ILLINOIS STATE BOARD OF EDUCATION
October 15, 2014

This meeting will also be audio cast on the Internet at: www.isbe.net

<table>
<thead>
<tr>
<th>OCTOBER 14, 2014</th>
<th>OCTOBER 15, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>5:30 p.m. – 8:30 p.m. Reception and dinner with Regional Office of Education #9</td>
<td>9:00 a.m. – 10:15 a.m. School Tour</td>
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<tr>
<td>Big Grove Tavern</td>
<td>Prairie School</td>
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<tr>
<td>1 E. Main Street</td>
<td>2102 E. Washington</td>
</tr>
<tr>
<td>Champaign, IL</td>
<td>Urbana, IL</td>
</tr>
</tbody>
</table>

| 10:30 a.m. – 12:30 p.m. Convene Board Meeting | Urbana Early Childhood School |
| CityView at Illinois Terminal | 2202 E. Washington |
| 45 E. University Ave. | Urbana, IL |
| Champaign, IL | |

| 12:30 p.m. – 1:30 p.m. Lunch | 1:30 p.m. – 3:00 p.m. Reconvene Board Meeting |
| 3:00 p.m. – 5:00 p.m. Budget Hearing | CityView at Illinois Terminal |
| CityView at Illinois Terminal | 45 E. University Ave. |
| Champaign, IL | Champaign, IL |

* The meeting will begin at the conclusion of the previous session.

This meeting 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 for a break in the meeting as necessary in order for the Board to go into closed session.
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. Resolutions & Recognition

IV. Student Advisory Council Introductions

V. Presentations & Updates
   A. Educator Suspension and Revocation Procedures pp. 4-44
   B. Report Card Update pp. 45-48

VI. Superintendent’s Report - Consent Agenda
   A. *Approval of Minutes
      1. Plenary Minutes: September 17-18, 2014 pp. 49-53
   B. *Rules for Initial Review
      1. Part 30 (Programs for the Preparation of Principals in Illinois): Aligns Part 30 to the requirements of P.A. 98-917, effective August 15, 2014, regarding the requirements for selection of candidates for principal preparation programs; includes a technical change to cross-reference the rules for the new superintendent endorsement found in Part 25. pp. 54-64
   C. *Rules for Adoption
      1. Part 50 (Evaluation of Educator Licensed Employees under Articles 24A and 34 of the School Code): Sets forth the requirements of the State Performance Evaluation Model for Teachers, components of which a school district will be required to adopt should its joint committee fail to agree within 180 days on one or more aspects of a performance evaluation plan that incorporates data and indicators of student growth. The agency received public comment from 539 individuals and organizations, and staff are proposing changes in the rulemaking in response to the comments received. pp. 65-99
      2. Part 305 (School Food Service): In response to federal regulations, addresses a limit on the number of fundraisers selling food and beverages that do not meet federal nutrition standards that may be hosted by schools participating in the National School Lunch Program and/or School Breakfast Program. The agency received public comment from 251 individuals and organizations, and staff are proposing changes in the rulemaking in response to the comments received. pp. 100-1—100-13
   D. *Contracts & Grants Over $1 Million
      1. Request to Award the Contract for the Common Demographic Dataset Administrator pp. 101-103
      2. Request to Award the Contract with PARCC Inc. for the Program Management Support pp. 104-107

End of Consent Agenda
F. State Charter School Commission Appointments pp. 117-120

VII. Discussion Items
   A. District Oversight – Monthly Update (Superintendent Koch)
   B. Other Items for Discussion

VIII. Announcements & Reports
   A. Superintendent’s/Senior Staff Announcements
   B. Chairman’s Report
   C. Member Reports

IX. Information Items
   A. ISBE Fiscal & Administrative Monthly Reports (available online at http://isbe.net/board/fiscal_admin_rep.htm

X. Closed Session (as needed)

XI. Adjourn

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The Educator Misconduct Project

ILLINOIS STATE BOARD OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

PRESENTED BY
ISBE ASSISTANT GENERAL COUNSEL
JESSICA RIDDICK

ISBE BOARD MEETING
OCTOBER 15, 2014
Introduction

1. Tenured teacher dismissals (Section 24-12 & Part 51 rules)
2. Review of licensure applications with impediments (Section 21B-15 & Part 25 rules)
3. Automatic revocation/disqualification (Section 21B-80) and
4. Investigations of misconduct by licensed educators and actions to suspend or revoke licenses (Section 21B-75, 21B-80 & Part 475 rules)
Evolution

- **2003**
  - 1-2 in-house counsel handling only Section 21B-80 automatics

- **2009**
  - PA 96-431 & Part 475 Rules

- **2014**
  - 1-2 in-house counsel
  - 2 FT in-house investigators
  - 1 paralegal
  - 2 outside counsel
  - Revolving case load approximately 400 cases
  - Handling all matters – applications with impediments, automatics, discretionary, process/policy
  - E-docketing & tracking system (EMTS)
  - [http://www.isbe.net/emp/](http://www.isbe.net/emp/) Orders and statistics
  - 5 SEPLB HOs/Annual training & Handbook
Authority

- ISBE is the licensing body, not the employer

- School Code & regulations
  - 105 ILCS 5/21B-75
  - 105 ILCS 5/21B-80
  - 23 Ill. Admin. Code 475

- State Superintendent authorized to investigate upon receipt of evidence

- Investigative subpoena power
Notification to ISBE

- Dismissal actions
- Criminal cases
- DCFS reports
- News/ Media
- SD reports (statutory & discretionary)
- ROE reports
- Complaints from parents or students
- reportmisconduct@isbe.net

Internal:
- Assessments Division – ISAT irregularities
- Licensure Division – PD audits
Intake & Investigation

- Complaint intake & investigator assigned
- Initial case review to determine scope of investigation
  - Subpoena personnel & disciplinary records, DCFS records, police or criminal records, etc.
  - Interviews of witnesses
  - Bi-weekly internal status meetings
  - Request to licensee for evidence in mitigation
- Recommendation for Action to Dr. Koch
  - Pursue action for suspension or revocation
  - Close file with no further action
Initiating an Action

Notice of Opportunity for Hearing (NOOFH)/ Statement of Charges (SOC)

- No request for hearing = recommended sanction imposed by Dr. Koch
- Voluntary Surrender of License = revocation imposed by Dr. Koch
- Hearing requested = SEPLB HO appointment
Hearing & Post-hearing

- SEPLB HO Appointment
  - Pre-hearing conferences
  - Notice of Hearing
  - Settlement discussion or negotiation/ Consent Order
  - Hearing
  - HO recommendation (findings of fact, conclusions of law & recommended sanction)
  - Exceptions
  - SEPLB meeting – final decision maker

- NASDTEC report & ELIS updates
ELIS alerts/NASDTEC reporting

- **ELIS**
  - Educator Licensure Information System (ELIS)
  - Misconduct Project “talks” to Licensure Division
  - ISBE Alert = INTERNAL “flag” in ELIS for investigations
  - ELIS’ public portal shows current license status, including whether a license is suspended or revoked
  - NASDTEC alert = PUBLIC & PERMANENT in ELIS

- **NASDTEC**
  - Voluntary participation in national organization
  - Report final administrative adverse decisions on a license (denial/suspension/revocation)
Educator Misconduct Project webpage

- http://www.isbe.net/emp/
- Project Overview
- File a complaint: reportmisconduct@isbe.net
- Statistics (FY14 - present)
- Licensure Actions – final orders (FY13 - present)
FY13 versus FY14

**FY13**
38 cases opened
11 cases closed

**FY14**
127 cases opened
118 cases closed
### Statistics for Licensure Actions – FY14

| Section 21B-80 Automatic Revocation of Licenses | 29 |
| Notices of Opportunity for Hearing issued | 41 |
| No hearing requested | 17 |
| Voluntary Surrender/ Revocations of licenses | 6 |
| Cases settled out-of-hearing | 3 |
| Hearings | 3 |
| Denials | 7 |
### Statistics for Licensure Actions – FY15 (as of 9/30/14)

<table>
<thead>
<tr>
<th>Category</th>
<th>FY15 (as of 9/30/14)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 21B-80 Automatic Revocation of Licenses</td>
<td>3</td>
</tr>
<tr>
<td>Notices of Opportunity for Hearing issued</td>
<td>11</td>
</tr>
<tr>
<td>No hearing requested</td>
<td>4</td>
</tr>
<tr>
<td>Voluntary Surrender/ Revocations of licenses</td>
<td>5</td>
</tr>
<tr>
<td>Cases settled out-of-hearing</td>
<td>8</td>
</tr>
<tr>
<td>Hearings</td>
<td>0</td>
</tr>
<tr>
<td>Denials</td>
<td>1</td>
</tr>
<tr>
<td>Cases closed without action</td>
<td>17</td>
</tr>
</tbody>
</table>
EMTS - Educator Misconduct Tracking System

- E-docketing system, developed in-house
- Track individual cases
  - Demographic & Licensure information
  - Reminders
  - Documents
  - Attorney Notes
- Reporting functions
- Linked to ELIS – alerts & search function
<table>
<thead>
<tr>
<th>Order</th>
<th>Misconduct Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Unprofessional or Immoral Conduct: Sexual misconduct with student</td>
</tr>
<tr>
<td>2</td>
<td>Unprofessional or Immoral Conduct: Misuse/abuse of authority</td>
</tr>
<tr>
<td>3</td>
<td>Unprofessional or Immoral Conduct: Inappropriate boundaries with students (non sexual)</td>
</tr>
<tr>
<td>4</td>
<td>Unprofessional or Immoral Conduct: Abuse, harassment of students, parents, colleagues</td>
</tr>
<tr>
<td>5</td>
<td>Abuse/Neglect: Evidence of abuse/neglect of student or other minors</td>
</tr>
<tr>
<td></td>
<td>Abuse/Neglect: Indicated DCFS finding</td>
</tr>
<tr>
<td></td>
<td>Condition of Health Detrimental to the Welfare of Pupils: Extreme mental illness</td>
</tr>
<tr>
<td></td>
<td>Condition of Health Detrimental to the Welfare of Pupils: Substance abuse</td>
</tr>
<tr>
<td></td>
<td>Criminal Conduct not per 210-00: specify in Notes; also in another jurisdiction</td>
</tr>
<tr>
<td></td>
<td>Criminal Conduct per 210-00: specify in Notes if in another jurisdiction</td>
</tr>
<tr>
<td></td>
<td>Incompetency: 2 or more school terms of service for which the licensee has received an unsatisfactory rating on a performance evaluation conducted pursuant to Article 26D, within a period of 7 school terms of service</td>
</tr>
<tr>
<td></td>
<td>Neglect of Any Professional Duty: Failure to complete or show proof of completion of PD</td>
</tr>
<tr>
<td></td>
<td>Neglect of Any Professional Duty: Failure to execute professional responsibilities</td>
</tr>
<tr>
<td></td>
<td>Other: Just Cause</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Conduct exhibiting poor judgment/reckless behavior in the execution of duties/oversight of students</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Conduct that violates the administration of any assessment test or examination administered under Section 23.4 of the Code</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Conduct Disruptive to school environment</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Failure to disclose an employment application any previous conviction for a sex offense, as defined in Section 210-00 of this Code</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Failure to establish satisfactory repayment on any educational loan guaranteed by the Illinois Student Assistance Commission</td>
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<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Failure to meet reasonable requirements of the regional superintendent of schools or State Superintendent of Education</td>
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<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Fabrication of documents</td>
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<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Financial misconduct</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Inability to perform professional duties</td>
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<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Involvement at school/school related events</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Neglect of Professional Duty</td>
</tr>
<tr>
<td></td>
<td>Unprofessional or Immoral Conduct: Willful failure to report suspected child abuse or neglect as required by ANCRA</td>
</tr>
<tr>
<td></td>
<td>Voluntary Surrender of License: No misconduct</td>
</tr>
<tr>
<td>Checklist Item</td>
<td>Details</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>Delete or revise ELIS alert</td>
<td></td>
</tr>
<tr>
<td>Write final case notes, including Recommendation to Close File (and approvals)</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: Criminal charges</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: Criminal conviction</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: PC Audit</td>
<td></td>
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<tr>
<td>Did this case involve: Assessments irregularity</td>
<td></td>
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<tr>
<td>Did this case involve: DCF3 Report</td>
<td></td>
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<tr>
<td>Did this case involve: Hearing</td>
<td></td>
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<tr>
<td>Did this case involve: Consent order</td>
<td></td>
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<tr>
<td>Did this case involve: NOOFH/SOC</td>
<td></td>
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<tr>
<td>Did this case involve: Request for hearing</td>
<td></td>
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<tr>
<td>Did this case involve: Withdrawal of request for hearing</td>
<td></td>
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<tr>
<td>Did this case involve: Posthearing brief</td>
<td></td>
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<tr>
<td>Did this case involve: HO Recommendation</td>
<td></td>
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<tr>
<td>Did this case involve: Exceptions</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: Penalty lower than recommended</td>
<td>5yr suspension (recommended revocation)</td>
</tr>
<tr>
<td>Did this case involve: Penalty higher than recommended</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: VSL, with misconduct</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: VSL, without misconduct</td>
<td></td>
</tr>
<tr>
<td>Did this case involve: File closed without action</td>
<td></td>
</tr>
<tr>
<td>Sanction or result obtained: Suspension [enter length]</td>
<td>0</td>
</tr>
<tr>
<td>Sanction or result obtained: Revocation</td>
<td></td>
</tr>
<tr>
<td>Sanction or result obtained: Professional Development [enter hours &amp; basis]</td>
<td></td>
</tr>
<tr>
<td>Sanction or result obtained: Counseling [enter hours &amp; basis]</td>
<td>20hrs: proper workplace boundaries, impulse control, overall mental health</td>
</tr>
<tr>
<td>Sanction or result obtained: Pre-action Agreement [enter details]</td>
<td></td>
</tr>
<tr>
<td>Sanction or result obtained: No sanction</td>
<td></td>
</tr>
<tr>
<td>School Code Statute: 216-15</td>
<td></td>
</tr>
<tr>
<td>School Code Statute: 21B-00</td>
<td></td>
</tr>
<tr>
<td>School Code Statute: 21B-45</td>
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<tr>
<td>ISSE notified by: School District</td>
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<tr>
<td>ISSE notified by: ROE/Other government office</td>
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<tr>
<td>ISSE notified by: Parent or student complaint</td>
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<tr>
<td>ISSE notified by: Law enforcement/State’s Attorney Office</td>
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<tr>
<td>ISSE notified by: News/Website</td>
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<tr>
<td>ISSE notified by: <a href="mailto:nepotismconduct@sbe.net">nepotismconduct@sbe.net</a></td>
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<tr>
<td>ISSE notified by: Anonymous complaint</td>
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<tr>
<td>ISSE notified by: Unknown</td>
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<tr>
<td>Demographic: M</td>
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</tbody>
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**View Case Checklist**
Case studies

Automatic revocation of License
In re Friedman

- Convicted Dec 2013 for criminal sexual abuse for sexually abusing a child for whom she babysat between August 1999-September 2003. Sentenced to 30 days jail & 10 years probation; sex offender registration.

- Felony conviction notice sent to TRS & automatic revocation of license.
Cameron was arrested in 2004 and pleaded guilty to soliciting a child under the age of 18 to appear in sexually explicit photos and videos and committed sexual acts with a child under the age of 13 between July 2003 and January 2004.

Convicted as part of a widespread “porn ring” in Carbondale area. Sentenced to 10 years’ imprisonment & sex offender registration.

Was teaching at a HS at the time

Felony conviction notices sent to TRS & automatic revocation of licenses
In re Ludwig

- In 2013, 28YO female teacher solicited 15YO male student for sexual contact via text messages and they engaged in sexual activity in her classroom.
- Charged in federal court & state court. Pleaded guilty to state charges and the feds dropped their case. Pleaded to aggravated criminal sexual abuse and license was automatically revoked.
- Roommate was teacher at same school but we determined she did not know about this conduct.
In re Meier

- 2009 arrest for child pornography, solicitation of a child and distribution of harmful materials to a child
- Second teacher from SD charged with 21B-80 offenses in 2009
- Meier sentenced to 48 months’ probation in June 2012
- License was automatically revoked
In re Fletcher

- Dec 2013 arrest for child pornography, indecent solicitation and aggravated criminal sexual abuse
- Resigned from employment following arrest
- August 2014 convicted for child pornography and aggravated criminal sexual abuse. Sentenced to 5 years’ imprisonment and 30 months’ probation
- License was automatically revoked
In re Kraus

- Nov 2013 charged with criminal sexual assault and aggravated criminal sexual abuse of 16YO male student
- June 2014 convicted for aggravated criminal sexual abuse and sentenced to 30 months’ probation
- License was automatically revoked
Voluntary Surrender of License
In re Doty

- Report from SD Supt that Doty was employed as substitute for one day and was swatting kids on the hands
- 2003 conviction in Edwards County for threatening a public official; 2012 conviction in Clay County for Battery; current charges pending in Clay County for Aggravated Battery
- Doty requested hearing and then surrendered license
In re Barker

- 2010 case of female social worker initiating sexual relationship with female student seeking counseling; and providing drugs and alcohol
- Barker moved to TN with student and obtained social worker license. ISBE notified TN DOE and TN DPR
- Parent cooperative but was unable to locate child; eventually made contact with her after relationship with Barker soured and convinced her to contact ISBE. We commenced an investigation
- Barker agreed to surrender license
In re Sandy; In re Mills

- Sandy hid a cellphone in teachers’ unisex bathroom and videotaped other teachers. Convicted of unauthorized videotaping – second teacher from same SD to be convicted within school year. Agreed to surrender license.

- Mills used an iPad on the floor of his classroom to take pictures of students’ crotch areas/under skirts. Convicted of unauthorized videotaping. Agreed to surrender license.
In re Klobnak, Jr.

- Resigned fall 2012 following SD investigation into sexual relationship with recently-graduated 18YO female student. Victim denied improper relationship.
- Was not the first time SD had investigated Klobnak for this conduct.
- Speculation on social media led another former student to contact victim & compare notes. Both victims reported to HR Director. Both claim relationship was intimate but not sexual until after graduation.
- Klobnak surrendered license.
Case studies

Case closed without action
In re Saucedo

- 2011 DCFS report indicating Saucedo for forcing female student “A.P.” to perform oral sex while on class trip to Mexico in 2010
- A.P. disclosed more than a year later to a classmate, while in residential treatment facility; had history of severe emotional issues
- Eve of DCFS appeal hearing father sends A.P. to France; DCFS ALJ expunges report
- Interviews of students, parents – each with different story (who was present, when it happened; who told who what) but all thought Saucedo had “creep factor”
- No criminal charges because conduct was in Mexico
- Saucedo claimed could not have assaulted A.P. because he was suffering from outbreak of genital herpes during Mexico trip, which his wife confirmed. Claimed he obtained medication in Mexico but did not need Rx so no documentation or medical records
- A.P.’s father cooperated but then changed his mind and refused to allow us access to A.P.; residential facility refused to respond to our requests for interview or case records (out-of-state so no subpoena power)
- File closed for lack of evidence or available witness testimony
Case studies

Consent Orders/ Settlements
In re Ledergerber

- Student reported seeing Ledergerber kissing another student. SD found over 800 pages of emails & text messages exchanged between Nov-Dec 2012; all hours of day & night
  - “I love you”
  - “I guess I'm more attached to you than I thought. I'll be holding my breath until I hear from you ... I’ll still be most excited to hear from you”
  - “The fact that you'll hug me at all is more than I could ever ask for”
- Ledergerber discussed his wife, children and family matters with student over email
- Gave student 14 items as gifts with notes professing love and affection
- Ledergerber put on admin leave & resigned mid-year
- We pursued revocation and agreed to settle for suspension for 5 years and 20 hours of counseling in proper workplace boundaries; impulse control & overall mental health
In re Hansen

- May 2009 SD moved to dismiss Hansen for inappropriate text message communications and physical contact with female athletes while coaching
  - “Oh u were killing me in that under armour :))” and “How did you not make prom court? Best looking in whole school. :)” and “Ok c u 2mrrw [] get some hits! Ha ha luv u!”
  - Giving gifts to students
  - Touching knees, back, legs and arms
- Hansen agreed to resign & we started investigation
- Obtained personnel and disciplinary records, text messages and student interviews
- “He said, she said” case
- M.O. was to befriend female athletes during senior year and after graduation contact them for sexual relationship
- Investigation required us to contact former students at college, some out-of-state (challenges: availability; lack of interest; desire to move on) but we found several willing to testify. One father was friendly with Hansen and felt conduct was appropriate for coach/athlete
- Action initiated for revocation. Discovery phase slowed process with excessive and improper requests from counsel...witness willingness dwindled and we agreed to settle the case for 18 month suspension
In re Blades

- Indicated by DCFS in 2010 for incident with stepson. ISBE received report in 2012
- Child claimed his mother was unhappy with his completion of chores and hit him with a belt, threw a glass at him, slapped him twice knocking him against the wall, and chased him around the house with knives
- Claimed she discussed with employer. SD did not discipline or dismiss her
- Indication upheld on appeal. Stepson’s application for OOP denied
- Ex-husband contacted ISBE repeatedly; stepson still living with Blades
- Failed to disclose report on 2011 application for renewal
- Pursued suspension for 2 years for misrepresentation of qualifications to obtain license. Agreed to settle for 1 year suspension & 20 hours counseling in ethics and professionalism
In re Colclasure

• Dismissed from special education cooperative in 2011 after aides claimed she:
  o slapped nonverbal students with autism on their hands, mouths and buttocks;
  o claimed that she had parental approval to do so;
  o used improper restraints;
  o used school time to complete her personal and graduate course work or to sleep; and
  o took long lunch breaks leaving students alone with aides.
• Aides claimed they did not report earlier out of fear Colclasure would retaliate against them
• Aides agreed to falsify parent notes showing IEP services given during the day
• We pursued 5 year suspension but amended charges to revocation after she threatened a witness (one of the aides); she counter-proposed settlement of 4 months. We agreed to settlement of 5 year suspension.
Case studies

Failure to request hearing –
Penalty recommended arises as matter of law
In re Pickup, Jr.

