject to the</td>
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<td>SB 2818</td>
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<td>Sen. Hunter Rep. Howard</td>
<td>Amends the Children and Family Services Act to make changes to the class of persons who qualify for scholarships and fee waivers granted by the Department of Children and Family Services to youth under care, youth who aged out of care at age 18 or older, or youth formerly under the care who have been adopted or are in a guardianship placement (rather than subsidized guardianship program). Limits the Department’s selection of scholarship recipients to students who have earned a high school diploma from a public school district or recognized nonpublic school or a certificate of general education development (GED), or who have met the State criteria for high school graduation (rather than students who have completed 4 years in an accredited high school). This legislation is effective immediately.</td>
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<tr>
<td>SB 2849</td>
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<td>Sen. Haine Rep. Winters</td>
<td>Amends the Abused and Neglected Child Reporting Act. Expands the definition of the term &quot;neglected child&quot; to include any child who is subjected to an environment which is injurious insofar as (i) the child’s environment creates a likelihood of harm to the child’s health, physical well-being, or welfare and (ii) the likely harm to the child is the result of a blatant disregard of parent or caretaker responsibilities. It also defines the term &quot;blatant disregard&quot; to mean an incident where the real, significant, and imminent risk of harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the child to the danger without exercising precautionary measures to protect the child from harm. This legislation is effective immediately.</td>
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<td>SB 2850</td>
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<td>Sen. Luechtefeld Rep. Winters</td>
<td>This legislation amends the State aid formula provisions of the School Code. With respect to the compilation of average daily attendance, it removes a provisions allowing days of attendance to be less than 5 clock hours on the opening and closing of the school term, and upon the first day of pupil attendance, if preceded by a day or days utilized as an institute or teachers’ workshop. This legislation is effective June 30, 2013.</td>
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<td>SB 3244</td>
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<td>Sen. Frerichs Rep. Chapa LaVia</td>
<td>Requires the State Board of Education to coordinate the acquisition, adaptation, and development of middle and high school mathematics curriculum models to aid school districts and teachers in implementing standards for all students. It also sets forth what the curriculum models must include, and provides that the curriculum models must be completed no later than March 1, 2013. All curriculum models and training programs must be made available to all school districts, which may choose to adopt or adapt the models in lieu of developing their own mathematics curricula. In addition, the legislation requires the Illinois P-20 Council to submit a report to the Governor and the General Assembly on the extent and effect of utilization of the curriculum models by school districts. Provides that within 4 years after the effective date of the amendatory Act, State mathematics test results and higher education mathematics remediation data must be used to gauge the effectiveness of high school mathematics instruction and the extent of standards attainment and be used to guide the continuous improvement of the mathematics curriculum and instruction. There is no effective date listed, so this legislation is effective January 1, 2013.</td>
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<td>SB 3252</td>
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<td>Sen. Althoff, Rep. Mathias</td>
<td>Amends the School Code. Sets forth a different maximum tax rate for educational purposes for a unit district being established from an elementary district or districts and a high school district (for the first 4 years after formation of the unit district) if the combined rate of the elementary district or districts and the high school district prior to the formation of the unit district is greater than 4.00% for educational purposes. Sets forth a different maximum tax rate for operations and maintenance purposes for a unit district being established from an elementary district or districts and a high school district (for the first 4 years after formation of the unit district) if the combined rate of the elementary district or districts and the high school district prior to the formation of the unit district is greater than 0.75% for operations and maintenance purposes. There is no effective date listed, so this legislation is effective January 1, 2013.</td>
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<tr>
<td>SB 3259</td>
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<td>Sen. Lightford, Rep. Chapa LaVia</td>
<td>This legislation creates the Commission for High School Graduation Achievement and Success which will study the issue of high school graduation in the State, with the goals of increasing educational attainment, increasing high school graduation rates, and ultimately improving the workforce in this State. It further sets forth what the Commission is tasked to examine and evaluate and includes provisions concerning Commission members, the conduct of business, administrative support, and other laws and administrative rules. The Commission is required to submit a final report of its findings and recommendations to the Governor and the General Assembly on or before November 1, 2012. This legislation is effective immediately.</td>
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<td>SB 3367</td>
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<td>Sen. Garrett, Rep. Pihos</td>
<td>Amends the School Code and the Illinois Vehicle Code to make changes regarding driver’s education. In the School Code, the bill specifically makes changes concerning notification of the public hearing on a waiver or modification of a mandate within the School Code or administrative rules and waivers and modifications for contracting with a commercial driver training school. It also provides that ISBE, in consultation with the Secretary of State, shall adopt course content standards for driver education for those persons under the age of 18 years, requires driver’s education vehicles over 5 years old or 75,000 miles to have an inspection once a year, requires ISBE to do a report on the per capital driver education cost for school districts and makes changes concerning driver education course reimbursement pertaining to nonpublic school students. This legislation is effective January 1, 2013.</td>
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<td>SB 3374</td>
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<td>Sen. Holmes, Rep. Mitchell</td>