- 2011 contact with 15YO female student while in middle school & began online relationship and progressed to “sexting” with her in 2012 while she was in HS
- Had already been dismissed from SD for unrelated performance at time of “sexting” so no DCFS report
- Criminal conviction for electronic harassment of a child; received probation
- Claimed no knowledge of basis for investigation. Said he would challenge our charges but would surrender license before going to hearing
- Issued charges and he failed to request a hearing; license was revoked
In re Kellerstrass

- Kellerstrass:
  - showed favoritism towards 2 male students (age 11);
  - would speak to them each alone in class;
  - had all kids’ locker combos without authorization;

- Talked to kids in graphic terms during class about bloody crime scenes he encountered as an EMT:
  - told story of a kid who was glad his abusive father was dead,
  - described walking on carpet spongy with blood, etc.;

- Claimed PTSD from Washington IL tornado caused his behavior

- Parents complained about Kellerstrass undermining them to their boys, criticizing a coach, encouraging a boy to “stand up to his dad” and that he wanted to “kick him in the balls”

- Issued charges and he failed to request hearing and license suspended 2 years.
Questions?

Thank you!

Jessica Riddick
(312) 814-2223
jriddick@isbe.net
ILLINOIS STATE BOARD OF EDUCATION MEETING
October 15, 2014

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent/Chief Education Officer
Peter Godard, Chief Performance Officer


Materials: None

Staff Contact(s): David Smalley Acting DA of Data Analysis and Accountability
Shuwan Chiu Principal Consultant/Data Analyst

Purpose of Agenda Item
The purpose is to demonstrate the new metrics and features on the Illinois Report Card and provide the Board with a summary of findings from the 2014 data.

Relationship to/Implications for the State Board’s Strategic Plan
The School Report Card directly supports all Goals of the State Board’s strategic plan.

Goal 1 states that every student will demonstrate academic achievement and be prepared for success after high school; the school report card is the state’s primary tool for communicating student achievement and post-secondary preparation to educators, parents, and the public.

Goal 2 states that every student will be supported by highly prepared teachers and leaders; the school report card provides educators with powerful information about student performance allowing them to improve instruction and tailor educational programs to their students.

Goal 3 states that every school will offer a safe and healthy learning environment for all students; the report card provides the 5Essentials results which measure the environment, safety and effectiveness of schools.

Expected Outcome(s) of Agenda Item
The Board will have a better understanding of the new metrics and features of the Illinois Report Card as well as a summary of findings for 2014.

Background
The Illinois Report Card has seen several new enhancements over the past year and has also received accolades as an award-winning state report card. In addition to changes that were made previously, this year several new metrics have been added, as well as improved functionality and features on the site.

New Metrics and Data
Post-Secondary Enrollment: The Report Card now includes 12-month and 16-month enrollment statistics in two-year and four-year colleges for former Illinois high school students at the school, district and state level.
**Freshmen On-Track:** The 2014 School Report Card newly reports the percentage of students who finish freshman year on-track, which means that they have earned at least five full-year course credits (10 semester credits) and have earned no more than one semester “F” in a core course (English, math, science or social science). A student who is on track at the end of his or her freshman year is almost four times as likely to graduate from high school as a student who is not on track. The report card will display the percentage of freshmen on-track for high schools, districts and the state.

**Principal Turnover:** This new metric measures the number of principals who have worked at a school in the past six school years.

**Teacher Retention:** This new metric reports the percentage of teachers returning to the school over the last three school years.

**Illinois 5Essentials:** 2014 is the first year in which each school's 5Essentials results will be publicly posted on the School Report Card. These results, like future results, are benchmarked to 2013 statewide 5Essentials data to allow for year-to-year comparison. Feedback from stakeholder groups played a key role in determining how and where 5Essentials data will be reported.

The 5Essentials measure performance on five school environment components identified through 20 years of research by the University of the Chicago's Consortium on Chicago School Research Collaborative. The five “essentials” are:
- Teachers: Do teachers collaborate to promote professional growth?
- Involved Families: Does the entire staff build strong external relationships?
- Ambitious Instruction: Are classes challenging and engaging?
- Supportive Environment: Is the school safe, demanding and supportive?
- Effective Leaders: Do principals and teachers implement a shared vision for success?

**WorkKeys:** The Illinois Report Card now displays student-level results of the optional ACT WorkKeys career skills assessments.

**Expanded At-A-Glance Highlights:** Information on School Personnel Resources and School Facilities will now appear on the school's At-A-Glance Highlights.

**ACCESS:** The ACCESS tests English language proficiency for English Language Learner students, who make up about 14 percent of the Illinois student population.

**IAA:** The Illinois Alternative Assessment performance for students with significant cognitive disabilities.

**Performance Levels:** Information available in 2013 on the percentage of students meeting and exceeding standards is now supplemented by detailed information on test performance levels that shows the percentage of students at each performance level across years.

**District Finances:** The School Report Card now displays financial information at the district level, including revenues and expenditures, reported in both dollars and percentages. One-year financial data is available, as is five-year trend and 10-year trend data.
New Features: The 2014 report card offers new functions and links to additional resources.
Illinois.5-Essentials.org: This site provides in-depth features for examining 5Essentials results, open to the public Oct. 31. Through this site, parents, educators and community members have access to fine-grained 5Essentials details. The site provides:

- Each school’s overall score.
- Essentials scores.
- Measure scores that are used to calculate each essential (e.g., Quality of Student Discussion).
- Individual question scores used to calculate each measure.
- Comparison, trend and download options.

Compare Schools: Beginning in 2014, Illinois Report Card users are able to compare various key performance metrics of up to four schools. This comparison includes highlights of the courses and programs offered at each school, as well as student achievement growth, class size, test achievement, district finances, student mobility, and student demographics.

Achievement Gap: Introduced since last year’s Report Card release, the Compare Schools feature allows examination of achievement gaps by grade and subject. Achievement gaps include Black/White, Hispanic/White, Black/Hispanic, Low Income/Non Low Income, Male/Female, Individualized Education Program (IEP)/Non IEP, and Limited English Proficiency (LEP)/Non LEP.

Advanced Comparison: Building on the capabilities of the Achievement Gap function, this feature allows comparison within a large set of student groups. Available comparison groups include income levels, race/ethnicity, LEP status, IEP status, and gender.

Key Findings for 2014

- In 2014, the percentage of White students in the state has dropped below 50% (49.9%) for the first time and the percentage of Hispanic/Latino students has increased to 24.6%.
- The percentage of students designated as low income has passed half (51.5%) of all students.
- The dropout rate has decreased to 2.2%, its lowest rate measured over the past 15 years.
- The student academic growth score (growth from year to year on ISAT scores) has decreased in reading to 99.4 and increased in math to 102.9.
- The percentage meeting or exceeding standards for the ISAT is 58.7% for 2014, a slight drop of 0.1% from the previous year.
- The percentage meeting or exceeding standards for the PSAE is 54.3% for 2014, an increase of almost 4 percentage points since 2011.
- The state average for ACT composite scores has slightly increased to 20.4 and the percentage of students ready for college course work (ACT 21 or above) also slightly increased to 45.8%.
- The 4-year adjusted cohort graduation rate has increased by 3 percentage points to 86% for 2014.
- The total number of schools in the state has decreased by 1.7% (68) in 2014.
New Metrics
Post-Secondary Enrollment

<table>
<thead>
<tr>
<th>Time after graduation</th>
<th>Percent Graduates Enrolled in Higher Ed</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-months</td>
<td>66.3%</td>
</tr>
<tr>
<td>16-months</td>
<td>70.4%</td>
</tr>
</tbody>
</table>

Freshman On-Track
More than 85% of freshmen are on-track to graduate in the state.

Principal Turnover
The principal turnover state average is around 2 principals per school over 6 years.

Teacher Retention
The state average for teacher retention is over 85%.

Pros and Cons of Various Actions
No action is needed since this is an informational item.

Superintendent’s Recommendation
No recommendation is needed since this is an informational item.
Chairman Chico called the meeting to order at 10:04 a.m., followed by roll call and the recitation of the Pledge of Allegiance.

**Board Members Present**
- Gery Chico, Chairman
- Steven Gilford, Vice Chairman
- Vinni Hall, Secretary
- Curt Bradshaw
- Andrea Brown
- Jim Baumann
- Melinda LaBarre

**Senior Staff Present**
- Superintendent Koch
- Susie Morrison
- Matt Vanover
- Nicki Bazer
- Melissa Oller
- Don Evans
- Robert Wolfe
- Peter Godard

**General Counsel Nicki Bazer** led a discussion on legislative proposals that the agency’s Governmental Relations staff has been working on for the 2015 Legislative Session, including Accountability System Revisions, Article 21B (Licensure) Revisions, Student Teacher Fingerprinting and Obsolete/Duplicative Changes. In addition she updated the Board on efforts to move forward with action on House Bill 5537 (Currie/Steans) in the 2014 Veto Session. This bill will better define the parameters for when ISBE can intervene in failing districts by removing the school board and putting an independent authority in place.

**Robert Wolfe** updated the Board on Senate Bill 16, providing information on issues that were discussed in meetings this summer held by members of the House Democratic Caucus. He stated that there were issues brought up in these meetings with the equation in the PTELL Adjustment. The Board discussed their concerns and dissatisfaction with PTELL. There was discussion regarding the usage of TIF, PPRT and PTELL. The Board suggested that there be more analysis on PPRT and TIF in the PTELL equation. Staff is expected to continue working on and developing recommended changes to Senate Bill 16 as future meetings are scheduled.

**Superintendent Koch** and staff discussed the financial forecasts and reviewed the dashboards of performance indicators to improve student achievement for East St. Louis and North Chicago. The Board provided direction to staff regarding the next steps in assisting these intervention districts with financial support, sustainability and additional funding to improve student learning and growth.

Chairman Chico announced that the Board would break for lunch at 12:27 p.m. The Board reconvened the open session at 1:35 p.m.

**Peter Goddard** discussed the importance of adopting a set of measures for the Board’s strategic plan. He also presented to the Board a preliminary list of targets, goals and priority metrics. Curt Bradshaw led discussion over his concern of the list of priority metrics, suggesting that there be further, more in depth discussion to improve and implement these priorities in the area of college and career readiness and graduation.
CLOSED SESSION

Dr. Hall 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:

Sec.2.c(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Sec.2.c(16) Self-evaluation practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

Sec.2.c(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

Dr. Brown seconded that motion and The Board entered into closed session at 2:40 p.m. and reconvened from closed session at 4:54 p.m.

Chairman Chico announced that the Retreat would recess until tomorrow morning at 8:30 a.m.

RECONVENE/ ROLL CALL

Thursday, September 18, 2014

Board Members Present

Gery Chico, Chairman
Steven Gilford, Vice Chairman
Vinni Hall, Secretary
Curt Bradshaw
Andrea Brown
Jim Baumann
Melinda LaBarre

Senior Staff Present

Superintendent Koch
Susie Morrison
Matt Vanover
Nicki Bazer
Melissa Oller
Don Evans
Robert Wolfe
Peter Godard

Mr. Gery Chico, Chairman, reconvened the Board for the plenary session at 8:31 a.m., followed by roll call and the recitation of the Pledge of Allegiance. Dr. Christopher Koch, State Superintendent of Education, was also in attendance.

IMPLEMENTATION OF STANDARDS, ASSESSMENT & ACCOUNTABILITY

Susie Morrison gave an update on the implementation of standards, assessments and accountability. She discussed the importance of leadership and support for the lower performing districts, the effectiveness of ongoing educator training and the implementation of common core evaluation. She also provided a listing of many different resources for standards and assessments that are available online.
RETREAT DEBRIEFING
Chairman Chico gave a brief review of the Board retreat mentioning the discussion of Board goals, the Board self-evaluation as well as updates on the upcoming Veto Session, Senate Bill 16 and oversight of East St. Louis and North Chicago.

PUBLIC PARTICIPATION
Dr. Matthew Wendt, Superintendent of Oswego Community Unit School District 308, and staff presented the Board with background information pertaining to the districts Waiver Applications regarding online learning He informed the Board that the funding from these waivers would provide a virtual educational platform for its students.

Lonnie Johns spoke on behalf of the Learning Disabilities Association of Illinois (LDA) regarding their opposition to Senate Bill 16.

The Board viewed a video highlighting Southland College Prep Charter High School’s graduation showing the school’s first graduating class. Dr. Hall spoke briefly on the video and the school.

RESOLUTIONS & RECOGNITION
There were no resolutions or recognitions.

PRESENTATIONS AND UPDATES
There were no presentations.

CONSENT AGENDA
Motion:
Mr. Gilford moved that the State Board of Education hereby approves the consent agenda. Dr. Hall 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 for the August 20, 2014 Board meeting.

Rules for Initial Review
Part 425 (Voluntary Registration and Recognition of Nonpublic Schools)
Places in rules the requirement for nonpublic schools to submit proof of non-profit status when registering with the State Board; clarifies that only nonpublic schools supported wholly or in part by public funds shall be required to have students recite the Pledge of Allegiance; amends requirements for school employees to show freedom from tuberculosis to conform to changes in the rules for tuberculosis control (Illinois Department of Public Health); and adds the requirement for recognized nonpublic schools to hold an annual meeting for review of their emergency and crisis response plans, to conform the rules to changes in the School Safety Drill Act [105 ILCS 128].

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for: Voluntary Registration and Recognition of Nonpublic Schools (23 Illinois Administrative Code 425) Including publication of the proposed amendments in the Illinois Register.
**Rules for Adoption**

**Part 25 (Educator Licensure)**

Addresses the transition from the current certificate renewal system to the new license renewal system, which took effect July 1, 2014, including a process to award credit for CPDUs completed before June 30, 2014, and other certain activities before August 31, 2014. More than 250 individuals and organizations submitted public comment, and numerous changes in the proposed rulemaking are being recommended in response to the issues raised.

The State Board of Education hereby adopts the proposed rulemaking for: Educator Licensure (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.

**Part 51 (Dismissal of Tenured Teachers under Article 24 of the School Code and Dismissal of Tenured Teachers and Principals under Article 34 of the School Code)**

Places in Part 51 the process to approve entities to conduct training specific to performance evaluations for school board members who wish to use an optional alternative evaluative dismissal process to dismiss a tenured teacher. One letter of public comment was received and changes in the proposed rulemaking are recommended in response to the issues raised. 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.

**Part 650 (Charter Schools)**

Lists requirements for biennial reporting by charter school authorizers; sets forth the process for monitoring authorizers and withdrawing their power to authorize in certain circumstances; establishes standards for high-quality charter school authorizing; and states the forms that must be provided when a school board submits reports of approved applications, revisions or renewals to the State Board. Two entities submitted public comment, and numerous changes in the proposed rulemaking are being recommended in response to the issues raised.

The State Board of Education hereby adopts the proposed rulemaking for: Charter Schools (23 Illinois Administrative Code 650). 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.

**Contracts and Grants Over $1 Million**

**Preschool Expansion Grant**

Ms. LaBarre moved that the State Board of Education hereby authorizes the State Superintendent to submit, in collaboration with the Governor of the State of Illinois, a Preschool Development Grant Expansion Grants application to the U.S. Department of Education and the U.S. Department of Health and Human Services for up to the total eligible award amount of $20 million annually, for the period beginning January 1, 2015 to December 31, 2018. Dr. Brown seconded the motion and it passed with a unanimous voice vote.
Fall 2014 Waiver Report
Mr. Baumann moved that the State Board of Education hereby forwards 48 of the 50 waiver requests summarized in the Fall 2014 Waiver Report to the General Assembly without comment. I further move that the Board forward to the General Assembly 2 waiver requests from Oswego School District 380 with the full support of the Board and our recommendation of approval. Dr. Hall seconded the motion and it passed with a unanimous voice vote.

QUALIFIED ZONE ACADEMY BOND AUTHORIZATION
Dr. Brown moves that the Illinois State Board of Education approve Chicago Public Schools 299 for the allocation of $1,907,728 in bonds from the calendar year 2012 allocation as Qualified Zone Academy Bonds pursuant to the provisions of Section 1397E of the Internal Revenue Code of 1986, as amended (the Qualified Zone Academy Bond Program). Ms. LaBarre seconded the motion and it passed with a unanimous voice vote.

APPOINTMENT OF STATE CHARTER SCHOOL COMMISSION MEMBER
Mr. Bradshaw moves that The State Board of Education hereby approves the appointment of Sylvia Zaldivar-Sykes to the State Charter School Commission to fill the remainder of a 1-year term expiring in October 2014. Ms. LaBarre seconded the motion and it passed with a previous unanimous voice vote.

APPOINTMENT OF STATE EDUCATOR PREPARATION LICENSURE BOARD MEMBERS
Ms. LaBarre moves that The State Board of Education hereby approves the appointment of Kendra Asbury to the Illinois State Educator Preparation and Licensure Board. Dr. Brown seconded the motion and it passed with a unanimous voice vote.

APPROVAL OF CLOSED SESSION MINUTES
Mr. Baumann moved 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 March 12, 2014 and May 14, 2014.

Mr. Baumann moved 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 to March 2013 and prior. Mr. Gilford seconded the motion and it passed with a previous unanimous voice vote.

INFORMATION ITEMS
Chairman Chico announced that the Monthly Fiscal and Administrative Reports are now available on line at www.isbe.net/board/fiscal_admin_rep.

MOTION FOR ADJOURNMENT
Mr. Gilford moved that the meeting be adjourned. Dr. Hall seconded the motion and it passed with a unanimous voice vote. The meeting adjourned at 11:19 a.m.

Respectfully Submitted,

Dr. Vinni Hall
Board Secretary

Mr. Gery J. Chico
Chairman
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent and Chief Education Officer
Nicki Bazer, General Counsel


Materials: Recommended Rules

Staff Contacts: Jason Helfer, Assistant Superintendent

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 rulemaking relates to Goals 1 and 2 (student achievement and highly prepared school leaders), as it addresses changes being proposed in response to new statutory requirements for principal preparation programs designed to broaden the pool of candidates who can be admitted to these programs.

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

Background Information
Part 30 sets forth the requirements for principal preparation programs established under Section 21B-60 of the School Code [105 ILCS 5/21B-60]. The rules address admission, curricular and staffing criteria, as well as the standards for program approval and the competencies which candidates should master in order to qualify for receipt of the principal endorsement. The intent of these new principal preparation programs is to produce strong school leaders by focusing preparation on improving instruction and student learning. The principal preparation programs and resulting endorsement replaced programs established for the receipt of the general administrative endorsement, which was required for principals but stopped being issued after August 31, 2014. No new candidates have been admitted to general administrative preparation programs since September 2012.

The requirements for receipt of the principal endorsement are contained in Section 21B-25(B) of the School Code and differ from those for the general administrative endorsement in one significant way: Originally, the law provided that only individuals with four years of teaching experience and completing an approved principal preparation program can apply for the endorsement. Criteria for receipt of the previously issued general administrative endorsement allowed experience in both teaching and school support personnel fields.
Due to the requirement in the law, Section 30.70(a) (Candidate Selection) currently limits enrollment in principal preparation programs to only individuals holding professional educator licenses with teaching endorsements, as it would be unlikely for a potential candidate who does not hold a teaching endorsement when he or she seeks admission to a principal preparation program to qualify for a teaching endorsement and acquire four years of teaching experience while enrolled in a principal preparation program.

To address the concerns of school support personnel who had been contemplating becoming principals, P.A. 98-917, effective August 15, 2014, provides additional opportunities for school support personnel interested in becoming principals to enter and complete principal preparation programs by June 30, 2019. Changes proposed in Section 30.70 acknowledge the anticipated participation of school support personnel by modifying admission requirements, including the evidence of experience that these educators would present when applying for principal preparation programs.

A technical change also is proposed in Section 30.80 (Program Approval and Review) to include reference to the new superintendent endorsement, the requirements for which are set forth in Section 25.355 of rules governing Educator Licensure.

The proposed amendments were informed by recommendations of the Illinois Council of Professors of Educational Administration. The proposed amendments also were discussed with the State Educator Preparation and Licensure Board at its meeting on October 3, 2014. The Licensure Board recommended that the proposed amendments, as presented, be considered by the State Board of Education.

**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**

Proceeding with the proposed changes aligns Part 30 to recent statutory and regulatory changes and makes requirements clear to those affected by the provisions of the rules.

Not proceeding with the rulemaking will result in school support personnel being unable to apply for admission to principal preparation programs, despite their meeting the requirement for certain educational experience set forth in the School Code for receipt of the endorsement.

**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:

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

including publication of the proposed amendments in the Illinois Register.
**Next Steps**
With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the *Illinois Register* to elicit public comment. Additional means, such as the *Superintendent’s Weekly Message* and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.
STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 30

PROGRAMS FOR THE PREPARATION OF PRINCIPALS IN ILLINOIS

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

AUTHORITY: Implementing and authorized by Section 21B-60 of the School Code [105 ILCS 5/21B-60].


Section 30.70 Candidate Selection

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

a) A valid and current Illinois professional educator license endorsed in a teaching field (i.e., early childhood, elementary, secondary, special K-12; or special preschool-age 21) or, until June 30, 2019, endorsed in a school support personnel area (i.e., school counselor, school psychologist, school nurse, school social worker, school marriage and family counselor).
b) Passage of the test of basic skills if the candidate had not been required to take the test for receipt of his or her Illinois professional educator license or previously issued teaching certificate or school support personnel endorsement (see 23 Ill. Adm. Code 25.720(b)).

c) Submission of a portfolio that presents evidence of a teacher candidate's achievements.

1) Evidence of during his or her teaching experience in each of the following categories:

A) Support of all students in the classroom to achieve high standards of learning;

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

C) Significant leadership roles in the school (e.g., curriculum development, discipline, team teaching assignment, mentoring);

D) Strong oral and written communication skills;

E) Analytic abilities needed to collect and analyze data for student improvement;

F) Demonstrated respect for family and community;

G) Knowledge of curriculum and instructional practices.

2) For purposes of this subsection (c) of this Section, "evidence" includes, but is not limited to:

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

B) Evidence of leadership roles held and descriptions of the impact the candidate has had on the classroom, school or district, or the constituents served;
C) An analysis of classroom data (student scores) that describes how the data were used to inform instructional planning and implementation, including an explanation of what standards were addressed, the instructional outcomes, and steps taken when expected outcomes did not occur;

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

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

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

d) Submission of a portfolio that presents evidence of a school support personnel candidate's achievements.

1) Evidence of experience in each of the following categories:

A) Support within their service area for all students that contributes to the students' personal growth and development, and high standards of learning;

B) Effective support of all students, which shall include data providing evidence of two years of success within their service area in the last five years;

C) Significant leadership roles in the school (e.g., curriculum development, discipline, collaboration or consultation with classroom teachers and administrators, mentoring);

D) Strong oral and written communication skills;

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

F) Strong interpersonal skills; and

G) Knowledge of academic, social, emotional and behavioral supports that meet the needs of all students.

2) For purposes of this subsection (d), "evidence" includes, but is not limited to:

A) Evaluations of the candidate's abilities in his or her service area from supervisors that attest to students' academic growth, and social and emotional development;

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

C) An analysis of data (e.g., psychological testing, grades, attendance information, disciplinary referrals, course enrollment) that describes how the data were used to provide support, assistance, collaboration or intervention, including an explanation of the student priorities addressed; the academic, social, emotional and/or behavioral outcomes; and the steps taken when expected outcomes did not occur;

D) Information on the candidate's work with families and/or community groups and a description of how this work affected students' academic, social, emotional and/or behavioral outcomes;

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

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

e) Each applicant shall interview with no fewer than two of the program's full-time faculty members and shall, at a minimum, discuss the contents of his or her
ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

portfolio and complete on site a written response to a scenario presented by the interviewers.

(Source: Amended at 38 Ill. Reg. __________, effective ____________)

Section 30.80 Program Approval and Review

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

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

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

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

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

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

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

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

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

8) The activities to meet the expectations embedded in the critical success factors specified in Section 30.45(b) of this Part that will be required of candidates for completion of the program and how these activities and expectations will be communicated to the candidate upon his or her admittance to the program;
9) A copy of the partnership agreement or agreements and a description of the partners' involvement in the development of the program, a description of the roles each partner will have, and information on how the partnership will continue to operate and how it will be evaluated;

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

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

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

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

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

15) A complete description of how data on the program will be collected, analyzed, and used for program improvement, and how these data will be
c) A request for program approval shall be submitted to the State Superintendent for consideration (see 23 Ill. Adm. Code 25.145(b)). The State Superintendent shall provide a complete request to the Principal Preparation Review Panel for its review and recommendation as to whether the program should be approved. The panel, to be appointed by the State Superintendent, shall consist of:

1) two individuals holding current and valid Illinois professional educator licenses endorsed in a teaching field or, until June 30, 2019, school support personnel area, and currently employed in Illinois public schools;

2) four individuals holding current and valid professional educator licenses endorsed for principal or general administrative, and currently employed as principals in Illinois public schools;

3) two individuals holding current and valid professional educator licenses endorsed for superintendent pursuant to 23 Ill. Adm. 25.365 or 23 Ill. Code 25.360, as applicable, and currently employed as superintendents in Illinois public schools;

4) two individuals from institutions of higher education in Illinois that have a recognized educational unit approved for the provision of educator preparation programs pursuant to 23 Ill. Adm. Code 25.Subpart C, one of whom shall be from a public institution and one of whom shall be from a nonpublic institution;

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

6) one individual representing the Illinois business community. If the individual appointed is unable to attend all meetings, he or she may request that an alternate be appointed to attend in his or her absence.

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

1) issue a recommendation to the SEPLB that the principal preparation program be approved; a copy of that recommendation and notification of
the SEPLB's meeting to consider the Panel's recommendation shall be provided to the applicant; or

2) issue a recommendation to the SEPLB that the principal preparation program be denied, including the reasons for the recommended denial; a copy of that recommendation and notification of the SEPLB's meeting to consider the Panel's recommendation shall be provided to the applicant.

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

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

g) An approved principal preparation program shall be subject to the review process set forth in 23 Ill. Adm. Code 25.Subpart C.

(Source: Amended at 38 Ill. Reg. __________, effective ____________)

Agenda Topic: Action Item: Amendments for Adoption: Part 50 (Evaluation of Educator Licensed Employees under Articles 24A and 34 of the School Code)

Materials: Recommended Rules

Staff Contacts: Jason Helfer, Assistant Superintendent

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

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item relates to Strategic Goals 1 and 2 (student achievement and highly prepared and effective teachers), as the proposed amendments define the components of the student growth portion of a performance evaluation plan to which a school district would "default" in the event that its joint committee of administrators and teacher representatives is unable to decide on the data and indicators of student growth to be used in evaluating tenured and nontenured teachers.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 50.

Background
P.A. 96-861 (PERA), enacted in 2010, amended Articles 24A and 34 of the School Code to transform the way in which the performance of teachers and principals in Illinois public schools is evaluated. Central to this transformation is the inclusion of data and indicators of student growth (in addition to consideration of professional practice) as a “significant” factor in determining a teacher’s or principal’s performance evaluation rating. The law also mandates that nontenured teachers and assistant principals be included in this revised system of evaluation and be held to similar standards of evaluation as tenured teachers and principals, respectively.

To date, several categories of school districts have implemented performance evaluation systems for tenured and nontenured teachers. These include schools located in City of Chicago School District 299 (CPS), as well as schools in districts that are the recipients of either School Improvement Grants (SIG) awarded under the federal Elementary and Secondary Education Act or grants issued through the Race to the Top (RtT) initiative. The remaining school districts in the state – as well as those schools in SIG and RtT districts not receiving benefits from those grant proceeds – must begin implementation of performance evaluation systems beginning in the 2015-16 school year (for districts whose student performance is among the lowest 20
percent statewide) or 2016-17 (for all other districts that have not yet implemented performance evaluation systems).

Central to the design of performance evaluation systems incorporating data and indicators of student growth is a collaborative process between school district administrators and teacher representatives to determine the way in which student growth will be measured (Section 24A-4 of the School Code). Called the "joint committee", this group by law has 180 days in which to identify the process to be used for measuring growth. If any committee fails to do so within 180 days, then its respective school district must adopt those components of the State Performance Evaluation Model established by the State Board for which no agreement was reached. These requirements do not apply to CPS, whose joint committee has 90 days to establish a plan and if it is unable to do so, the district may implement its "last best proposal".

Section 50.110 lists the key components that all school districts, including CPS, would be required to address in any teacher evaluation plan measuring school growth. These components include the identification of the minimum portion of a teacher's overall performance evaluation rating that must constitute student growth, the types of assessments that may be considered to measure growth, and the need to identify a measurement model for each assessment chosen. A joint committee deliberating these considerations may be unable to agree upon one or more components, however, and at that point, the school district would be required to adopt the applicable components set forth in the State Performance Evaluation Model. New Section 50.210, which will set forth the parameters of the State Performance Evaluation Model, addresses each of these components. Specifics about the proposal are explained under "Policy Implications" below.

The proposed amendments were published in the Illinois Register on April 25, 2014, to elicit public comment. The agency received comment from 539 individuals and organizations. A summary and analysis of the 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**

As noted above, a school district outside of Chicago will be required to adopt one or more components of the proposed State Performance Evaluation Model in instances when its joint committee has failed to agree on a performance evaluation plan for teachers within the 180-day deadline. New Section 50.210 individually lists the components upon which agreement may not be reached and how those will be addressed under the State Performance Evaluation Model.

**Student Growth.** Section 50.210(a) repeats the statutory requirement of Section 24A-7 of the School Code that the State Performance Evaluation Model provide that student growth comprise 50 percent of the teacher's final performance evaluation rating. The 50 percent threshold must be used by any district whose joint committee could not agree in its performance evaluation plan on the percentage of student growth to be used.

**Assessments.** Section 50.210(b) uses a Student Learning Objective (SLO) process as the mechanism to identify assessments that are appropriate for and collaboratively chosen by the teacher being evaluated and his or her qualified evaluator, as more fully explained below. Additionally, the SLO process is a supportable process to use to identify assessments to measure student growth of students with certain characteristics (e.g., special education placement, English language learners, low-income populations) to ensure that the assessments used to evaluate a teacher best measure the impact that the teacher has on these students’ academic achievement (see Section 50.210(c)).
The SLO process begins with the identification of two student learning goals (along with growth expectations for each) that are specific to the teacher's content/course of instruction and/or grade level of students taught. In response to public comment, staff are recommending that the teacher being evaluated continue to suggest at least two but no more than four SLOs options, but that the qualified evaluator choose the two SLOs (or one, if only one assessment was the subject of joint committee disagreement) from among those would be used in the teacher's evaluation. Each SLO would include the learning goal, growth expectation and assessment to be used for measuring the teacher's impact on student growth.

As originally proposed, the teacher and his or her qualified evaluator were to collaboratively choose the two SLOs to be incorporated into the teacher's evaluation plan; however, administrators expressed concerns that the process eroded management's right to determine the parameters of the evaluation. Additionally, the "collaborative approach" presented the possibility that disagreement would continue between the teachers and qualified evaluator, delaying a timely implementation of the evaluation plan. While Section 50.210(b)(4) recognized that agreement may not be reached, commenters complained that the process was cumbersome. Allowing the qualified evaluator to choose the SLOs from among those proposed by the teachers seems a reasonable compromise and streamlined approach that balances the concerns of both parties and eliminates the need to have a second process for settling continued disagreements. An explanation of the comments received and the rationale for the recommended changes are contained in the attached summary and analysis.

The learning goal or goals to be included in the SLOs must align to schoolwide or districtwide initiatives or the school improvement plan, as those initiatives or goals relate to the teacher's content area of instruction. Further, any assessment chosen must validly measure student learning over time that is specific to the learning goal that each identified. The proposed rules require that a review of the growth expectations occur at the midpoint of the evaluation cycle to ensure that those expectations remain appropriate, and staff are recommending that this subsection be expanded in response to public comment received. If the growth expectations are to be changed as a result of the review, both the teacher and qualified evaluator must first agree to make the changes.

By way of supporting an understanding of the SLO process, new Section 50.220 lists the minimum information that must be assembled as part of the process. A sample template will be posted on the agency's website. School districts are not required to use the agency's template, as it is important that the SLO process remain flexible enough to meet local needs. School districts, however, may choose to use the template as is or adapt it to their particular circumstances.

While the SLO process was developed as a tool for classroom teachers to use for selecting and/or developing classroom assessments as part of the implementation of balanced assessment systems, its application to the performance evaluation process will help both the teacher and qualified evaluator identify meaningful goals for student learning, encourage collaboration and understanding, and work to improve instructional effectiveness by monitoring student and teacher progress toward the learning goal. As noted above, its use for determining how academic growth of student populations with diverse learning needs is measured, helps to tailor evaluation systems to more effectively assess the performance of those students' teachers.
Rating Scale. The joint committee also must identify the ratings to be used for student growth, if those ratings are different than the categories of "unsatisfactory", "needs improvement", "proficient" and "excellent" required under Section 24A-5 of the School Code for the final performance evaluation rating assigned. If agreement is not reached in this regard, a school district under the State Performance Evaluation Model would be required to use the Section 24A-5 categories and apply them on the basis of the percentage of students who have met the growth target for the learning goal. (See Section 50.210(d) for specific percentage ranges, including a proposed phased-in approach to ensure sufficient rigor in the rating scale once performance evaluation systems have been in place for three years.)

Performance Evaluation Rating. Although not specific to student growth and therefore, not required to be included in the State Performance Evaluation Model, Section 50.230 sets forth the performance evaluation ratings to be used that consider the 50/50 split that the performance evaluation rating will have between the professional practice rating and student growth rating. When agreement is not reached in this regard, the school district would use the applicable combination of the professional practice rating and student growth rating set forth in Section 50.230 to determine a final rating of "unsatisfactory", "needs improvement", "proficient" or "excellent". In response to public comment received, a formula is being proposed in situations when student growth comprises less than 50 percent of the performance evaluation rating.

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

Pros and Cons of Various Actions
Proceeding with the rulemaking complies with Section 24A-7 of the School Code that requires the State Board to establish "a model evaluation plan for use by school districts in which student growth shall comprise 50 percent of the performance rating". The use of the SLO process also encourages collaboration and is intended to best measure the impact that the teacher being evaluated has on the academic growth of his or her students.

Not proceeding with the rulemaking could result in stalemates in those districts whose joint committees could not reach agreement, potentially leaving districts without a workable way in which to measure student growth for some or all of their teachers, thus placing those districts in violation of Article 24A of the School Code.

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:

Evaluation of Educator Licensed Employees under Articles 24A and 34 of the School Code (23 Illinois Administrative Code 50).

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 (teacher representatives)

Using a form letter, "professional educators who work with students every day" submitted the bulk of the public comment received (499 letters or emails). While conceding that "many aspects" of the State Performance Evaluation Model ("state model") proposed in Part 50 would have a "positive impact on teaching and learning", the educators raised three points.

1. The model should require either that two Type III assessments be used or that a Type II and a Type III assessment be used.

2. The model should allow teachers to choose the assessment to be used, as teachers are "the best ones to identify assessments to use in instruction that work within their classroom context with their students". Specifically, the teacher should be allowed to choose an assessment upon which the joint committee did not agree if the test "is deemed appropriate" by the teacher. The proposed rule, they said, allows a district to choose "an inappropriate assessment, possibly Type I, that will increase instances of 'teaching to the test'".

3. The model should incorporate a process that school districts would be required to use should the rating for professional practice and the one for student growth be "discrepant". Should the two ratings, which make up the final performance evaluation rating, vary greatly, an inferior evaluation tool could be the problem, they said.

A half of dozen of the commenters also added a few personal remarks to the form letter. One person cautioned against making the process too rigid and predetermined. It is important that teachers be allowed flexibility in the classroom to make changes in the format or timing of the instruction in response to student needs, she said. The model, as proposed, may hamper teachers' ability to "help students demonstrate their understanding of the material", she explained.

Another commenter voiced concerns about the relationship of student results to teacher performance, noting that myriad factors influence student learning. Further, the teacher's job is to help students "learn as much as they are able and choose to learn". She added that she would not want to change her teaching style only to "make sure my students show improvements needed for me to keep my job". Similarly, a commenter suggested that using an assessment as the only measure of student growth, particularly with special education teachers, is "insufficient and unfair". This is true when assessing a student's "creativity, confidence and ability to work with others", traits that are "important in a student's growth," another respondent added. "I want my students to learn to think and make decisions on their own", which are not measured through an assessment, she said.

Several teacher representatives on the Performance Evaluation Advisory Council (PEAC) sent a separate letter reiterating the comments contained in the form letter. They emphasized that they are frustrated that none of PEAC's recommendations concerning assessment type and choice "appear in the proposed state model", while conceding that the proposed rules do incorporate the PEAC recommendation that both the teacher and qualified evaluator choose a student learning objective (SLO) from among the options the teacher or teacher representatives present when agreement cannot be reached about which two to use.
Comment (administrators)

Administrators also raised issues with the proposed rulemaking, and 31 superintendents took advantage of a form letter to communicate those concerns. As with teachers, the administrators listed three issues that they believed the agency should address in order to improve the state model evaluation plan.

1. The overall process proposed for selecting a "student learning objective" (SLO) following the inability of the joint committee to come to agreement, administrators said, is "too complex and time consuming". Since the evaluation of staff is a "right and responsibility of management", an administrator should be required to pick one of the two assessments to be used in the evaluation of a teacher. As an alternative, the administrators suggested that when a joint committee cannot agree about either of two assessments to be used, then, "using the SLO process", the teacher representatives should choose one assessment and the qualified evaluator should choose the other assessment. If only one assessment is in question, then the person who did not recommend the assessment to which the joint committee agreed should make the choice. The administrators, as well as other commenters, also requested that the teachers and qualified evaluator be allowed to consider any assessment as part of the state model, even if it is one upon which the joint committee could not agree. Alternately, an educational organization suggested restricting the use of the State assessment for "a brief, delineated period of time (...) under certain conditions".

2. The administrators maintain that the rating scale to determine growth is "too low" and should be increased to:
   - 80 to 100 percent, "excellent";
   - 60 to 79 percent, "proficient";
   - 40 to 59 percent, "needs improvement"; and
   - 39 percent and below, "unsatisfactory".

3. The commenters asked the agency to revise the calculation of the final performance evaluation rating (combining the professional practice and the student growth ratings) to "round up" when the previous performance evaluation rating was high (excellent or proficient) and "round down" when the previous performance evaluation rating was poor (needs improvement or unsatisfactory). The proposed system protects "chronic underperforming teachers, and only works when the percentage combination used for the evaluation is 50 percent professional practice and 50 percent student growth", they explained.

Another commenter added that the proposed state model "promotes a universal lowering of academic standards" since it provides teachers "a strong incentive to set lower growth expectations for their students". The proposed model also "marginalizes" the administration's ability to ensure that all students have access to high-quality teachers, she said, limiting the administration's "authority to remove" underperforming teachers.

A group representative of several administrative associations, whose letter was the basis for the form letter used, further said that administrators would present "deep resistance" to any final state model that does not allow the administration to choose one of the "SLOs" to be included in the evaluation plan when the joint committee cannot agree since the "substantive nature of an evaluation is a management right". The group confirmed that the collaborative approach between teachers and administrators on the joint committee is the best; however, they
cautioned that they "cannot and will not support any further erosion of management rights" pertaining to teacher evaluations when the joint committee cannot agree.

As for the rating scale, the group said it "lacks rigor and represents student growth below what both administrators and teachers expect". Adding onto point 3 above regarding the final performance evaluation rating, the group suggested a combination approach for evaluation plans in which the performance evaluation rating comprises less than 50 percent of student growth (the current rules at Section 50.110 require a minimum consideration of 30 percent at full implementation). The combination approach would use the proposed system of rounding up or down and numeric values assigned to the ratings of "excellent", "proficient", "needs improvement" and "unsatisfactory" for each category of professional practice and student growth. The resulting value for the rating in practice and growth then would be multiplied by the percentage that applies to the respective category, and the two quotients would be added together. That sum would then be "rounded up" or "rounded down", depending on the teacher's previous performance evaluation rating.

Commenters other than administrators also pointed out that the matrix for the performance evaluation rating that was too low. One commenter predicted that when members of the General Assembly review the rules, they will "freak out". Another said that the proposed rules should not view the "needs improvement" rating as a "safe haven" into which teachers may fall year after year without "triggering the dismissal process". In voicing support for a more rigorous matrix, an educational organization maintained that a "scale that tilts toward greater growth represents the state's expectations".

Several teacher members of PEAC, however, supported "rounding up" since "no evaluation plan is precise enough to quantify teaching practice to the degree that outcomes should be rounded down". They maintained that PEAC supports "rounding up" as "more appropriate and fairer to practitioners".

Analysis

Since these two sets of comments address similar areas of concern – albeit from different perspectives – they will be considered together.