<td>Amends the School Code. Establishes the Enhance Physical Education Task Force to promote and implement enhanced physical education programs that can be integrated with a broader wellness strategy and health curriculum in elementary and secondary schools in this State. Provides that the Enhance Physical Education Task Force’s purpose of promoting and implementing enhanced physical education programs includes educating and promoting leadership on enhanced physical education among school district and school officials; developing and utilizing metrics to assess the impact of enhanced physical education; promoting training and professional development in enhanced physical education for teachers and other school and community stakeholders; identifying and leveraging local, State, and national resources to support enhanced physical education; and such other strategies as may be identified by the task force. Requires the task force to make recommendations to the Governor and the General Assembly on certain goals of the Illinois Learning Standards for</td>
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<td>Physical Development and Health. Requires the task force to focus on updating the standards based on research in neuroscience that impacts the relationship between physical activity and learning. Provides that on or before August 31, 2013, the task force must make recommendations and file a report with the Governor and the General Assembly. Repeals these provisions on September 1, 2013. This legislation is effective immediately.</td>
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<tr>
<td>SB 3393</td>
<td>PA 97-0682</td>
<td>Sen. Steans Rep. Chapa LaVia</td>
<td>Amends the Certification of Teachers Article of the School Code to change provisions concerning the reinstatement of a lapsed certificate by providing that lapsed certificates may be immediately reinstated upon payment by the applicant to the State Board of Education of (1) any and all back fees, including without limitation registration fees, owed from the time of expiration of the certificate until the date of reinstatement; and (2) a $500 penalty or the demonstration of proficiency by completing 9 semester hours of coursework from a regionally accredited institution of higher education in the content area that most aligns with the educator’s endorsement area or areas; provided that, until September 1, 2012, certificates that have lapsed solely for the failure to pay a registration fee may be immediately reinstated upon payment only of any and all back fees, including without limitation registration fees, owed from the time of expiration of the certificate until the date of reinstatement. Provides that any and all back fees and penalty amounts shall be deposited by the State Board of Education into the Teacher Certificate Fee Revolving Fund.</td>
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<td>SB 3487</td>
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<td>Sen. Crotty Rep. Mathias</td>
<td>Amends the School Code and the Illinois Vehicle Code to provide that a multi-function school activity bus (MFSAB) may be used to transport students in grades 9-12 for any curriculum-related activity except for transportation on regular bus routes from home to school or from school to home. It further provides that a MFSAB authorized to transport students under the new provisions must be operated by a holder of a school bus driver permit and is subject to certain provisions concerning contractual student transfer arrangements, contracts requiring school bus driver permits, liability insurance, and safety testing. This legislation is effective immediately.</td>
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<tr>
<td>SB 3597</td>
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<td>Sen. Martinez Rep. Burke</td>
<td>Amends the Chicago Teacher Article of the Illinois Pension Code. Provides that a retired teacher may be re-employed as a teacher on a temporary and non-annual basis or on an hourly basis without loss of pension, so long as the person (1) does not work as a teacher for compensation on more than 100 days in a school year and (2) does not accept gross compensation in excess of $30,000 for such re-employment in a school year or, in the case of a person who retires with at least 5 years of service as a principal, an amount equal to the daily rate normally paid to retired principals multiplied by 100. Requires the pensioner to notify the Fund and the Board of Education of his or her intention to accept re-employment. Requires the Board of Education to certify the pensioner’s status and compensation to the Fund. Requires the Board of the Fund to adopt rules for implementation. Amends the State Mandates Act to require implementation without reimbursement. This bill is effective immediately.</td>
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<tr>
<td>Bill Number</td>
<td>Public Act</td>
<td>Sponsor</td>
<td>Description</td>
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<td>concerning plan certification and plan resubmittal. Establishes various fee structures for licensure and inspection. Makes changes in provisions concerning rules, violations at facilities, records, and fees for copies of records held by the Department of Public Health. Includes the Attorney General in the list of entities that shall enforce a closing order. Provides that violations of the Act shall be punishable by a fine of $1,000 for each day the violation exists in addition to civil penalties or up to 6 months imprisonment or both a fine and imprisonment. Provides that the Department of Public Health may impose administrative civil penalties for violations of the Act by any person and that the State's Attorney of the county in which the violation occurred or the Attorney General shall bring an action for collection. Makes changes in provisions concerning the applicability of the Act. Makes changes in provisions concerning the adoption of ordinances. Sets forth provisions concerning the suspension and modification of prequalifications and licenses. Provides that any person seeking to perform construction, installation, modification, or repair of a swimming facility must be licensed by the Department of Public Health. Makes other changes. In provisions of the Swimming Facility Act concerning the deposit of fees generated under the Act, provides that those fees, except fees collected by agent health departments or ordinance health departments (instead of except fees for inspections done and collected by agent health departments or ordinance health departments), shall be deposited into the Facility Licensing Fund. This bill is effective January 1, 2013.</td>
</tr>
</tbody>
</table>
| SB 3802     | Sen. Steans Rep. Currie | Creates the FY2013 Budget Implementation (Supplemental) Act. Amends various Acts to make changes in State programs that are necessary to implement the Governor's fiscal year 2013 budget recommendations. Specific to ISBE, this bill:  
- Authorizes Education Assistance Fund transfer authority  
- Authorizes Driver’s Education Transfer  
- Authorizes expenses (not salaries) of ROE’s out of the Common School Fund  
- Authorizes PPRT to pay ROE salaries  
- Extends the FY 12 lapse period to December 31, 2012  
This legislation is effective immediately. |
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
       Marcy Dutton, Interim General Counsel


Materials: Summary of Rulemaking Activity in Fiscal Year 2012

Staff Contacts: Shelley Helton

Purpose of Agenda Item
The purpose of this item is to provide a summary of the agency’s rulemaking activities during FY 2012. No action is needed.