1. **Assessment Selection and Type.** It is important to remember that under the state model, the SLO process is required to be used as the methodology for choosing the learning goal to be measured, the assessment to measure that learning goal and the growth expectations to be achieved by the affected teacher's students. The process provides guidance for teachers and qualified evaluators to "identify appropriate goals and assessments that may be used to accurately measure student growth". ("Guide on the Student Learning Objective Process", State Board of Education) With this in mind, there seems to be no reason to arbitrarily prohibit the use of any of the three assessment types, particularly since the new State assessments for English language arts and mathematics ("PARCC", which is a Type I assessment) to be administered in the spring are more curriculum-driven.

Further, when the original performance evaluation rules were promulgated in 2012, the U.S. Department of Education required that the State Board remove a provision prohibiting the use of the State assessment in districts located outside of Chicago because the restriction conflicted with the agency's approval from the U.S. Department of Education for use of grant funds under the Race to the Top initiative. The State Board
would possibly jeopardize its funding by adding restrictions, as proposed by the commenter, to the use of the State assessment for teachers' evaluations.

Additionally, no opportunity exists under the state model for either the teachers or the qualified evaluator using the SLO process to choose an assessment separate from the identification of the companion learning goal and growth expectations. Section 50.210(b) appears to establish greater responsibility for, as well as control of, the SLO process to the teachers, as they propose the learning goal, assessment and expected growth expectations. Agency staff did not intend for the proposed rule to give latitude to the teacher representatives to artificially lower expectations for students by proposing less rigorous growth targets. Rather, the proposed rule responded to concerns of the teacher unions that the teacher being evaluated is the closest to the students and therefore, he or she should be given the opportunity to suggest the four SLOs, from which the teacher and his or her qualified evaluator would then collaboratively choose.

The administrators' concern about rigor is noted, however. SLOs take both time and content expertise to do well. While administrators expressed a desire to choose assessments, none mentioned control of the choice of learning goal or growth expectations. As the SLO process does not provide for assessments to be chosen outside of consideration of learning goals and growth expectations, a reasonable compromise to the commenters' recommendations may be to continue to allow teachers to propose the SLOs to be considered for the evaluation but to direct the qualified evaluator to choose the two (or one, if only one assessment was the subject of joint committee disagreement) SLOs to be used from among the options that the teachers put forth. In this way, the teachers have the responsibility for identifying the most appropriate way in which their students' academic growth can be measured, resulting in a focus on both what students are being taught and how students are being taught. The qualified evaluator, on the other hand, retains oversight for the evaluation process, ensuring both its rigor and relevance. This alternate mechanism also eliminates the need for a tiebreaker in cases where agreement is not reached, allowing for proposed Section 50.210(b)(4) to be removed from the rulemaking.

Both the teachers and administrators also asked that the SLO process consider any assessment option that may have been rejected by the joint committee. Agency staff initially believed that choosing, as part of the SLO process, an assessment for which the joint committee could not reach agreement created the potential for the teacher and qualified evaluator to be mired in the same issues that forced the joint committee to default to the state model. The specific teachers and qualified evaluator, however, may not have been members of the joint committee, and an opportunity should be afforded to them to reconsider any options without regard to the joint committee's inability to agree.

As for concerns that measures other than assessments should be employed to determine student growth, particularly due to student differences, Section 50.210(c) directs school districts to use the SLO process to determine how these other factors will be considered, and those considerations should be reflected both in the learning goal identified and the growth expectations anticipated. Further, while "creativity, confidence and ability to work with others" are important for future success and life-long learning, it would be difficult to measure empirically a teacher's contribution to a student's development of these character traits.
2. **Student Growth Rating Scale.** The rationale presented for making the rating scale more rigorous may appear fair and reasoned. However, performance evaluation systems incorporating data and indicators of student growth are in their infancy and an abundance of conclusive evidence does not yet exist about their efficacy and reliability. Immediately requiring high-stakes consequences for an emerging evaluation system is not appropriate. On the other hand, it is pedagogically sound for the agency to "ramp up" the student growth rating scale on an incremental basis. Precedence has been set for this approach, as well. In response to public comment received on Part 50 in 2012, the agency delayed for two years the full implementation of the 30 percent minimum requirement for student growth. A phased-in approach also supports both administrators and teachers as they are learning to implement performance evaluation systems with fidelity and precision. With a gradual implementation, districts are more likely to make a smoother transition to a system that challenges both administrators and teachers.

3. **Performance Evaluation Score.** The performance evaluation score is comprised of both the rating that the teacher receives for professional practice and the rating the teacher receives for student growth. The commenters are correct that the process for combining these two ratings proposed in Section 50.230 is applicable only to a performance evaluation plan in which the ratings for professional practice and student growth contribute equally to the performance evaluation rating. A change in the proposal is necessary to recognize joint committees that agree to a different percentage of student growth, but not to the method by which the student growth rating and the professional practice rating are combined.

Currently, the law does not contemplate that a teacher's continued receipt of a "needs improvement" performance evaluation rating would result in dismissal proceedings (as it does when a teacher completes a remediation plan for an "unsatisfactory" rating and he or she fails to achieve a "proficient" or "excellent" performance evaluation rating). Rather, Section 24A-5 of the School Code directs districts to ensure the provision of professional development opportunities and other supports to help the teacher who receives a "needs improvement" rating to improve. It is the obligation of the school district to help these struggling teachers through high-quality and appropriate professional development and supports. Therefore, agency staff believe the process proposed for combining the two ratings is a balanced assessment of the teacher's performance that is not unfairly punitive. As explained under "Student Growth Rating Scale" above, the agency will be continually re-examining the components of the state model as performance evaluation systems mature and a greater body of "best practices" is accumulated.

While staff are not recommending changes for a performance evaluation rating to be "rounded down" when a teacher previously received a "needs improvement" or "unsatisfactory" rating, they do believe that it is fairer to round to the nearest whole number (for instance, a 2.1 rating becomes a 2 and a 2.9 rating becomes a 3), rather than to "round up" in all cases, and this change will be made.

Finally, as to the suggestion to include in the rule a process for the teacher and his or her qualified evaluator to review and revise, as necessary, the professional practice rating or the student growth rating when these are "discrepant" or "contradict each other", the suggestion is well thought out, and joint committees could encourage their school districts to review evidence gathered for professional practice and student growth when a significant gap is noted between the two ratings. The purpose of the review, the commenters noted, would be to adjust the
ratings for "unfairness or inconsistency". This recommendation, however, goes beyond the scope of the State Performance Evaluation Model, which is focused on student growth only. Staff will consider articulating this process or a similar one in agency guidance, as it has with its encouragement of the Danielson Framework to evaluate the professional practice, which is not mandated by rules.

**Recommendation**

It is recommended that Sections 50.210 and 50.230 be modified as follows.

**Section 50.210(b)(1)**

b) Any joint committee that cannot agree upon one or both of the assessments required under Section 50.110(b)(2) and (3) and/or the measurement models required under Section 50.110(b)(1) shall employ a student learning objective (SLO) process to identify how student growth will be measured for the applicable category of teacher (e.g., career and technical education, grade 2) for which no agreement is reached. The SLO process shall include at least the information listed in Section 50.220.

1) Teachers in the category for which agreement was not reached, or their representatives, shall recommend at least two but no more than four SLOs in response to each assessment for which no agreement was reached. The qualified evaluator shall choose the SLO to be used in the performance evaluation from among the options presented by the teachers. Using the SLO process, the teacher being evaluated and the qualified evaluator shall work collaboratively to identify the SLO, using the list of SLOs recommended. The learning goal, assessment and growth expectation that comprise the SLO shall conform to the provisions of this subsection (b)(1).

**Section 50.210(b)(1)(B)(iii)**

iii) If only one assessment is to be identified under this subsection (b)(1)(B), then it shall not be of the same type for which agreement has already been reached.

**Section 50.210(d)**

f) Any joint committee that cannot agree to the rating scale to be used to determine the student growth rating to be assigned pursuant to Section 50.110(d) shall meet the requirements of this subsection (f)(4). The determination of the student growth rating to be assigned shall be made by totaling the percentage of students meeting the growth expectation from each assessment used to determine student growth and averaging that result, rounding up to the next nearest whole number (i.e., performance evaluation ratings lower than 2.5 would be rounded to 2 and performance evaluation ratings of 2.5 or higher would be rounded to 3).

1) In the initial three years after a school district's implementation date for a performance evaluation system under Section 50.20 of this Part, the rating scale shall meet the requirements of this subsection (f)(1).
A) In instances in which less than 25 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "unsatisfactory".

B) In instances in which at least 25 percent but no more than 50 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "needs improvement".

C) In instances in which at least 51 percent but no more than 75 percent of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "proficient".

D) In instances in which 76 percent or more of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "excellent".

2) Starting in the fourth year of a school district's implementation of a performance evaluation system under Section 50.20 of this Part, the rating scale shall meet the requirements of this subsection (f)(2).

A) In instances in which less than 40 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "unsatisfactory".

B) In instances in which at least 40 percent but no more than 59 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "needs improvement".

C) In instances in which at least 60 percent but no more than 79 percent of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "proficient".

D) In instances in which 80 percent or more of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "excellent".

Section 50.230

Any joint committee that cannot agree on the way in which the professional practice rating and student growth rating will be used to determine the performance evaluation rating shall meet the applicable requirements of this Section.

a) For a performance evaluation plan in which student growth comprises 50 percent of the performance evaluation rating:
"Unsatisfactory" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "unsatisfactory" when both his or her professional practice rating and student growth rating are "unsatisfactory".

"Needs Improvement" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "needs improvement" when his or her:

A) professional practice rating is "proficient" or "needs improvement" and student growth rating is "unsatisfactory";

B) professional practice rating and student growth ratings are "needs improvement";

C) professional practice rating is "unsatisfactory" and student growth rating is "needs improvement"; or

D) professional practice rating is "unsatisfactory" and student growth rating is "proficient".

"Proficient" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "proficient" when his or her:

A) professional practice rating is "excellent" and the student growth rating is "unsatisfactory";

B) professional practice rating is "excellent" and student growth rating is "needs improvement";

C) professional practice rating is "proficient" and student growth rating is "needs improvement";

D) professional practice and student growth ratings are "proficient";

E) professional practice rating is "needs improvement" and student growth rating is "proficient";

F) professional practice rating is "needs improvement" and student growth rating is "excellent"; or

G) professional practice rating is "unsatisfactory" and student growth rating is "excellent".

"Excellent" Performance Evaluation Rating
A teacher shall be assigned a performance evaluation rating of "excellent" when his or her:

**A)1)** professional practice rating is "excellent" and student growth rating is "proficient";  
**B)2)** professional practice rating and student growth ratings are "excellent"; or  
**C)3)** professional practice rating is "proficient" and student growth rating is "excellent".

b) For performance evaluation plans in which student growth comprises a portion of the performance evaluation rating other than 50 percent, the performance evaluation rating assigned shall be calculated as set forth in this subsection (b).

1) Each performance evaluation rating set forth under Sections 24A-5(e) of the School Code shall be assigned a numeric value of 1 for "unsatisfactory", 2 for "needs improvement", 3 for "proficient" and 4 for "excellent".

2) The numeric value for the student growth rating and the numeric value for the professional practice rating shall be summed.

3) The sum determined under subsection (b)(2) shall be multiplied by:

   **A)** the percentage of the performance evaluation rating that comprises student growth; and  
   **B)** the percentage of the performance evaluation rating that comprises professional practice.

4) The products determined under subsection (b)(3)(A) and (B) shall be added together, and the sum rounded to the nearest whole number (i.e., performance evaluation ratings lower than 2.5 would be rounded to 2 and performance evaluation ratings of 2.5 or higher would be rounded to 3).

5) The result from subsection (b)(4) shall correspond to the performance evaluation rating with that numeric value, as set forth in subsection (b)(1).

Comment

A commenter said the definition for "adaptive conditional measurement model" was not "understandable" and not a term used in the evaluator training modules for performance evaluations incorporating data and indicators of student growth. He suggested that the rules use the definition for "measurement model" instead.
Another commenter asked for modifications to the definition of "adaptive conditional measurement model" so that it more clearly communicates that growth expectations may be developed for the class as a whole or for individual students or subgroups of students.

The commenter also remarked that "attainment", as defined, is contrary to the use of "gain" in student growth targets and stated that the "inconsistency should be cleaned up".

Two comments also requested that the rules include a definition for "interval of instruction", a term one of the commenters said is used on the agency-developed template outlining the SLO process. The other commenter said the term's inclusion in the rules will "help clarify (that) there is flexibility when establishing time spans" within the SLO process. One of the commenters also recommended that "interval of instruction" replace "evaluation cycle" in Section 50.210(b)(1)(C).

Analysis

The adaptive conditional measurement model is specific to the SLO process, as it considers baseline data to determine student growth that consists of individual growth expectations and a comparison of those growth expectations and student outcomes at two points in time. A measurement model is the manner in which two or more assessment scores are analyzed in order to determine a change in a student's knowledge or skills over time. While a measurement model would include the adaptive conditional measurement model, it also is a broader term that encompasses other methodologies for determining changes in student's knowledge or skills. Staff are aware that the training modules for qualified evaluators do not yet provide information about the adaptive conditional measurement model; however, once the rulemaking addressing the state model is in effect, the modules will be updated to align to the regulatory requirements.

Guidelines for the SLO process point out that the process considers "individual student's needs". Explicitly stating this in the definition of the adaptive conditional measurement model will emphasize this consideration.

When looking at student growth, a school district may consider a gain in a student's knowledge or skills (whether or not expectations were met), or may consider a student's attainment of that knowledge or those skills. Both are equally appropriate for measuring student growth over time. Lengthy discussions did occur at PEAC about the two terms, resulting in the definition of "student growth" currently in Section 50.30 that includes consideration of both "gain" and "attainment".

The commenters who recommended inclusion of "interval of instruction" both in Sections 50.30 and 50.210 are correct that the time period for which student growth will be measured and the evaluation cycle are different. Student growth may be measured during a pre- and post-test window within a school term. The evaluation cycle, on the other hand, refers to the period of time in which an evaluation must be conducted, which would be every two years for teachers rated "excellent" or "proficient" on their most recent evaluation, or each year for teachers rated "needs improvement" or "unsatisfactory".

Recommendation

It is recommended that the following definitions be added to Section 50.30 and that Section 50.210(b) be modified as follows.
Section 50.30

"Adaptive conditional measurement model" means a measurement model used to analyze assessment data to determine student growth that consists of at least a collection of baseline data that is used to determine individual student growth expectations for all students or for individual and/or groups of students and the recording of student outcomes in comparison to the growth expectations identified.

"Interval of instruction" means the period of time during which two or more assessment scores are analyzed for the purpose of identifying a change in a student’s knowledge or skills.

Section 50.210(b)(1)(C)

C) The growth expectations for the applicable learning goal shall be evaluated at the midpoint of the interval of instruction evaluation cycle and modified as may be necessary.

Comment

An organization suggested that in using the SLO process, the teacher representatives choose the assessment to be used and the learning goal to be measured. To ensure that the growth expectation is appropriate for the classroom of the teacher being evaluated, the group asked that the rules require either the teacher being evaluated or the qualified evaluator to set the growth expectation. It also recommended that when only one assessment could be determined by the joint committee, that the assessment to which the joint committee agreed "replace the choice of SLO by the evaluator", adding the caveat that the qualified evaluator still choose the growth expectations for the agreed-upon assessment if those have not yet been identified.

Another commenter stated his belief that the learning goal, assessment and growth expectations are "inextricably linked" and asked that a provision be added to the introduction of Section 50.210 stating that "the failure of the committee to reach agreement on one or more of these elements shall mean that the joint committee did not reach agreement on the assessment".

Analysis

Under the proposed rules as modified in response to public comment, the qualified evaluator chooses an SLO for each assessment upon which the joint committee could not agree from among the recommended SLOs that the teachers identify. Since the SLO process by definition includes the identification of a learning goal, assessment and growth expectations, it would be more cumbersome to have the teacher or evaluator set those growth expectations separate from the SLO identified. As noted in the analysis above, no opportunity exists outside of the SLO process either for the teachers or the qualified evaluator to choose an assessment separate from identifying the learning goal and growth expectations.

Agency staff agree that the learning goal, assessment and growth expectations are "inextricably linked". Since the definitions for "Student Learning Objective Process" and "Student Learning Objective" make this explicit, no further emphasis is needed in Section 50.210. It should be noted, as well, that there is no requirement in Section 50.110 that the joint committee use an SLO process when debating how student growth will be measured. The SLO process is
contained in the state model as a tool for use by teachers and qualified evaluators to identify appropriate assessments when the joint committee fails to reach agreement within 180 days.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

A commenter asked why the state model did not include specific requirements relative to the professional practice component of the performance evaluation plan, which he says is "mandated" by the law to be included. He added that schools and districts are looking to the agency and PEAC about how practice should be evaluated.

He also pointed out that the term "component", as used in Section 50.210, is confusing since the Danielson Framework, which addresses professional practice, also uses the term. Rather, he said the term "sections" could replace "components" to distinguish the different elements of the state model.

**Analysis**

It is true that the State Performance Evaluation Model, which the State Board is required to develop under Section 24A-7 of the School Code, addresses both professional practice and student growth. In 2012, the agency accepted the recommendation of PEAC to include in the state model the Charlotte Danielson Framework for Teaching. School districts, however, are not required to use the Danielson Framework nor do districts "default" to the framework should their joint committees fail to come to agreement about the way in which professional practice will be evaluated. Section 24A-4(b) of the School Code only requires school districts to "implement the model evaluation plan established under Section 24A-7 with respect to the use of data and indicators on student growth as a significant factor in rating teacher performance" (emphasis added). Since the agency does not require that each district adopt the Danielson Framework to evaluate professional practice, mention of the Framework in Part 50 is not necessary.

In the context of the proposed rule, the term "component" is understood. Since the Danielson Framework is not addressed in Part 50, retention of "component" for use with the student growth portion of the state model should not confuse the reader.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

A commenter asked that Section 50.200(c) be retained in the rules and modified to make clear that under the state model, the student growth component would comprise either 50 percent of a teacher's performance evaluation rating or a lower percentage, if agreed upon by the joint committee.

**Analysis**
Existing Section 50.200 sets forth the requirements for implementation of the state model, while new Section 50.210 lists the required components of the state model to which a school district would default, depending on the disagreement of its joint committee. For this reason, it is more appropriate to mention in Section 50.210(a) the statutory requirement that the state model stipulate that student growth must comprise 50 percent of a teacher's performance evaluation rating in instances when a joint committee fails to agree to the percentage of student growth to be considered.

A school district is required to “default” to a component of the state model set forth in Section 50.210 with regards to areas upon which no agreement was reached. If a joint committee agrees to a percentage of student growth to be used in its performance evaluation plan, then it would not default to the requirement of Section 50.210(a) for 50 percent of the performance evaluation rating to be comprised of student growth. Placement of the language proposed by the commenter would inaccurately state the requirement of Section 24A-7 of the School Code concerning student growth and the state model.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

The teacher representatives on PEAC expressed concern that the state model, as proposed, does not rely on the existing definitions for assessment type found in Section 50.30. Another commenter asked that Section 50.210(b) specify that the term "assessment" means the type of assessment, as defined in Section 50.30 (i.e., Type I, Type II or Type III), as well the instrument to be used.

Further, the second commenter said that Section 50.210(b) should make reference to all components of the student growth determination articulated in Section 50.110(b) of the current rules, as well as to Section 50.110(c), which requires the joint committee to consider how certain student characteristics will be used when measuring growth. As a result, Section 50.210(c), which addresses student characteristics for the purpose of the state model, should be deleted, she said. Additionally, the commenter recommended the rule provide that any consideration of student characteristics "shall comply with the parameters established by the State Board".

Other commenters also asked that Section 50.210(b)(1) require that at least two SLOs be identified by the teachers or teacher representatives.

**Analysis**

Proposed Section 50.210(b) is meant to include the consideration of assessments from among the categories of Type I, Type II or Type III assessments, as well as the specific assessment instrument deemed most appropriate to measure student growth for the teacher being evaluated. The change suggested by the commenter would make the proposed requirements clearer.

It is possible that a joint committee may come to agreement on the assessment and measurement model to be used but cannot agree about how certain student characteristics (i.e., special education placement, English language learners, low-income population) will be
considered when student growth is measured. The requirement is broad and applied to any category of teacher with these students in their classrooms (as opposed to teachers of self-contained special education or transitional bilingual education classrooms). For this reason, a separate mention in Section 50.210(c) of the requirements of Section 50.110(c) regarding student characteristics and the possibility for disagreement is appropriate.

Also, the Illinois Administrative Procedure Act requires State agencies to set forth in administrative rules all agency policies. A mention in Part 50 of school districts' compliance "with the parameters set by the State Board" would conflict with this requirement. Currently, the agency is not mandating any "parameters" for consideration of student characteristics except for the use of the SLO process by school districts should their joint committees fail to reach agreement.

It is reasonable to require teachers to identify at least two SLOs to ensure a choice is available for the qualified evaluator.

**Recommendation**

It is recommended that Section 50.210(b)(1) be modified as follows.

**Section 50.210(b)(1)**

b) Any joint committee that cannot agree upon one or both of the assessments required under Section 50.110(b)(2) and (3) and/or the measurement models 50.110(b)(4) shall employ a student learning objective (SLO) process to identify how student growth will be measured for the applicable category of teacher (e.g., career and technical education, grade 2) for which no agreement is reached. The SLO process shall include at least the information listed in Section 50.220.

1) Teachers in the category for which agreement was not reached, or their representatives, shall recommend at least two but no more than four SLOs in response to each assessment (i.e., the assessment type (Type I, Type II or Type III) and specific instrument to be used) for which no agreement was reached.

**Comment**

One commenter indicated that the adaptive conditional measurement model should be used in all instances when a joint committee cannot agree on one or both assessments and that this requirement be more prominently placed in Section 50.210(b). A second commenter requested that the adaptive conditional measurement model be used only when the joint committee cannot decide on the particular measurement model.

**Analysis**

The adaptive conditional measurement model is part of the SLO process. As such, it is the measurement model to determine growth that is used when the joint committee cannot agree to one or both of the assessments to be used.

On the other hand, the second commenter makes a valid point. The proposed rules are silent as to whether a joint committee may agree to the use of an assessment and identify growth
expectations without coming to agreement on the measurement model to be used. Mention of the measurement model as a separate component to which a joint committee may default will correct this oversight.

**Recommendation**

It is recommended that new Section 50.210(c) be added and the remaining sections re-lettered accordingly.

c) Any joint committee that agrees on the assessment to be used but cannot agree on the measurement model, as required under Section 50.110(b)(1), shall employ an adaptive conditional measurement model to determine student growth specific to the student growth expectations identified pursuant to Section 50.110(b)(4).

**Comment**

Two commenters addressed the meaning of "teacher representatives", as used in Section 50.210(b). One asked that the "representatives" be appointed by the exclusive collective bargaining unit, while the other said that the "representatives" should include at least one teacher from each of the school buildings employing any teacher affected.

The commenters also asked that Section 50.210(b)(1) require that at least two SLOs be identified by the teachers or teacher representatives.

**Analysis**

The proposed rule originally required that the teachers in a particular category, for which no agreement was reached about one or more components of the evaluation plan, work with the qualified evaluator to make determinations regarding the SLOs. After further discussions, it was determined that medium-sized and larger districts may have dozens of teachers spread throughout the district who would be required to participate in the SLO process, making the system unwieldy. Nor was the use of the term "representative" specific only to individuals chosen by a collective bargaining unit, particularly since it is essential teachers who would be affected by the decisions being made participate in the process. Additionally, ensuring that there is representation from each school building may create similar problems with the size of the group identifying SLO options. The rules for the state model should provide flexibility for school districts and the affected teachers to determine the composition of the teacher group that best represents the teachers to be evaluated, as they do under the proposal.

**Recommendation**

No changes are recommended in response to these comments.

**Comment**

Two commenters wanted Section 50.210(b)(1)(C), addressing a review of growth expectations, expanded. In particular, the rule should allow growth expectations to be "reviewed" and, if the teacher being evaluated and qualified evaluator agree, "modified", one person said. A second commenter stressed that the proposed rule also should explicitly state that the SLO process guide the teacher's and evaluator's review and decision-making regarding any modifications that
may be needed. Additionally, this commenter proposed that the rule direct the teacher and qualified evaluator to align growth expectations to the "needs of each teacher's students, to the assessment and to the measurement model" as a way to ensure that "teacher ratings are made at the individual level".

Analysis

Section 50.210(b)(1)(C) requires that growth expectations be "evaluated" at the midpoint of the process "and modified as may be necessary". The proposed rule is silent as to whether the teacher being evaluated and the qualified evaluator first agree to having these growth expectations changed. Since the teacher is closest to the classroom and best able to gauge the appropriateness of the growth expectation, as well as recognize the opportunity for revising the growth expectation, providing for mutual agreement does not seem overly burdensome nor an erosion of management's rights. Further, the verb "reviewed" is more appropriate to the rule's intent than "evaluated".

The rule implies that the growth expectations should be aligned to the needs of each teacher's classroom and students but does not explicitly state that implication. Including the language suggested by the commenter will improve the rule.

Recommendation

It is recommended that Section 501.210(b)(1)(C) be modified as follows.

C) The growth expectations for the applicable learning goal shall be aligned to the needs of the teacher's classroom and students. Growth expectations also shall be reviewed at the midpoint of the interval of instruction and modified as may be necessary, provided that the teacher and the qualified evaluator mutually agree to any modifications to be made.

Comment

A commenter pointed out that Section 50.210(b)(4) contained an error in a cross-reference to the part of rules that defines "school term".

Other changes recommended for Section 50.210(b)(4) included clarifying that the SLOs from which the teacher or qualified evaluator may choose must be those that are identified by the teacher or the teacher representatives. This change, the commenters said, also emphasizes the "collaborative process" of identifying the SLOs.

Both commenters also suggested a streamlined approach to choosing an SLO when the teacher and qualified evaluator disagree, with the qualified evaluator making the decision, rather than having the pair identify another individual, trained as a qualified evaluator, to choose the SLO. Finally, one of the commenters proposed that the rules explicitly state that growth expectations may be modified when the SLO is chosen, if both the teacher and qualified evaluator agree to do so.

Analysis

Section 50.100(c), rather than subsection (e), defines "school term" as "the first day students are required to be in attendance".
As noted above, changes being proposed in Section 50.210(b) eliminate the need for the rules to address a process for teachers and the qualified evaluator to use when there is continued disagreement. Given that the teachers will have an opportunity to recommend the SLO options from among which the qualified evaluator will choose balances the wishes of teachers with those of the administrators. Further, the integrity of the collaborative process is maintained and safeguarded by requiring that the qualified evaluator choose the SLO from the list proposed by the teachers or teacher representatives.

Recommendation

It is recommended that Section 50.210(b)(4) be removed from the rulemaking.

Comment

A commenter submitted a list of questions, the answers to which, he said, should be reflected in the rules for the state model. These are:
- Will data from all students assigned to a teacher be included or only selected classes?
- Will there be a team growth score or a school growth score for all teachers?
- Will Type II and Type III assessments count for students’ grades?
- Will there be a student attendance requirement. i.e., a teacher takes a leave of absence?
- Who will score the Type II and Type III assessments?

Analysis

The questions posed are instructive and the responses to them may become part of any guidance regarding implementation of the state model. At first glance, agency staff anticipate the responses to the questions will vary and are best worked out at the local level, as joint committees determine the performance evaluation plans that are most well-suited to the teachers being evaluated. The level of detail responding to the questions posed is not needed in the state model at this time. The agency, along with PEAC, will review data and other information about the implementation of performance evaluation systems and recommend improvements and refinements, as may be needed.

Recommendation

No recommendations are made in response to this comment.
PART 50
EVALUATION OF EDUCATOR LICENSED EMPLOYEES
UNDER ARTICLES 24A AND 34 OF THE SCHOOL CODE

SUBPART A: GENERAL REQUIREMENTS

Section
50.10  Purpose
50.20  Applicability
50.30  Definitions

SUBPART B: PERFORMANCE EVALUATION PLANS: TEACHERS

Section
50.100  Plan Components Required for the Evaluation of Teachers
50.110  Student Growth Components
50.120  Professional Practice Components for Teachers
50.130  Reporting

SUBPART C: STATE PERFORMANCE EVALUATION MODEL FOR TEACHERS

Section
50.200  Implementation Requirements
50.210  Components of the State Performance Evaluation Model
50.220  Student Learning Objective Process
50.230  Performance Evaluation Rating

SUBPART D: PERFORMANCE EVALUATION PLANS: PRINCIPALS AND ASSISTANT PRINCIPALS

Section
50.300  Plan Components Required for the Evaluation of Principals and Assistant Principals
50.310  Student Growth Components
50.320  Professional Practice Components for Principals and Assistant Principals
50.330  Reporting
SUBPART E: TRAINING FOR EVALUATORS

Section
50.400  School District-Developed Prequalification Process or Retraining Program
50.410  Minimum Requirements for Prequalification Process and Retraining Program
50.420  Competencies of Qualified Evaluators

50.APPENDIX A  Illinois Standards for Principal Evaluation

AUTHORITY: Implementing and authorized by Section 24A-7 of the School Code [105 ILCS 5/24A-7].


SUBPART A: GENERAL REQUIREMENTS

Section 50.30  Definitions

As used in this Part:

"Adaptive conditional measurement model" means a measurement model used to analyze assessment data to determine student growth that consists of at least a collection of baseline data that is used to determine student growth expectations for all students or for individual and/or groups of students and the recording of student outcomes in comparison to the growth expectations identified.

"Assessment" means any instrument that measures a student's acquisition of specific knowledge and skills. Assessments used in the evaluation of teachers, principals and assistant principals shall be aligned to one or more instructional areas articulated in the Illinois Learning Standards (see 23 Ill. Adm. Code 1.Appendix D) or Illinois Early Learning and Development Standards –Children Age 3 to Kindergarten Enrollment Age (see 23 Ill. Adm. Code 235.Appendix A), as applicable. For the purposes of this Part, assessments will be defined as the following types.

"Type I assessment" means a reliable assessment that measures a certain group or subset of students in the same manner with the same potential assessment items, is
scored by a non-district entity, and is administered either statewide or beyond Illinois. Examples include assessments available from the Northwest Evaluation Association (NWEA), Scantron Performance Series, Star Reading Enterprise, College Board's SAT, Advanced Placement or International Baccalaureate examinations, or ACT's EPAS® (i.e., Educational Planning and Assessment System).

"Type II assessment" means any assessment developed or adopted and approved for use by the school district and intended to be used on a districtwide basis by all teachers in a given grade, course or subject area. Examples include collaboratively developed common assessments, curriculum tests and assessments designed by textbook publishers.

"Type III assessment" means any assessment that is rigorous, that is aligned to the course's curriculum, and that the qualified evaluator and teacher determine measures student learning in that course. Examples include teacher-created assessments, assessments designed by textbook publishers, student work samples or portfolios, assessments of student performance, and assessments designed by staff who are subject or grade-level experts that are administered commonly across a given grade or subject. A Type I or Type II assessment may qualify as a Type III assessment if it aligns to the curriculum being taught and measures student learning in that subject area (see Section 50.110(b)(2)).

"Assistant principal" means an administrative employee of the school district who is required to hold a professional educator license issued in accordance with Article 21B of the School Code [105 ILCS 5/21B] endorsed for either general administrative or principal, and who is assigned to assist the principal with his or her duties in the overall administration of the school.

"Formal observation" means a specific window of time that is scheduled with the teacher, principal, or assistant principal for the qualified evaluator, at any point during that window of time, to directly observe professional practices in the classroom or in the school. (Also see Sections 50.120(c) and 50.320(c).)

"Growth expectation" means the outcome that students are expected to achieve by the end of the instructional period and includes consideration of a starting level of achievement already acquired and determination of an ending goal for the level of achievement to be reached.

"Joint committee" means a committee composed of equal representation selected by the district and its teachers or, when applicable, the exclusive bargaining representative of
its teachers, which shall have the duties set forth in this Part regarding the establishment of a performance evaluation plan that incorporates data and indicators of student growth as a significant factor in rating teacher performance. (Section 24A-4 of the School Code)

"Informal observation" means observations of a teacher, principal, or assistant principal by a qualified evaluator that are not announced in advance of the observation and not subject to a minimum time requirement.

"Interval of instruction" means the period of time during which two or more assessment scores are analyzed for the purpose of identifying a change in a student's knowledge or skills.

"Measurement model" means the manner in which two or more assessment scores are analyzed for the purpose of identifying a change in a student's knowledge or skills over time.

"Performance evaluation plan" means a plan to evaluate a teacher, principal, or assistant principal that includes data and indicators on student growth as a significant factor in judging performance, measures the individual's professional practice, and meets the requirements of Article 24A of the School Code and this Part.

"Performance evaluation rating" means the final rating of a teacher's, principal's, or assistant principal's performance, using the rating levels required by Sections 24A-5(e), 34-8, and 34-85c of the School Code [105 ILCS 5/24A-5(e), 34-8, and 35-85c], that includes consideration of both data and indicators of student growth, when applicable under Section 24A-2.5 of the School Code [105 ILCS 5/24A-2.5] and Section 50.20 of this Part, and professional practice.

"Qualified evaluator" shall have the meaning set forth in Section 24A-2.5 or 24A-15 of the School Code and shall be an individual who has completed the prequalification process required under Section 24A-3 of the School Code or Subpart E of this Part, as applicable, and successfully passed the State-developed assessments specific to evaluation of teachers or principals and assistant principals. Each qualified evaluator shall maintain his or her qualification by completing the retraining required under Section 24A-3 of the School Code or Subpart E of this Part, as applicable.

"State performance evaluation model" means those components of an evaluation plan that address data and indicators of student growth that a school district is required to use in the event that its joint committee fails to reach agreement pursuant to Section 24A-4(b) of the School Code.
"Student growth" means a demonstrable change in a student's or group of students' knowledge or skills, as evidenced by gain and/or attainment on two or more assessments, between two or more points in time.

"Student learning objectives" consists of a learning goal, assessment and procedures to measure that goal, and growth expectation.

"Student learning objective process" or "SLO process" means a process for organizing evidence of student growth over a defined period of time that addresses learning goals that are measurable and specific to the skills or content being taught and the grade level of the students being assessed, and are used to inform and differentiate instruction to ensure student success.

"Teacher" means full-time or part-time professional employees of the school district who are required to hold a professional educator's license endorsed for a teaching field issued in accordance with Article 21B of the School Code. For the purposes of the requirements specific to student growth outlined in Article 24A of the School Code and this Part, "teacher" shall not include any individual who holds a professional educator license endorsed for school support personnel issued under Article 21B of the School Code and is assigned to an area designated as requiring this endorsement, including but not limited to school counselor, school psychologist, nonteaching school speech and language pathologist, school nurse, or school social worker, or school marriage and family counselor.

(Source: Amended at 38 Ill. Reg. ______, effective ____________)

SUBPART C: STATE PERFORMANCE EVALUATION MODEL FOR TEACHERS

Section 50.200 Implementation Requirements

a) A school district, in conjunction with the joint committee established under Section 24A-4(b) of the School Code, shall be required to adopt those specific aspects of the State model contained in this Subpart C regarding data and indicators of student growth about which the joint committee is unable to agree within 180 calendar days after the date on which the joint committee held its first meeting.

b) The first meeting of a joint committee shall occur no later than November 1 of the school year immediately preceding the school district's implementation date specified in Section 24A-2.5 of the School Code (see Section 50.20 of this Part).
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

For purposes of this subsection (b), the 180-day deadline set forth in subsection (a) of this Section does not preclude the members of the joint committee from meeting, either as a committee or with other administrators and teachers, provided that the district representatives and the union representatives on the joint committee formally agree to the date on which the 180-day clock will begin.

e) The student growth component of the plan shall conform to the requirements of Section 50.110 of this Part and shall comprise 50 percent of the performance evaluation rating assigned. (See Section 24A-7 of the School Code.)

c) The requirements of this Subpart C do not apply to CPS, except that the district's joint committee may meet to discuss student growth without triggering its 90-day clock for action, provided the procedures set forth in subsection (b) of this Section are followed.

(Source: Amended at 38 Ill. Reg. _______, effective ____________)

Section 50.210 Components of the State Performance Evaluation Model

A school district shall conform to the requirements of this Section for any portion of the performance evaluation plan outlined in Section 50.110 for which its joint committee could not reach agreement pursuant to Section 24A-4(b) of the School Code.

a) Any joint committee that cannot agree to the percentage of student growth that shall comprise the performance evaluation rating assigned shall adopt a performance evaluation plan in which student growth is 50 percent of the performance evaluation rating assigned. (See Section 50.110(a) of this Section and Section 24A-7 of the School Code.)

b) Any joint committee that cannot agree upon one or both of the assessments required under Section 50.110(b)(2) and (3) shall employ a student learning objective (SLO) process to identify how student growth will be measured for the applicable category of teacher (e.g., career and technical education, grade 2) for which no agreement is reached. The SLO process shall include at least the information listed in Section 50.220.

1) Teachers in the category for which agreement was not reached, or their representatives, shall recommend at least two but no more than four SLOs in response to each assessment (i.e., the assessment type (Type I, Type II or Type III) and specific instrument to be used) for which no agreement was reached. The qualified evaluator shall choose the SLO to be used in
the performance evaluation from among the options presented by the teachers. The learning goal, assessment and growth expectation that comprise the SLO shall conform to the provisions of this subsection (b)(1).

A) Each learning goal of the SLO shall be aligned to the needs of the teacher's students or the classroom and shall be based on:

i) schoolwide or districtwide initiatives that address the content of the learning goal; and/or

ii) the school improvement plan, as the plan may relate to the content of the learning goal.

B) The assessment of the SLO shall support and measure the applicable learning goal identified pursuant to subsection (b)(1)(A). An adaptive conditional measurement model shall be employed to determine student growth specific to the learning goal being measured.

i) Any assessment identified under this subsection (b)(1)(B) shall not be the same assessment upon which the joint committee could not reach agreement.

ii) If two assessments are to be identified under this subsection (b)(1)(B), then at least one shall be used by more than one teacher in the building or across the district, or by students in one grade level or course, if there is no more than one teacher in a particular category (e.g., career and technical education, grade 2).

C) The growth expectations for the applicable learning goal shall be aligned to the needs of the teacher's classroom and students. Growth expectations also shall be reviewed at the midpoint of the interval of instruction and modified as may be necessary, provided that the teacher and the qualified evaluator mutually agree to any modifications to be made.

2) Results from each assessment shall constitute 50 percent of the final student growth rating to be assigned.
3) The teacher and the qualified educator shall agree in writing to the determinations made pursuant to subsection (b)(1).

c) Any joint committee that agrees on the assessment to be used but cannot agree on the measurement model, as required under Section 50.110(b)(1), shall employ an adaptive conditional measurement model to determine student growth specific to the student growth expectations identified pursuant to Section 50.110(b)(4).

d) Any joint committee that cannot agree to a process to consider certain student characteristics (e.g., special education placement, English language learners, low-income populations) in each measurement model as required under Section 50.110(c) shall employ an SLO process as set forth in this Section to make that determination.

e) Any joint committee that cannot agree to the rating scale to be used to determine the student growth rating to be assigned pursuant to Section 50.110(d) shall meet the requirements of this subsection (e). The determination of the student growth rating to be assigned shall be made by totaling the percentage of students meeting the growth expectation from each assessment used to determine student growth and averaging that result, rounding to the nearest whole number (i.e., performance evaluation ratings lower than 2.5 would be rounded to 2 and performance evaluation ratings of 2.5 or higher would be rounded to 3).

1) In the initial three years after a school district’s implementation date for a performance evaluation system under Section 50.20 of this Part, the rating scale shall meet the requirements of this subsection (e)(1).

A) In instances in which less than 25 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "unsatisfactory".

B) In instances in which at least 25 percent but no more than 50 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "needs improvement".

C) In instances in which at least 51 percent but no more than 75 percent of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "proficient".
D) In instances in which 76 percent or more of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "excellent".

2) Starting in the fourth year of a school district's implementation of a performance evaluation system under Section 50.20 of this Part, the rating scale shall meet the requirements of this subsection (e)(2).

A) In instances in which less than 40 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "unsatisfactory".

B) In instances in which at least 40 percent but no more than 59 percent of students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "needs improvement".

C) In instances in which at least 60 percent but no more than 79 percent of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "proficient".

D) In instances in which 80 percent or more of the students met the growth expectation identified pursuant to subsection (b), the teacher shall be assigned a student growth rating of "excellent".

(Source: Added at 38 Ill. Reg. _____, effective ____________)

Section 50.220 Student Learning Objective Process

The information assembled as part of the SLO process shall address at least the following elements for each of the learning goals identified pursuant to Section 50.210(b)(1). The State Board of Education will make available an SLO template on its website at www.isbe.net that districts may choose to use or adapt for this purpose.

a) A list of the student population whose achievement will be measured for the purpose of determining student growth under the provisions of Section 50.210(b);
A description of the learning goal established pursuant to Section 50.210(b)(1)(A).

Standards associated with the learning goal.

A description of the assessments and scoring procedures established pursuant to Section 50.210(b)(1)(B) that measure students’ understanding of the learning goal.

Identification of growth expectations established pursuant to Section 50.210(b)(1)(C) at the beginning of the SLO process.

Identification of adjustments made to the identified growth expectations at the midpoint of the SLO process, as applicable.

Documentation of the number or percentage of students who achieved the identified growth expectations.

An explanation of how the qualified evaluator translates the number or percentage of students who achieved the identified growth expectations into a final student growth rating; and

A final growth rating assigned at the conclusion of the SLO process.

(Source: Added at 38 Ill. Reg. _____, effective ____________)

Section 50.230 Performance Evaluation Rating

Any joint committee that cannot agree on the way in which the professional practice rating and student growth rating will be used to determine the performance evaluation rating shall meet the applicable requirements of this Section.

a) For a performance evaluation plan in which student growth comprises 50 percent of the performance evaluation rating:

1) "Unsatisfactory" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "unsatisfactory" when both his or her professional practice rating and student growth rating are "unsatisfactory".
2) "Needs Improvement" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "needs improvement" when his or her:

A) professional practice rating is "proficient" or "needs improvement" and student growth rating is "unsatisfactory";

B) professional practice rating and student growth ratings are "needs improvement";

C) professional practice rating is "unsatisfactory" and student growth rating is "needs improvement"; or

D) professional practice rating is "unsatisfactory" and student growth rating is "proficient".