Background Information
The rulemaking activities of the agency are summarized on a fiscal-year basis. The chart in the report begins with the rulemaking items that are being initiated this month and moves back in time to the beginning of this fiscal year to show those items that were begun in FY 2011 but completed in FY 2012.
## Summary of FY 2012 Rulemaking Activities

The chart below presents a summary of all rulemaking activities either completed or initiated by ISBE during FY 2012. These are organized in chronological order, with the most recently begun ones presented first. “DIBR” stands for “Date of Initial Board Review”, i.e., the month in which the State Board authorized the initiation of the given rulemaking. Where dates are not indicated, the procedural steps in question have not yet been completed. All Part numbers refer to Title 23 of the Illinois Administrative Code unless otherwise noted.

<table>
<thead>
<tr>
<th>Title of the Part and Ill. Adm. Code Citation</th>
<th>Description</th>
<th>Timeline/Status</th>
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</thead>
<tbody>
<tr>
<td>Part 60 (The “Grow Your Own” Teacher Initiative)</td>
<td>Part repealed due to the enactment of P.A. 96-1393, effective July 1, 2010, which transferred the authority of The “Grow Your Own” Teacher Education Initiative to Illinois Board of Higher Education, which now is responsible for rulemaking.</td>
<td>DIBR: June 21, 2012 Adoption: Effective:</td>
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<td>Part 65 (New Teachers Induction and Mentoring)</td>
<td>Updates requirements for the program, tying activities to program standards and improvement to program continuum.</td>
<td>DIBR: June 21, 2012 Adoption: Effective:</td>
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<td>Part 650 (Charter Schools)</td>
<td>Makes changes relative to the establishment of the State Charter School Commission under P.A. 97-152, effective July 20, 2011.</td>
<td>DIBR: May 17, 2012 Adoption: Effective:</td>
</tr>
<tr>
<td>Part 25 (Certification)</td>
<td>Begins to incorporate updates resulting from P.A. 97-607, moving the agency from a system of certification to a licensure system.</td>
<td>DIBR: March 2012 Adoption: June 21, 2012 Effective:</td>
</tr>
<tr>
<td>Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100)</td>
<td>Establishes revenue codes and requirements for school districts' receipt of federal funding under the Race to the Top 3 program.</td>
<td>DIBR: March 2012 Adoption: June 21, 2012 Effective:</td>
</tr>
<tr>
<td>Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (Part 100) Emergency</td>
<td>Establishes revenue codes and requirements for school districts' receipt of federal funding under the Race to the Top 3 program.</td>
<td>DIBR: NA Adoption: March 21, 2012 Effective: March 21, 2012, for a maximum of 150 days</td>
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<td>Part 226 (Special Education)</td>
<td>Makes various changes in response to recent legislation</td>
<td>DIBR: February 2012 Adoption: June 21, 2012</td>
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<tr>
<td>Title of the Part and III. Adm. Code Citation</td>
<td>Description</td>
<td>Timeline/Status</td>
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<tr>
<td>Part 350 (Secular Textbook Loan)</td>
<td>Part repealed due to recent legislation.</td>
<td>DIBR: March 2012 Adoption: June 21, 2012 Effective:</td>
</tr>
<tr>
<td>Part 451 (Private Business and Vocational Schools)</td>
<td>Part repealed due to recent legislation.</td>
<td>DIBR: March 2012 Adoption: June 21, 2012 Effective:</td>
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<tr>
<td>Part 475 (Contested Cases and other Formal Hearings)</td>
<td>Responds to P.A. 96-431 and reorganizes the Part so that it more closely follows the sequence of the hearing process.</td>
<td>DIBR: February 2012 Adoption: Effective:</td>
</tr>
<tr>
<td>Part 475 (Contested Cases and other Formal Hearings)</td>
<td>Part repealed due to need to reorganize the Part so that it more closely follows the sequence of the hearing process.</td>
<td>DIBR: February 2012 Adoption: Effective:</td>
</tr>
<tr>
<td>Part 485 (Appeal Proceedings before the State Teacher Certification Board)</td>