3) "Proficient" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "proficient" when his or her:

A) professional practice rating is "excellent" and the student growth rating is "unsatisfactory";

B) professional practice rating is "excellent" and student growth rating is "needs improvement";

C) professional practice rating is "proficient" and student growth rating is "needs improvement";

D) professional practice and student growth ratings are "proficient";

E) professional practice rating is "needs improvement" and student growth rating is "proficient";

F) professional practice rating is "needs improvement" and student growth rating is "excellent"; or

G) professional practice rating is "unsatisfactory" and student growth rating is "excellent".
4) "Excellent" Performance Evaluation Rating

A teacher shall be assigned a performance evaluation rating of "excellent" when his or her:

A) professional practice rating is "excellent" and student growth rating is "proficient";

B) professional practice rating and student growth ratings are "excellent"; or

C) professional practice rating is "proficient" and student growth rating is "excellent".

b) For performance evaluation plans in which student growth comprises a portion of the performance evaluation rating other than 50 percent, the performance evaluation rating assigned shall be calculated as set forth in this subsection (b).

1) Each performance evaluation rating set forth under Sections 24A-5(e) of the School Code shall be assigned a numeric value of 1 for "unsatisfactory", 2 for "needs improvement", 3 for "proficient" and 4 for "excellent".

2) The numeric value for the student growth rating and the numeric value for the professional practice rating shall be summed.

3) The sum determined under subsection (b)(2) shall be multiplied by:

A) the percentage of the performance evaluation rating that comprises student growth; and

B) the percentage of the performance evaluation rating that comprises professional practice.

4) The products determined under subsection (b)(3)(A) and (B) shall be added together, and the sum rounded to the nearest whole number (i.e., performance evaluation ratings lower than 2.5 would be rounded to 2 and performance evaluation ratings of 2.5 or higher would be rounded to 3).
5) The result from subsection (b)(4) shall correspond to the performance evaluation rating with that numeric value, as set forth in subsection (b)(1).

(Source: Added at 38 Ill. Reg. _____, effective _____________ )
Illinois State Board of Education Meeting
October 15, 2014

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent and Chief Education Officer
Nicki Bazer, General Counsel

Agenda Topic: Action Item: Amendments for Adoption – Part 305 (School Food Service)

Materials: Recommended Rules

Staff Contacts: Beth Hanselman, Assistant Superintendent

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

Relationship to/Implications for the State Board’s Strategic Plan
This agenda item relates to Strategic Goals 1 and 3 (student achievement and healthy learning environment) by aligning Part 305 to federal nutrition standards (i.e., competitive food standards) and limiting the number of fundraisers that participating schools may host that sell food or beverage items that do not meet the standards.

Expected Outcome of Agenda Item
The Board will be asked to adopt amendments to Part 305.

Background Information
At its June 2014 meeting, the State Board adopted emergency amendments enabling the agency to comply with federal regulations implementing the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.) and Child Nutrition Act of 1966 (42 USC 1771 et seq.), as amended by the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296). Those regulations, promulgated by the U.S. Department of Agriculture (USDA), require that starting July 1, 2014, all schools participating in the National School Lunch Program and School Breakfast Program comply with federally established competitive food standards for food and beverages sold on the school campus during the school day.

Referred to as the "Smart Snacks" rules, these competitive food standards also apply to any food and beverages sold through school-sponsored fundraisers. Under the federal regulations, participating schools either may sell foods and beverages that meet the standards to students on the school campus during the school day or may sell food and beverages not meeting the standards to students "during non-school hours, (on) weekends or (through) off-campus fundraising events, such as concessions during sporting events and school plays".

The federal regulations further authorize participating schools to sponsor fundraisers that offer food or beverages not meeting the standards (i.e., "exempted fundraising days") if their respective state education agency (SEA) has set a limit that ensures these types of fundraisers are "infrequent". While USDA did not define "infrequent" in its rules, it did state that any established limit should be such that it would not "impair the effectiveness of the Smart Snacks..."
requirements’. In the event that an SEA fails or declines to set a limit, then participating schools in that state are prohibited from sponsoring exempted fundraising days.

The emergency amendments to Part 305 phase in limits for exempted fundraising days over the next several school years, culminating in school year 2016-17 with a prohibition for exempted fundraising days for participating schools with grades 8 and below and a limit of nine exempted fundraising days annually for participating schools with grades 9 through 12. At the same time that the State Board adopted the emergency amendments, it also authorized public comment on a concurrent set of ordinary amendments. (Further details about that proposal are outlined under "Policy Implications" below"). Once the concurrent ordinary rulemaking is complete, it will replace the emergency amendments now in effect.

The proposed ordinary amendments were published July 11, 2014, in the Illinois Register to elicit public comment; 251 individuals and organizations submitted comments. 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 ordinary amendments, as proposed, set limits on allowable exempted fundraising days that would have been fully implemented by the 2016-17 school year (see Section 305.15(b), and please note, in response to public comment received, staff are recommending that the implementation date be changed to the 2015-16 school year). The phased-in approach provides time for participating schools to modify current contracts, agreements and overall operations to ensure a minimal impact on various school activities, clubs and organizations that rely on revenue from these types of fundraisers. This approach also allows the food and beverage industry time to reformulate products to meet the Smart Snacks standards that can be sold in place of the items currently sold.

Additionally, the proposed amendments encourage participating schools to move in the direction of healthier school environments. Nutrition and Wellness Program staff will work together with school administrators to promote the use of non-food fundraisers and encourage the consumption of healthy foods that meet the Smart Snacks standards, such as whole grains, low-fat dairy, fruits, vegetables and healthy protein food options.

Under the proposed amendments, as may be modified in response to public comment, high schools will be allowed to hold approximately one exempted fundraising day during each week school is in session (i.e., 36) for the current school year. Starting in 2015-16 school year, the number of exempted fundraising days allowed will be reduced to one exempted fundraising day a month (i.e., nine annually).

For elementary schools, a limit of nine exempted fundraising days will be allowed in the first year of implementation, reducing to no exempted fundraising days in year in the 2015-16 school year and beyond. Reducing the number of exempted fundraising days at the elementary level to zero aligns to the goal of USDA and the health advocacy groups. The phased-in approach also provides time for school districts with participating schools to identify and adapt to non-food fundraising options.

The proposed amendments also recognize the difference articulated in the current rules between elementary schools (grade 8 and below) and high schools. Since 2006, Section 305.15 has established food and beverage standards for the sale of foods to students in grades
8 and below. For this reason, the Smart Snack regulations will most likely have a minimal impact on the fundraising efforts in elementary schools.

By contrast, the Smart Snacks standards will have a major impact on high schools, to which no state nutrition standards currently apply. The greater number of exempted fundraising days for high schools would minimize the consequences of reduced revenue and its resulting effect on school programs and activities, while providing necessary flexibility at the local level for school boards and administrators to adjust practices and policies to align to the Smart Snack standards.

Nutrition and Wellness Program staff also believe that the higher limit for high schools will encourage continued participation in the federal meals programs, since staff have heard anecdotally that school districts may drop their high schools from the National School Lunch Program rather than conform to the standards. The proposed amendments for high school limits also respond to feedback received through staff's external consultation, which urged a greater number of exemptions for high schools due to the increased frequency at which fundraisers are held.

It is important to remember that the limits proposed in the amendments to Part 305 are the maximum number of exempted fundraising days that participating schools may hold, which does not eliminate those schools' flexibility to allow fewer than the maximum allowed.

**Budget Implications:** None.

**Legislative Action:** None.

**Communication:** Please see "Next Steps" below.

**Pros and Cons of Various Actions**

By limiting the number of exempted fundraising days that a participating school may host each year, the State Board is complying with a federal mandate for state education agencies to identify a reasonable number, thereby allowing participating schools to continue to have fundraisers that involve the sale to students of foods and beverages that do not meet the federal competitive food standards.

Should a limit not be established by the State Board, then under the federal regulations, participating schools would be unable to host any fundraisers that involve the sale of foods and beverages that do not meet the federal competitive food 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:

School Food Service (23 Illinois Administrative Code 305).

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 305 (School Food Service)

Of the 251 emails and letters received, all but 17 were submitted using one of three similar form letters. Each of the form letters essentially urged the State Board to disallow any exempted fundraising days. An "exempted fundraising day" is a "school day on which food and/or beverages not meeting (federal) competitive food standards may be sold to students on the school campus". A handful of other commenters, while also opposing the rulemaking, urged the agency to remove or reduce the restrictions on exempted fundraising days.

Parents and other interested parties made up the bulk of the commenters submitting public comment, although staff also received letters and emails from the Healthy Schools Campaign, Action for Healthy Kids, American Heart Association, Illinois Association of School Nurses, Illinois Principals Association (IPA) and Mission Readiness: Military Leaders for Kids.

Comment

All but five of the commenters opposed policies allowing participating schools to hold any exempted fundraising days, stressing the link between good nutrition, and strong academic performance and improved behavior. "Student health needs to be a top priority", many of them said. Citing a statistic that 20 percent of 10- to 17-year-olds are obese, the commenters suggested that prohibiting exempted fundraising days will "help ensure students are healthy, focused and ready to learn".

The commenters pointed out that allowing exempted fundraising days also sends students a mixed message and helps to reinforce bad food choices that children may make as a result of watching television commercials or seeing neighborhood fast-food restaurants. Further, exempted fundraising days "undermine" school wellness policies, commenters stated, and fail to support "classroom lessons (...) about health". Schools need to send a "consistent message promoting healthy behaviors", and that message gets muddled if students can purchase candy, soda and the like at school during the school day. Additionally, one person suggested that exempted fundraising days will be confusing for schools participating in the federal school meals programs, as these schools begin to implement the competitive food standards.

The commenters further said that allowing exempted fundraising days undermines parents, as well. "Schools need to be partners with parents in promoting healthy foods", many said. Fundraising can continue with "healthy foods" that meet the competitive food standards, one person offered, or by focusing on fundraisers providing "service, fitness, school supplies, spirit wear/items and even discounts to community businesses".

Taking the long view approach, representatives of Mission Readiness reported that a quarter of individuals ages 17 to 24 are "ineligible to serve in the military" because they are overweight. "Our youth," they said, "are facing a serious health crisis that threatens to undermine our military strength and national security". Another individual characterized the lessons students learn by allowing exempted fundraising days as: "immoral actions are OK", buying "candy bars" to support academic clubs amounts to "bribery of an official", "cause and effect are not linked", and parents are "mortgaging their kids' health" by supporting food sale fundraisers instead of paying an annual activity fee. Two other commenters also pointed out that the State Board's limits were "by far the highest number of exemptions in the country" and the "most permissive".
In contrast, comments from two superintendents, a principal, an individual and the IPA urged the agency to remove or reduce the restrictions proposed in the rulemaking. Citing financial considerations as one reason for their opposition, these commenters explained the negative effect that the limits could have fundraising efforts of extracurricular programs. One person also pointed out that limiting the number of exempted fundraising days "will have no impact on childhood obesity or fitness" and asked that no restrictions be placed on fundraisers. Food fundraisers take place after scheduled mealtimes, another commenter explained, adding that "nine days per year severely limits" the ability of student groups to raise revenue. The IPA recommended a more moderate approach and suggested that the number of exempted fundraising days be increased to one a month for kindergarten through grade 8 and two a month for high schools. The proposal "maintains the intent of federal law", the group stated," but allows school districts to continue using fundraising days to support important and necessary school activities".

Analysis

Under federal regulations governing competitive food standards promulgated by the U.S. Department of Agriculture (USDA), the State Board of Education must determine whether it will allow schools that participate in the federal school meals programs to continue to sponsor exempted fundraising days. The federal regulations do not prohibit these fundraising activities, as the USDA recognized the "tradition of school fundraisers"; therefore, the regulations "provide flexibility (for) conducting school-sponsored fundraisers during which foods that do not meet (the standards) may be sold". The caveat in the federal regulations, however, is that these fundraisers must be held "infrequently". As required under USDA's regulations, the state education agency (SEA) must define "infrequent" by implementing a policy regarding exempted fundraising days, and it must do so at a limit that "would not impair the effectiveness of the (competitive food standards) requirements". If an SEA declines to set a limit via a state policy, then participating schools are prohibited from conducting any exempted fundraising days.

The School Nutrition Association compiled information showing that as of July 1, 2014, 30 states and the District of Columbia opted to have no policy regarding exempted fundraising days, effectively defaulting to zero. Of the other 20 states (including Illinois) that have or are in the process of adopting policies, six states are implementing or proposing policies that set a limit for exempted fundraising days that allows for fewer days than what will eventually be phased-in for Illinois. Seven states have limits that exceed Illinois', and five states base their limits on the number of student organizations per participating school, thus making a comparison to Illinois' limit difficult. One state is proposing nine exempted fundraising days for all grade levels, which will exceed Illinois' final limit of zero at elementary grades but is the same as what Illinois is proposing for high schools.

Nutrition staff continue to believe that it is important to allow sufficient time for participating schools to adequately adjust to the limitation being placed on exempted fundraising days. Since 2006, Section 305.15 has established food and beverage standards for the sale of foods to students in grades 8 and below and, for this reason, the proposed limit will most likely have a minimal impact on the fundraising efforts in elementary schools.

The proposed limit will have a major impact on high schools, to which no state nutrition standards currently apply. The proposed limit provides necessary flexibility for school boards and administrators to adjust practices and policies in those schools to align to the competitive food standards. Further, the phased-in approach gives time for participating schools to modify current contracts, agreements and overall operations to ensure a minimal impact on various
school activities, clubs and organizations that rely on revenue from these types of fundraisers. This approach also allows the food and beverage industry time to reformulate products to meet the new standards. Allowing a limited number of exempted fundraising days also will encourage continued participation in the federal meals programs, while encouraging participating schools to move in the direction of healthier school environments.

Staff do not believe that nine exempt fundraising days a year at the high school level will be a forceful and significant contributor to the obesity rate for teenagers across Illinois. Staff agree with the commenters that it is imperative that participating schools and parents work together to reinforce and support healthy lifestyles that include understanding and adopting good nutrition habits. Those healthy eating habits, however, include an adequate understanding of moderation and self-regulation, as the candy bar or fast-food burger, in and of itself, is not bad. Rather, it is the quantity and frequency with which this type of food is consumed that may lead to being overweight and to the chronic health problems mentioned by the commenters.

As to the comments urging the agency to eliminate any restrictions on exempted fundraising days, the State Board's failure to adopt a policy limiting exempted fundraising days will have the net effect of prohibiting such fundraisers at participating schools, as per the USDA's regulations. Also, staff are not inclined to increase the limits currently proposed either, as the limits balance the intent of the federal regulations allowing infrequent exempted fundraisers with the financial realities that many participating schools face in their efforts to offer well-rounded school programs for their students.

Illinois has been on the forefront in establishing nutrition standards for food and beverages sold to students in participating schools. As noted above, the State Board first adopted nutrition standards for elementary grades in 2006, and in 2008, Illinois was one of only 25 states that had established nutrition standards, either in administrative rule, policy or state law. Nutrition and Wellness Program staff will work together with school administrators to promote the use of non-food fundraisers and encourage the consumption of healthy foods that meet the competitive food standards. Going forward, it is important to remember that the limits proposed in the amendments to Part 305 are the maximum number of exempted fundraising days that participating schools may hold, which does not eliminate those schools' flexibility to allow fewer than the maximum allowed.

While staff believe that retention of some exempted fundraising days at the high school level is reasonable, they also find merit in putting the limits for both elementary schools and high schools in place sooner than was originally contemplated in the proposed rules. Full implementation in the 2015-16 school year will provide the impetus for school districts to engage their various constituencies expeditiously to identify productive ways to approach school fundraising, and educate staff, students and parents about the benefits of good nutrition and healthy eating habits.

Recommendation

It is recommended that Section 305.15(b) be modified as follows.

b) A participating school may annually have no more than the number of exempted fundraising days authorized in this subsection (b).

1) For school year 2014-15, the number of exempted fundraising days shall be limited to:
A) No more than nine exempted fundraising days for participating schools with grades 8 and below; and

B) No more than 36 exempted fundraising days for participating schools with grades 9 through 12.

2) For school year 2015-16, the number of exempted fundraising days shall be limited to:

A) No more than four exempted fundraising days for participating schools with grades 8 and below; and

B) No more than 18 exempted fundraising days for participating schools with grades 9 through 12.

3) For school year 2016-17 and after, exempted fundraising days shall be:

A) prohibited in participating schools with grades 8 and below; and

B) limited to no more than nine exempted fundraising days for participating schools with grades 9 through 12.
Section 305.5 Definitions

"Competitive food" means all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day, other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.) and the Child Nutrition Act of 1966 (42 USC 1771 et seq.), as amended by the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296).

"Competitive food standards" means the nutrition standards for competitive food promulgated by the U.S. Department of Agriculture. (See 7 CFR 210.11 (2013).

"Eligible student" means a student eligible for free or reduced price meals under the School Breakfast Program authorized under the Child Nutrition Act of 1966.
STATE BOARD OF EDUCATION
NOTICE OF ADOPTED AMENDMENTS

(42 USC 1771 et seq.) and/or the National School Lunch Program (42 USC 1751 et seq.) in accordance with federal regulations found at 7 CFR 245.3 (2014).

"Exempted fundraising day" means a school day on which food and/or beverages not meeting competitive food standards may be sold to students on the school campus.

'Food service area" means any area on school premises where reimbursable meals are served and/or eaten.

"Meal period" means the period of time during which breakfast or lunch is regularly served and the time scheduled for the students to eat the meal.

“Participating school” means any public or nonpublic school that participates in the School Breakfast Program or the National School Lunch Program.

"Reimbursable meal" means a meal meeting the definition of a "federal reimbursable meal", as set forth in regulations governing the School Breakfast Program (7 CFR 220.8 (2014)) or the National School Lunch Program (7 CFR 210.10 (2014)).

"School campus" means all areas of the property under the jurisdiction of the participating school that are accessible to students during the school day.

"School day" means the period of time from the midnight before the start of the official school day until 30 minutes after the end of the official school day.

(Source: Amended at 38 Ill. Reg. __________, effective ____________)

Section 305.15 Sale of Competitive Food Foods and Beverages in Participating Schools

a) Beginning July 1, 2014, each participating school shall adhere to the competitive food standards for the sale of competitive food sold to students on the school campus of the participating school during the school day, except as permitted under subsection (b). (See 7 CFR 210.11 (2013).) the following requirements for the sale of foods and beverages to students in grade 8 or below before school and during the regular school day.

1) Beverages sold to students shall include only:
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

A) flavored or plain whole, reduced-fat (2 percent), low-fat (1 percent), or nonfat fluid milk that meets State and local standards for pasteurized fluid milk;

B) reduced-fat and enriched alternative dairy beverages (i.e., rice, nut, or soy milk, or any other alternative dairy beverage approved by the U.S. Department of Agriculture (USDA));

C) fruit and vegetable drinks containing 50 percent or more fruit or vegetable juice;

D) water (non-flavored, non-sweetened, and non-carbonated);

E) fruit smoothie (yogurt or ice based) that contains less than 400 calories and no added sugars, and is made from fresh or frozen fruit or fruit drinks that contain at least 50 percent fruit juice; and

F) any beverage exempted from the USDA’s list of Foods of Minimal Nutritional Value (see 7 CFR 210.11(a)(2) and 220.2(i-1) (2008)).

The State Board of Education shall notify participating schools of these exemptions in January of each year; updates to the exemption list shall be provided within 10 calendar days after the State Board receives notification of any updates from USDA.

2) Food sold to students outside of food service areas or within food service areas other than during meal periods shall include only:

A) nuts, seeds, nut butters, eggs, cheese packaged for individual sale, fruits or non-fried vegetables, or low-fat yogurt products; or

B) any food item whose:

i) total calories from fat do not exceed 35 percent;

ii) total calories from saturated fat do not exceed 10 percent;

iii) total amount of sugar by weight does not exceed 35 percent; and

iv) calories do not exceed 200.
b) A participating school may annually have no more than the number of exempted fundraising days authorized in this subsection (b). None of the requirements of subsection (a) of this Section shall apply to any food or beverage item sold to students as part of a reimbursable meal or to foods sold within food service areas of the school during meal periods.

1) For school year 2014-15, the number of exempted fundraising days shall be limited to:

A) No more than nine exempted fundraising days for participating schools with grades 8 and below; and

B) No more than 36 exempted fundraising days for participating schools with grades 9 through 12.

2) For school year 2015-16, exempted fundraising days shall be:

A) Prohibited in participating schools with grades 8 and below; and

B) Limited to no more than nine exempted fundraising days for participating schools with grades 9 through 12.

4) The provisions of this subsection (b) do not limit the number of foods and beverages that may be sold to students on an exempted fundraising day nor do they limit the number of organizations or clubs to which a participating school may grant permission to offer competitive food for sale to students on an exempted fundraising day.

c) In order to have exempted fundraising days authorized under subsection (b), a participating school shall:

1) Adopt a policy stating the procedures to be used to request an exempted fundraising day, and the process and criteria to review and approve or deny a request;
2) include the fundraising policy adopted under subsection (c)(1) in the participating school's local school wellness policy established in accordance with 7 CFR 210.30 (2014); and

3) maintain for no less than three years a listing of the exempted fundraising days held; these records shall be retained in accordance with the requirements of 7 CFR 210.9(b)(17) (2013).

d) If a participating school serves students in both grades 8 and below and students in grades 9 and above, then the participating school shall ensure that food and beverage sales to students in grades 8 and below meet the requirements of this Section.

e) All revenue from the sale of any food or beverage meeting the competitive food standards sold in competition with the School Breakfast Program or National School Lunch Program to students in the food service areas during the meal period shall accrue to the nonprofit school lunch program account.

f) Any participating schools in which classes of grades 5 and below are operating shall prohibit the sale to students of all confections, candy and potato chips during meal periods.

(Source: Amended at 38 Ill. Reg. __________, effective ____________ )
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Peter Godard, Chief Performance Officer

Agenda Topic: Contract Exceeding $1 Million: Request to Award the Contract for the Common Demographic Dataset Administrator

Staff Contact(s): Peter Godard

Purpose of Agenda Item
The Center for Performance requests the Board to authorize the State Superintendent to enter into an intergovernmental agreement to construct the Common Demographic Dataset (CDD), a key component of the Illinois Longitudinal Data System (ILDS), which will exceed $1 million over five years to Northern Illinois University (NIU).

Relationship to/Implications for the State Board’s Strategic Plan
The Common Demographic Dataset will support the following goals by enabling P-20 longitudinal analysis of outcomes for Illinois students and their teachers.

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 execute the contract subject to staff recommendations.

Background Information
ISBE, along with six other state agencies, continues to move forward in the design, development and implementation of the statewide ILDS. When fully implemented, this system will have the ability to provide meaningful information (based on the data collected) regarding the progress of Illinois students from preschool through postsecondary education and as they enter the workforce. A longitudinal data system will provide an in-depth, comprehensive review of students’ progress. This data is intended to provide valuable information to most effectively improve student achievement in our state.

As defined by Illinois Public Act 96-0107, the ILDS is made possible with federal funding, and must historically link student test scores, length of enrollment, and graduation records. The agencies responsible for implementation of Public Act 96-0107 have entered into an intergovernmental agreement which specifies the ILDS will exist as a federated data system. A common demographic dataset will allow linking of student records across agency systems.

Through contracts previously approved by the Board, ISBE’s components of the ILDS system have been completed. These include our Student Information System (SIS), our Employment Information System (EIS), our Educator Licensure Information System (ELIS), our Entity Profile...
System (EPS), and our P-12 data warehouse. The public facing portal for ISBE’s ILDS components will be ready to launch on www.illinoiseducationdata.com later this year.

The scope of work for this contract will create the process for linking records from ISBE’s data warehouse to datasets maintained by other agencies. This project has been designed to allow measurement of program effectiveness while maintaining tight security of personally identifiable information. This project has four specific outcomes:

1. Analysis and Design by December 30, 2014
2. Development and testing of the CDD by March 31, 2015
3. Implementation of the CDD Database, Master Client Index and Dashboard by April 30, 2015
4. Final documentation submission and review by June 30, 2015

The interagency agreement approved by the Board in May 2014 specified that the Common Demographic Dataset Administrator must be a public entity in the State of Illinois. Based on this requirement, the interagency data governance committee drafted and released a request for proposals from Illinois public entities. A group consisting of representatives from each of the seven agencies that are party to the interagency agreement was selected to review the proposals submitted. That group selected the proposal submitted by Northern Illinois University (NIU). This selection was affirmed by vote of the interagency data governance committee who requested that ISBE enter into a contract with NIU using SLDS ARRA funds to complete the work.

Financial Background
The initial term of this contract will begin upon execution and will extend to June 30, 2015, with four optional, one-year renewals with an anticipated overall cost of $1,236,614. The initial term of this contract will be funded with the SLDS ARRA Grant. Renewals will be funded from a line item we intend to request from the legislature.

The financial background of this contract is illustrated in the table below:

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</tr>
<tr>
<td>FY16</td>
<td></td>
<td>$190,000</td>
<td></td>
<td>$190,000</td>
<td></td>
</tr>
<tr>
<td>FY17</td>
<td></td>
<td>$190,000</td>
<td></td>
<td>$190,000</td>
<td></td>
</tr>
<tr>
<td>FY18</td>
<td></td>
<td>$190,000</td>
<td></td>
<td>$190,000</td>
<td></td>
</tr>
<tr>
<td>FY19</td>
<td></td>
<td>$190,000</td>
<td></td>
<td>$190,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$760,000</td>
<td>$476,614</td>
<td>$1,236,614</td>
<td></td>
</tr>
</tbody>
</table>

Business Enterprise Program (BEP)
Intergovernmental agreements are exempt from the agency’s BEP goal because each state agency and university is subject to its own BEP goal.

Analysis and Implications for Policy, Budget, Legislative Action, and Communications
Policy Implications: None
**Budget Implications**: The Common Demographic Dataset project is funded by federal grant funds during the first year. Renewals will be contingent on legislative appropriation.

**Legislative Action**: None

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

> The State Board hereby authorizes the State Superintendent to enter into an intergovernmental agreement with Northern Illinois University (NIU) to create the Common Demographic Dataset. The cost of the initial term of the contract is $476,614 from contract execution to June 30, 2015. This contract will have four optional one-year renewals for a total contract maximum of $1,236,614.

**Next Steps**
Upon Board authorization, procurement staff will present the intergovernmental agreement to the Chief Procurement Office for review and approval of an intergovernmental exemption. Upon approval, Agency staff will draft and execute an intergovernmental agreement.
TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
      Susie Morrison, Deputy Superintendent/Chief Education Officer

Agenda Topic: Request to Award the Contract with PARCC Inc. for Program Management Support

Materials: None required

Staff Contact(s): Mary O'Brian, Ed.D., Director of Assessment
                 Angela Chamness, Division Administrator, Student Assessment

Purpose of Agenda Item
The Division of Student Assessment requests the Board to authorize the State Superintendent to enter into a three-year contract with PARCC Inc. in an amount not to exceed $3,679,671 for the purpose of program management support, vendor oversight, IP management, workgroup convening, risk mitigation, validation of research, and state engagement and communication support related to the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment.

Relationship to/Implications for the State Board’s Strategic Plan

Goal 1: Every student will demonstrate academic achievement and be prepared for success after high school.

The PARCC summative assessment is designed to provide schools with information about the progress of students in grades 3-8 and in high school math and English language arts courses in relation to their level of proficiency in mastering the Illinois Learning Standards. The design of the assessment includes both a performance-based component and an end-of-the-year component that are combined to render one summative assessment score to measure progress from year to year. This assessment meets all state and federal accountability requirements.

Expected Outcome(s) of Agenda Item
It is expected the Board will authorize the State Superintendent to enter into a contract with PARCC Inc. for the purpose of program management support, vendor oversight, IP management, workgroup convening, risk mitigation, validation of research, and state engagement and communication support related to the PARCC assessment.

Background Information
The Partnership for the Assessment of Readiness for College and Careers (PARCC) was created in response to a federal Race to the Top grant. PARCC is a consortium of 11 states and the District of Columbia that have worked for over four years to develop this test for ELA and mathematics. During the initial development of the test under the federal grant, Achieve, a nonprofit educational organization, took the lead in this work regarding project management duties. As the project progressed, the need for continued management of this project was evident. PARCC, Inc. was formed as a nonprofit with the specific charge of oversight of the
development of the PARCC test. The long-term requirement for management of the test
development and implementation, during the operational years of the test necessitated a
Request for Proposal (RFP) for an organization to do this work. Rhode Island let the RFP and
reviewed the proposals that were submitted. There was a review team made up of membership
from the consortium of states that reviewed the proposals and selected awarded the contract to
PARCC, Inc as the winning bidder. ISBE is authorized to access the procurement let by Rhode
Island pursuant to the Governmental Joint Purchasing Act (30 ILCS 525) and approval by the
Chief Procurement Officer for General Services.

On May 5, 2014, the State of Rhode Island released a Request for Sealed Proposal (RFSP) for
the PARCC Program Management Support contract. Pursuant to the Governmental Joint
Purchasing Act (30 ILCS 525), the Illinois State Board of Education (ISBE) participated in this
procurement as one of the PARCC states. On or about September 17, 2014, the State of Rhode
Island awarded this solicitation to PARCC Inc. ISBE is requesting to enter into a contract with
PARCC Inc. as a result of this procurement.

The contract is for the program management of all the activities of the PARCC consortium,
including the oversight of the operational PARCC assessment vendor, management of the
intellectual property, convening of the Governing Board and other working groups, replication
and validation of research studies, and state engagement and communication support.

PARCC Inc. will serve to mitigate risk related to the design and delivery of the operational
summative and non-summative PARCC assessment system, as well as to the technology and
data warehousing components. In addition, they will provide coordination for the participating
states to convene and conduct business related to the decision making critical for advancing the
design, development and delivery of the assessment.

Financial Background
ISBE is requesting to enter into a contract with PARCC Inc. for the term of upon execution
through June 30, 2017, with two possible one-year renewals. The estimated cost per year is
$1,226,557 making the estimated three-year contract maximum $3,679,671. These estimates
are contingent on maintaining a stable number of states in good standing. Any fluctuation in
state membership could impact the cost or proposed scope of work.

The annual cost is based on a proportional contribution of the number of total students eligible
for PARCC testing from each of the 12 member states. The proportion is calculated by a
denominator that equals the sum of all students in PARCC states between grades 3 and 11
eligible for testing (pulled from the National Center for Education Statistics database), with the
numerator being all test-eligible students grades 3 through 11 in a contracting state (represents
69% of total number of students). The resulting percentage is then multiplied against the total
consortium-wide cost of $5.5 million to determine each state’s contract value (approximately
.872 per student). Each state’s annual contract value will be paid in equal monthly installments.

This work will be carried out with PARCC Inc. staff and an expected State Education Agency
contribution equivalent to 1.5 Full Time Equivalent (FTE) staff from each participating state.
Those states not providing equivalent FTE staffing will be required to contribute an additional
$180,000 annually. The FTE contribution is intended to include state decision makers and the
state experts who are contributing to consortium-wide working groups.
The financial background of this contract is illustrated in the table below:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Requested State Funding</th>
<th>Total Contract per Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY15</td>
<td>$1,226,557</td>
<td>$1,226,557</td>
</tr>
<tr>
<td>FY16</td>
<td>$1,226,557</td>
<td>$1,226,557</td>
</tr>
<tr>
<td>FY17</td>
<td>$1,226,557</td>
<td>$1,226,557</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$3,679,671</strong></td>
</tr>
</tbody>
</table>

**Business Enterprise Program (BEP)**
The original solicitation issued in Rhode Island did not contain a BEP goal for Illinois since it was not an Illinois request for proposals. ISBE is actively working with the contractor in negotiations to contribute toward meeting a BEP goal for Illinois despite the fact that the procurement was issued elsewhere. ISBE does not anticipate the BEP numbers will account for 20% of the contract cost.

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

**Policy Implications:** Approval will require the creation of procedures for determining how 1.5 FTE staffing is allocated to manage the program once it is contracted for, based on current staffing in the ISBE Division of Student Assessment.

**Budget Implications:** Approval is requested for $1,226,557 to fund the PARCC Inc. portion of the PARCC assessment costs. In addition, it is expected that the agency will contribute the equivalent of 1.5 FTE staff. There are no direct costs to districts.

**Legislative Action:** This contract helps to ensure that the PARCC assessment meets the requirements outlined in PA 98-0972.

**Communication:** This contract is a support to the design, delivery and implementation of the PARCC assessment on behalf of the consortium of states. The necessary communication will be related to maintaining clarity between the role of PARCC Inc., the consortium of states, and the assessment itself.

**Pros and Cons of Various Actions**

**Pros:** Approval will allow Illinois to remain a state in good standing with the consortium and to proceed in implementing the PARCC assessment with decision-making ability and full oversight related to the assessment vendor.

**Cons:** This contract is necessary to remain a state in good standing and to maintain the necessary oversight in order to ensure that the PARCC assessment remains on track in terms of design, delivery and implementation. The lack of a program management contract would leave the PARCC consortium without an organizing structure and would place the project at risk.

**Superintendent's Recommendation**

I recommend that the following motion be adopted:

The State Board of Education hereby authorizes the State Superintendent to enter into a contract with PARCC Inc. for the term of upon execution through June 30, 2017, for the purpose of program management support, vendor oversight, IP management, workgroup convening, risk mitigation, validation of research, and state engagement and communication support related to the PARCC assessment. The estimated maximum
cost of the contract through June 30, 2017, is $3,679,671.

**Next Steps**
Upon Board authorization, procurement staff will present the award notice to the Chief Procurement Office for review and posting. The notice of contract award will be posted on the Illinois Procurement Bulletin for a maximum of 30 days. Upon approval from the Chief Procurement Office and the Procurement Policy Board, Agency staff will draft and execute a contract.
TO: Illinois State Board of Education

FROM: Christopher Koch, Ed.D., State Superintendent of Education
       Robert Wolfe, Chief Financial Officer

Agenda Topic: Capital Needs Assessment Biennial Report

Materials: Copy of January 2015 Report

Staff Contact(s): Deb Vespa

Purpose of Agenda Item
The School Business Services Division requests the Board to authorize the State Superintendent to submit the 2015 Capital Needs Assessment Survey. This report is required to meet a statutory mandate related to school districts’ capital needs.

Relationship to/Implications for the State Board’s Strategic Plan
The report is linked to Goal 3: (Every school will offer a safe and healthy learning environment for all students). School districts are asked to complete a survey identifying their ongoing Health/Life Safety building needs and estimate their future needs.

Expected Outcome(s) of Agenda Item
It is expected that the Board will authorize the State Superintendent to submit the report to the General Assembly by January 1, 2015.

Background Information
Section 5-60 of the School Construction Law [105 ILCS 230/5-60] requires ISBE and the Capital Development Board (CDB) to file a joint, comprehensive assessment report of the capital needs of all school districts to the General Assembly by January 1, 2015. On May 8, 2014, ISBE and the Capital Development Board (CDB) asked all school districts to complete a Capital Needs Assessment Survey so that the statutory obligation could be fulfilled. We received responses from 558 school districts. This compares with the 385 responses received two years ago.

Compared with the report submitted two years ago, the number of school districts submitting surveys increased significantly, as did the estimated expenditures for essential construction and building renovation.

The survey documents the need for additional appropriation and bond authorization to support School Construction, Energy Efficiency, School Maintenance, Early Childhood Construction Grant and Technology Infrastructure programs.

Table 1 below denotes the 2014 capital needs as per line item and average cost per building compared to the capital needs reported in the prior 2012 survey.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In Billions</td>
<td>In Millions</td>
<td>In Billions</td>
<td>In Millions</td>
<td></td>
</tr>
<tr>
<td>New School Construction Needs</td>
<td>$0.848</td>
<td>$8.8</td>
<td>$1.2</td>
<td>$19.7</td>
<td>$(0.352)</td>
</tr>
<tr>
<td></td>
<td>(96 Schools)</td>
<td>(61 schools)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Additions</td>
<td>$0.596</td>
<td>$3.9</td>
<td>$0.372</td>
<td>$4.0</td>
<td>$0.224</td>
</tr>
<tr>
<td></td>
<td>(151 additions)</td>
<td>(92 additions)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Repairs and Remodeling</td>
<td>$2.4</td>
<td>$1.3</td>
<td>$1.2</td>
<td>$0.8</td>
<td>$1.2</td>
</tr>
<tr>
<td></td>
<td>(1,869 buildings)</td>
<td>(1,591 buildings)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health/Life and Safety Needs</td>
<td>$2.6</td>
<td>$0.3</td>
<td>$3.0</td>
<td>$0.5</td>
<td>$(0.4)</td>
</tr>
<tr>
<td></td>
<td>(8,568 buildings*)</td>
<td></td>
<td>(6,475 buildings*)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technological Upgrading</td>
<td>$0.148</td>
<td>$0.04</td>
<td>$0.112</td>
<td>$0.1</td>
<td>$0.036</td>
</tr>
<tr>
<td></td>
<td>(3,489 buildings)</td>
<td>(1,110 buildings)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asbestos, Security, Energy Conservation, ADA, etc. Needs</td>
<td>$1.4</td>
<td>$0.2</td>
<td>$1.3</td>
<td>$0.3</td>
<td>$0.1</td>
</tr>
<tr>
<td></td>
<td>(5,908 buildings*)</td>
<td></td>
<td>(3,905 buildings*)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$8.0</td>
<td>$7.2</td>
<td>$0.8</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Temporary Classrooms**

- 846
- 427
- 419

**Classrooms Needed for Full Day Pre-Kindergarten**

- 339
- 236
- 103

**Classrooms Needed for Full Day Kindergarten**

- 406
- 293
- 113

*Buildings may be counted more than one time due to several survey questions combined into one summarized category.*
While most of the costs per building appear to be decreasing, the cost for the general repairs and remodeling per building have almost doubled from the last survey, increasing to $2.4 billion from $1.2 billion in 2012. With all categories considered, the survey continues to reflect a significant need for facility repairs, remodeling, new construction, etc. for school buildings. The survey reflects that through the difficult economic times and decrease in state funding, districts have deferred funding for overall general building repairs or remodeling in order to sustain educational programs. As presented in the March 2014 Financial Profile presentation, these repairs are further compromised by the fact that districts' long-term debt capacity has been declining due to the issuance of debt and decreasing EAVs. Graph 1 below was presented in the Financial Profile discussion:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund Balance to Revenue Ratio</td>
<td>3.72</td>
<td>3.73</td>
<td>3.79</td>
<td>3.78</td>
<td>3.78</td>
</tr>
<tr>
<td>Expenditure to Revenue Ratio</td>
<td>3.51</td>
<td>3.57</td>
<td>3.68</td>
<td>3.31</td>
<td>3.25</td>
</tr>
<tr>
<td>Days Cash on Hand</td>
<td>3.25</td>
<td>3.26</td>
<td>3.36</td>
<td>3.33</td>
<td>3.34</td>
</tr>
<tr>
<td>Long-Term Debt</td>
<td>3.09</td>
<td>3.08</td>
<td>3.03</td>
<td>2.99</td>
<td>2.96</td>
</tr>
<tr>
<td>Short-Term Debt</td>
<td>3.97</td>
<td>3.96</td>
<td>3.98</td>
<td>3.98</td>
<td>3.98</td>
</tr>
</tbody>
</table>
Table 2 below reflects the general repairs and remodeling needs as reported by region. The highest average need per building is in Chicago School District 299. The next highest need per building is in Northern Cook County followed by the collar counties. The 2012 survey reflects the highest need per building in Chicago School District 299 followed by the collar counties and northern and Southern Cook County.

Table 2

<table>
<thead>
<tr>
<th>Regions</th>
<th># of Bldgs.</th>
<th>Estimated $</th>
<th>Average per Building</th>
<th># of Bldgs.</th>
<th>Estimated $</th>
<th>Average per Building</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In Millions</td>
<td>In Thousands</td>
<td></td>
<td>In Millions</td>
<td>In Thousands</td>
<td></td>
</tr>
<tr>
<td>North Cook</td>
<td>111</td>
<td>$110.8</td>
<td>997.7</td>
<td>69</td>
<td>$32.2</td>
<td>$467.0</td>
</tr>
<tr>
<td>West Cook</td>
<td>62</td>
<td>$31.0</td>
<td>499.5</td>
<td>39</td>
<td>$15.3</td>
<td>$391.4</td>
</tr>
<tr>
<td>South Cook</td>
<td>118</td>
<td>$34.5</td>
<td>292.8</td>
<td>90</td>
<td>$42.0</td>
<td>$466.8</td>
</tr>
<tr>
<td>Cook Total</td>
<td>291</td>
<td>$176.3</td>
<td>$605.7</td>
<td>198</td>
<td>$89.5</td>
<td>$452.0</td>
</tr>
<tr>
<td>Chicago</td>
<td>528</td>
<td>$1,775.7</td>
<td>$3,363.0</td>
<td>599</td>
<td>$868.7</td>
<td>$1,450.2</td>
</tr>
<tr>
<td>Collar</td>
<td>334</td>
<td>$240.4</td>
<td>$719.7</td>
<td>261</td>
<td>$144.9</td>
<td>$553</td>
</tr>
<tr>
<td>Northern</td>
<td>209</td>
<td>$72.1</td>
<td>$344.9</td>
<td>168</td>
<td>$55.9</td>
<td>$331.4</td>
</tr>
<tr>
<td>Central</td>
<td>284</td>
<td>$76.8</td>
<td>$270.5</td>
<td>268</td>
<td>$58.5</td>
<td>$218.4</td>
</tr>
<tr>
<td>Southern</td>
<td>223</td>
<td>$43.1</td>
<td>$193.4</td>
<td>97</td>
<td>$23.2</td>
<td>$239</td>
</tr>
<tr>
<td>Total</td>
<td>1,869</td>
<td>$2,384.4</td>
<td>$1,275.7</td>
<td>1,591</td>
<td>$1,240.7</td>
<td>$779.8</td>
</tr>
</tbody>
</table>

With past surveys, technology needs were addressed in one general category of technological upgrades. The current survey addressed technology needs within three areas:

- External Infrastructure (T1, fiber, wireless, etc.)
- Internal Infrastructure (hubs, routers, wires, etc.)
- Network Devices (servers, firewalls, etc.)