<td>Part repealed due to P.A. 96-431, which removed the authority for the State Superintendent to suspend certificates for up to five years.</td>
<td>DIBR: February 2012 Adoption: Effective:</td>
</tr>
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<td>Part 50 (Evaluation of)</td>
<td>Sets forth requirements specific</td>
<td>DIBR: November 18, 2011</td>
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<td>Part 51 (Dismissal of Tenured Teachers under Article 24 and Tenured Teachers and Principals under Article 34 of the School Code)</td>
<td>In response to P.A. 97-8, effective June 13, 2011, streamlines the hearing dismissal process and provides for alternative dismissal procedures.</td>
<td>DIBR: January 26, 2012 Adoption: June 21, 2012 Effective:</td>
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<td>Part 226 (Special Education)</td>
<td>Limits the conduct of medical reviews to certified school nurses and physicians (rather than these practitioners, in addition to registered nurses and advanced practice nurses).</td>
<td>DIBR: January 26, 2012 Adoption: June 21, 2012 Effective:</td>
</tr>
<tr>
<td>Part 575 (School Technology Program)</td>
<td>Expands the dates upon which loans will be funded and payments accepted to allow for more effective and timely allocation of funding.</td>
<td>DIBR: January 26, 2012 Adoption: April 18, 2012 Effective: May 21, 2012</td>
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<tr>
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<td>Part 235 (Early Childhood Block Grant)</td>
<td>In response to the American Recovery and Reinvestment Act of 2009, requires coordination of block grant programs with those of other state agencies through a common rating system and personnel registry.</td>
<td>DIBR: October 12, 2011 Adoption: March 21, 2012 Effective: April 18, 2012</td>
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<tr>
<td>Student Records (Part 375)</td>
<td>Updates and clarifies certain aspects of these rules and implements recently enacted legislation.</td>
<td>DIBR: September 28, 2011 Adoption: December 15, 2011 Effective: January 24, 2012</td>
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<tr>
<td>Title of the Part and III. Adm. Code Citation</td>
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</tbody>
</table>
| Certification (Part 25)                       | Peremptory rulemaking to put in place requirements specific to the Corey H. lawsuit (i.e., “transition rules”). | DIBR: Not applicable  
Adoption: Not applicable  
Effective: August 22, 2011 |
| Standards for Certification in Special Education (Part 28) | Peremptory rulemaking to put in place requirements specific to the Corey H. lawsuit (i.e., “transition rules”). | DIBR: Not applicable  
Adoption: Not applicable  
Effective: August 22, 2011 |
| Special Education (Part 226) | Peremptory rulemaking to put in place requirements specific to the Corey H. lawsuit (i.e., “transition rules”). | DIBR: Not applicable  
Adoption: Not applicable  
Effective: August 22, 2011 |
| Public Schools Evaluation, Recognition and Supervision (Part 1) | Adds requirements for administrators of bilingual education programs as new Section 1.783. | DIBR: May 26, 2011  
Adoption: August 18, 2011  
Effective: September 29, 2011 |
| Certification (Part 25) | Numerous changes due to legislation and policy changes. | DIBR: May 26, 2011  
Adoption: August 18, 2011  
Effective: September 29, 2011 |
| Incentive Grants for Agricultural Science Teacher Education (Part 75) | Places into rules the requirements for several grants programs authorized under Section 2-3.80 of the School Code. | DIBR: May 26, 2011  
Adoption: August 18, 2011  
Effective: September 29, 2011 |
| Transitional Bilingual Education (Part 228) | Modifies requirements for administrators of bilingual education programs, cross-referencing the requirements' placement in Part 1. | DIBR: May 26, 2011  
Adoption: August 18, 2011  
Effective: September 29, 2011 |
| Public Schools Evaluation, Recognition and Supervision (Part 1) | Addresses annual measurable achievement objectives, appeal process for exemptions of mandates pursuant to Section 22-60 of the School Code, and administrative requirements. | DIBR: February 2011  
Adoption: May 26, 2011  
Effective: July 6, 2011 |
Adoption: May 26, 2011  
Effective: July 6, 2011 |