This was an attempt to determine districts’ needs to meet the technology requirements for the Partnership for Assessment of Readiness for College and Careers (PARCC). It is important to note that the Capital Needs Survey represents responses from 558 of 857 school districts. Agency staff is finalizing the PARCC Technology Readiness Survey which will provide a more precise estimate of the costs associated for the technology to administer on-line assessments. The results for the Capital Needs Survey technology needs are as follows:

- $49.0 million is needed for 947 schools for external infrastructure
- $77.7 million is needed for 1,586 schools for internal infrastructure
- $21.2 million is needed for 956 schools for network devices

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

**Policy Implications:** As discussions for the 2016 budget commence, the Board will need to consider in the budget request the need for increased funding for educational purposes and school facility infrastructure needs. Both the Financial Profile and the Capital Needs Assessment Survey reflect that the economic difficulties and the decreased state funding have
had an impact on districts and their ability to implement/continue core educational programs and maintain sound school facilities.

**Budget Implications:** The latest Financial Profile demonstrated a diminished amount of long-term debt available for school districts. This will further define the need for state capital funds to prevent further deferment of capital needs in school districts. Deferment of the general building repairs is evident in this Capital Needs Assessment Survey.

School Districts will continue to weigh their options as education funding decreases. School Districts are experiencing deficit spending, eroding debt limits, and the inability to make general repair/remodeling to their already deteriorating buildings. If education funding continues to decrease, districts will have to determine whether funding should be used for core educational programs or capital projects.

**Legislative Action:** None

**Communication:** The report will be submitted to the General Assembly by January 1, 2015.

**Pros and Cons of Various Actions:**
The survey continues to document the substantial funding needed in school districts for facilities repairs, renovations and building construction. Continued economic declines and decreased State funding have hindered districts’ abilities to fund educational programs and facility needs.

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

> The State Board of Education hereby authorizes the State Superintendent to submit the attached Capital Needs Assessment Survey to the General Assembly by January 1, 2015.

**Next Steps**
Upon Board authorization, agency staff will submit the Capital Needs Assessment Survey to the General Assembly by January 1, 2015.
Public Act 93-0489 requires the Illinois State Board of Education (ISBE) and the Capital Development Board (CDB) to file a comprehensive assessment report of the capital needs of all school districts to the General Assembly every two years. In an effort to compile this assessment needs report, the two agencies requested that all school districts complete and submit a Capital Needs Assessment Survey.

Overview

Responses were submitted by 558 elementary, secondary and unit school districts. They reported $8 billion of capital needs for new schools, building additions, and general repair work for the next two years. Significant findings of the survey include:

- Approximately $848 million is needed to build 96 new school buildings.
- To ease overcrowding, districts are using 846 temporary classrooms.
- Approximately $596 million is needed for 151 building additions.
- 339 additional classrooms are needed for Pre-Kindergarten classes.
- 51 school districts report they are either a candidate for or are considering consolidation.
- Over $6.5 billion is needed for overall general repair and remodeling projects.
- Of the overall general repair/remodeling and renovation needs, approximately $2.6 billion is needed for Health/Life Safety work.
- 406 additional classrooms are needed for Kindergarten classes.
- Districts report they need $147.9 million for external and internal infrastructure and network devices to meet current technology and Partnership for Assessment of Readiness for College and Career (PARCC) requirements.
### 2014 CAPITAL NEEDS ASSESSMENT SURVEY - RESULTS

#### General Repair/Remodeling/Renovation:

<table>
<thead>
<tr>
<th>Type of Work Needed</th>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td># of Bldgs</td>
<td>Estimated $</td>
<td># of Bldgs</td>
</tr>
<tr>
<td>1. External Infrastructure (T1, fiber, wireless, etc.)</td>
<td>767</td>
<td>28,571,558</td>
<td>200</td>
</tr>
<tr>
<td>2. Internal Infrastructure (Hubs, routers, int wiring etc.)</td>
<td>1,072</td>
<td>54,081,091</td>
<td>507</td>
</tr>
<tr>
<td>3. Network Devices (Servers, firewall, etc.)</td>
<td>762</td>
<td>13,513,620</td>
<td>194</td>
</tr>
<tr>
<td>4. General Repair / Remodeling</td>
<td>1,503</td>
<td>1,467,770,790</td>
<td>366</td>
</tr>
<tr>
<td>5. HLS* - Structural repairs (walls, foundations, etc.)</td>
<td>793</td>
<td>147,191,782</td>
<td>235</td>
</tr>
<tr>
<td>6. HLS - Roof repairs or replacements</td>
<td>885</td>
<td>231,457,387</td>
<td>249</td>
</tr>
<tr>
<td>7. HLS - Heating/ventilation/air conditioning</td>
<td>1,186</td>
<td>748,805,319</td>
<td>300</td>
</tr>
<tr>
<td>8. HLS - Electrical systems other than alarms</td>
<td>920</td>
<td>116,272,433</td>
<td>242</td>
</tr>
<tr>
<td>9. HLS - Plumbing systems</td>
<td>912</td>
<td>214,267,258</td>
<td>250</td>
</tr>
<tr>
<td>10. HLS - Egress systems (doors, stairs, etc.)</td>
<td>904</td>
<td>79,497,299</td>
<td>239</td>
</tr>
<tr>
<td>11. HLS - Fire protection (detectors, alarms, etc.)</td>
<td>690</td>
<td>72,414,189</td>
<td>783</td>
</tr>
<tr>
<td>12. Asbestos abatement</td>
<td>591</td>
<td>65,091,237</td>
<td>162</td>
</tr>
<tr>
<td>13. School security measures</td>
<td>1,325</td>
<td>116,483,156</td>
<td>820</td>
</tr>
<tr>
<td>14. Energy conservation</td>
<td>647</td>
<td>58,833,287</td>
<td>153</td>
</tr>
<tr>
<td>15. Repair of sidewalks, playgrounds, etc.</td>
<td>895</td>
<td>190,357,979</td>
<td>310</td>
</tr>
<tr>
<td>16. Accessibility Measures</td>
<td>791</td>
<td>611,920,951</td>
<td>214</td>
</tr>
</tbody>
</table>

#### Subtotal General Repair/Remodeling/Renovation

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,610</td>
<td>4,214,529,336</td>
<td>5,224</td>
</tr>
<tr>
<td>460,202,630</td>
<td>872,482,643</td>
<td>778,985,000</td>
</tr>
<tr>
<td>110</td>
<td>321,383,789</td>
<td>41</td>
</tr>
<tr>
<td>274,560,000</td>
<td>687,943,789</td>
<td>755,500,000</td>
</tr>
</tbody>
</table>

#### Total Work Needed

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>14,791</td>
<td>4,905,267,625</td>
<td>5,290</td>
</tr>
<tr>
<td>3,065,650,861</td>
<td>7,970,918,486</td>
<td>8,036,570,347</td>
</tr>
</tbody>
</table>

#### II. Impact:

- Provide the total estimated increase or decrease of the financial impact the capital expansion and renovation/renovation work will have on the district's Operations & Maintenance and Educational Fund Budgets, such as additional staff.

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase</td>
<td>137,238,508</td>
<td>Increase</td>
</tr>
<tr>
<td>Increase</td>
<td>440,202,630</td>
<td>Increase</td>
</tr>
<tr>
<td>577,441,138</td>
<td>1,081,634,138</td>
<td>1,659,075,272</td>
</tr>
</tbody>
</table>

#### III. Temporary:

- Indicate the number of temporary classrooms used at each level to house some or all of the students, in the space provided.

<table>
<thead>
<tr>
<th>Type of Work Needed</th>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Elementary Classrooms</td>
<td>70</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>b. High School Classrooms</td>
<td>763</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

#### IV. Enrollment & EAV Trends:

- Place an "X" in the box which represents the last 2 years enrollment and EAV trend for each of the following key areas.

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Enrollment</td>
<td>45</td>
<td>148</td>
</tr>
<tr>
<td>2. EAV</td>
<td>148</td>
<td>111</td>
</tr>
</tbody>
</table>

#### V. Work in Progress:

- For the types of work listed below, enter the number of buildings for which work is currently in progress.

<table>
<thead>
<tr>
<th>Type of Work Needed</th>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Repair/Remodeling/Renovation:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. External Infrastructure (T1, fiber, wireless, etc.)</td>
<td>375</td>
<td>10,708,060</td>
<td>97</td>
</tr>
<tr>
<td>2. Internal Infrastructure (Hubs, routers, int wiring etc.)</td>
<td>591</td>
<td>22,545,549</td>
<td>125</td>
</tr>
<tr>
<td>3. Network Devices (Servers, firewall, etc.)</td>
<td>333</td>
<td>2,706,249</td>
<td>96</td>
</tr>
<tr>
<td>4. General Repair / Remodeling</td>
<td>484</td>
<td>98,206,164</td>
<td>167</td>
</tr>
<tr>
<td>5. HLS* - Structural repairs (walls, foundations, etc.)</td>
<td>180</td>
<td>14,852,405</td>
<td>57</td>
</tr>
<tr>
<td>6. HLS - Roof repairs or replacements</td>
<td>226</td>
<td>49,537,480</td>
<td>93</td>
</tr>
<tr>
<td>7. HLS - Heating/ventilation/air conditioning</td>
<td>408</td>
<td>110,049,820</td>
<td>97</td>
</tr>
<tr>
<td>8. HLS - Electrical systems other than alarms</td>
<td>178</td>
<td>4,913,026</td>
<td>53</td>
</tr>
<tr>
<td>9. HLS - Plumbing systems</td>
<td>174</td>
<td>8,441,730</td>
<td>62</td>
</tr>
<tr>
<td>10. HLS - Egress systems (doors, stairs, etc.)</td>
<td>194</td>
<td>4,280,160</td>
<td>58</td>
</tr>
<tr>
<td>11. HLS - Fire protection (detectors, alarms, etc.)</td>
<td>209</td>
<td>3,807,393</td>
<td>43</td>
</tr>
<tr>
<td>12. Asbestos abatement</td>
<td>169</td>
<td>6,985,088</td>
<td>61</td>
</tr>
<tr>
<td>13. School security measures</td>
<td>575</td>
<td>13,830,395</td>
<td>272</td>
</tr>
<tr>
<td>14. Energy conservation</td>
<td>220</td>
<td>14,314,858</td>
<td>74</td>
</tr>
<tr>
<td>15. Repair of sidewalks, playgrounds, etc.</td>
<td>356</td>
<td>37,079,876</td>
<td>109</td>
</tr>
<tr>
<td>16. Accessibility Measures</td>
<td>112</td>
<td>2,711,195</td>
<td>39</td>
</tr>
</tbody>
</table>

#### Subtotal General Repair/Remodeling/Renovation

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,784</td>
<td>404,969,448</td>
<td>3954</td>
</tr>
<tr>
<td>467,513,195</td>
<td>8738</td>
<td>872,482,643</td>
</tr>
<tr>
<td>29</td>
<td>196,135,160</td>
<td>14</td>
</tr>
<tr>
<td>225,585,000</td>
<td>43</td>
<td>421,720,160</td>
</tr>
<tr>
<td>51</td>
<td>244,884,918</td>
<td>25</td>
</tr>
<tr>
<td>185,162,042</td>
<td>77</td>
<td>430,146,960</td>
</tr>
</tbody>
</table>

#### Total Work in Progress

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>4865</td>
<td>846,089,526</td>
<td>3993</td>
</tr>
<tr>
<td>878,260,237</td>
<td>8858</td>
<td>1,724,349,763</td>
</tr>
</tbody>
</table>

#### VI. Consolidation:

- Is this district a candidate or considering consolidation?

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>51</td>
<td>No</td>
</tr>
</tbody>
</table>

#### VII. Bonding power:

- Does the District need additional classrooms to provide this instruction?

<table>
<thead>
<tr>
<th>PK - 8</th>
<th>High School</th>
<th>District Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>82</td>
<td>No</td>
</tr>
<tr>
<td>Yes</td>
<td>70</td>
<td>N/A</td>
</tr>
<tr>
<td>Yes</td>
<td>433</td>
<td>No</td>
</tr>
</tbody>
</table>

*HLS denotes Health/Life and Safety*
Capital Needs Through January 2016

General Repair/Renovation

The estimated need for General Repair/Remodeling and Renovation work is graphically represented in the bar chart below. These needs are projected within the next two years, and are over and above the work in progress through 2014.
Overview of Needs and Resources

The Illinois State Board of Education and the Capital Development Board conducted the first Capital Needs Assessment Survey in 2004. That survey, which was answered by 690 districts, showed estimated capital needs of $6.7 billion. The current survey shows estimated capital needs of $8 billion, with 558 school districts responding. That is an average of $14.3 million per district.

<table>
<thead>
<tr>
<th>Survey Year</th>
<th>No. of Respondents</th>
<th>Estimated Need (Billions)</th>
<th>Average Per District (Millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>690</td>
<td>$6.7</td>
<td>$9.7</td>
</tr>
<tr>
<td>2007</td>
<td>450</td>
<td>$8.2</td>
<td>$18.2</td>
</tr>
<tr>
<td>2009</td>
<td>456</td>
<td>$7.6</td>
<td>$16.6</td>
</tr>
<tr>
<td>2011</td>
<td>618</td>
<td>$9.9</td>
<td>$16.1</td>
</tr>
<tr>
<td>2013</td>
<td>385</td>
<td>$7.2</td>
<td>$18.9</td>
</tr>
<tr>
<td>2015</td>
<td>558</td>
<td>$8.0</td>
<td>$14.3</td>
</tr>
</tbody>
</table>

Technology Needs

Three new technology lines have been added to this year’s survey to determine technology/infrastructure needs of school districts. The Partnership for Assessment of Readiness for College and Career (PARCC) has developed technology guidelines to assist districts with meeting the instructional and assessment needs of their students.

The information in the Capital Needs Assessment Survey is intended to assess districts’ technology needs to prepare them for the requirements for the computer-based assessment. The survey reflects a need of approximately $49 million for External Infrastructure (T1, fiber, wireless, etc.), $78 million for Internal Infrastructure (hubs, routers, internal wiring, etc.) and $21 million for Network Devices (servers, firewalls, etc.).

Temporary Units

Districts use temporary-modular or manufactured unit facilities to provide classrooms for their students when their school building capacity is not sufficient to accommodate their enrollment. To ease overcrowding, reporting districts are using 846 temporary classrooms.

Pre-Kindergarten and Kindergarten Programs

Out of 541 districts responding to the survey question, 70 districts reported that they provide full-day Pre-Kindergarten, 310 districts provide half-day Pre-Kindergarten and 51 districts provide both full- and half-day classes. The survey shows 110 districts answered “non-applicable” to the question. Of the 515 districts responding to the survey question, 433 districts provide full-day Kindergarten classes. The survey reflects the need for 406 additional classrooms for Kindergarten and 339 classrooms for Pre-Kindergarten.

School Construction Grant Program

The Illinois General Assembly passed the School Construction Law (Public Act 90-548) in December 1997. The initial School Construction Grant Program benefited 502 school districts in every region of the state and provided over $3.1 billion in state-funded grants to provide for new facilities, additions and renovations of aging buildings.

The fiscal year 2010 Illinois Jobs Now! Program provided $1.5 billion over multiple years. Since May 2010, 99 grants totaling over $1.3 billion have been awarded, providing for 57 new schools and 993 additions and/or renovations. Through a successful partnership using local and state matching funds, over $2.6 billion has been invested in these facilities. A list of these school districts is available at http://www.illinois.gov/cdb/services/grants/Documents/allgrants.pdf

For media information call the Capital Development Board at 217-558-1015 or the Illinois State Board of Education at 217-782-2223. For details regarding the School Construction Grant Program, please call the Capital Development Board at 217-782-8708 or the Illinois State Board of Education at 217-785-8779.
TO: Illinois State Board of Education
FROM: Christopher A. Koch, Ed.D., State Superintendent of Education
Susie Morrison, Deputy Superintendent/Chief Education Officer
Nicki Bazer, General Counsel

Agenda Topic: State Charter School Commission Appointments

Materials: Governor’s Office Recommendations

Staff Contact(s): Jennifer Saba, Assistant General Counsel, ISBE Legal Department

Purpose of Agenda Item
The ISBE Legal Department requests that the Board review and act upon the Governor’s recommendations for three appointments to the State Charter School Commission (hereinafter also referred to as the “Commission”).

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. 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. The performance of these responsibilities directly relates to all three goals of the State Board’s Strategic plan.

Expected Outcome(s) of Agenda Item
It is expected the Board will make three (3) appointments to the State Charter School Commission to fill the seats of three members with terms that expire October 31, 2014.

Background Information
Members of the State Charter School Commission are to collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, higher education, assessments, curriculum and instruction, and public education law. In addition, all members of the Commission must have demonstrated an understanding of and a commitment to public education, including without limitation charter schooling. At least 3 members must have past experience with urban charter schools.

As required by Article 27A-7.5 of the School Code, the State Board of Education appointed the initial nine (9) members of the State Charter School Commission at its September 28, 2011 Board Meeting. To establish staggered terms of office, terms of office were set as follows: (i) the initial term of office for 3 Commission members was 4 years and thereafter shall be 4 years; (ii) the initial term of office for another 3 members was 3 years and thereafter shall be 4 years; and (iii) the initial term of office for the remaining 3 members was 2 years and thereafter shall be 4 years. Since the Board made its initial appointments, two Commissioners have resigned due
The State Board appointed Bill Farmer (Evanston) and DeRonda Williams (Long Grove), respectively, to serve for the remaining portion of each Commissioner’s term. In addition, in July 2013, Glen Barton (Peoria) resigned due to his belief that other commitments interfered with his ability to fully participate in the Commission’s work, and the State Board appointed Judge Milton Wharton (East St. Louis) to fill his vacant seat. In August 2014, Judge Wharton resigned for undisclosed reasons, and the State Board appointed Sylvia Zaldivar-Sykes to serve the remainder of Mr. Barton’s 3-year term.

In accordance with the staggered terms of office established by this process, the terms of three Commissioners sitting in seats assigned 3-year terms will expire on October 31, 2014. These members are Angela Renee Rudolph (Chicago), Bill Farmer (Evanston), and Sylvia Zaldivar-Sykes (Chicago). All three seek reappointment to the Commission.

In the case of term expiration, the statute requires the Governor to propose a slate of candidates to the State Board 60 days prior to the end of the term, with final appointments made by the State Board. The State Superintendent has received a slate of candidates from the Governor’s Office (see Governor’s Office Recommendations) and the following recommendations have been made:

1. Angela Renee Rudolph, Executive Director, Hadiyah’s Promise Chicago (for reappointment)

2. Bill Farmer, Teacher and Local Association President, Evanston Township High School District #202 Evanston (for reappointment)

3. Sylvia Zaldivar, Executive Director, Maestro Cares Foundation Chicago (for reappointment)

Financial Background
N/A

Business Enterprise Program (BEP)
N/A

Analysis and Implications for Policy, Budget, Legislative Action, and Communications
Policy Implications: With the approval of these recommendations, the State Charter School Commission will be fully appointed.
Budget Implications: N/A
Legislative Action: N/A
Communication: N/A

Pros and Cons of Various Actions
Pros: The State Board of Education is required by law to make appointments to the Commission whenever a vacancy exists (whether by resignation, term expiration, or other cause). Moreover, once these appointments are made, the Commission will be fully appointed and capable of carrying out its public functions.
Cons: None known.

**Superintendent's Recommendation**

I recommend that the following motion be adopted:

The State Board of Education has reviewed the slate of candidates provided by the Governor’s Office pursuant to Article 27A-7.5(c) and 7.5(d). Based upon the information provided, and in accordance with the statute, the State Board hereby approves the following recommended appointments to the State Charter School Commission:

- Angela Renee Rudolph  Second Appointment
- Bill Farmer  Second Appointment
- Sylvia Zaldivar  Second Appointment

These recommendations are made in an effort to ensure geographic diversity among Commission members and to meet the other requirements of the statute regarding the collective experience and expertise of Commission members. In addition, in compliance with Article 27A-7.5(d), these appointments will ensure that at least three of the recommended candidates have past experience with urban charter schools.

**Next Steps**

Upon Board authorization, Agency staff will notify the candidates and their organizations about the action taken by the State Board of Education. In addition, the State Board of Education website will be appropriately updated.
Dear Gery,

I am sending forward for consideration by the ISBE Board the names of recommended candidates for reappointment to the independent State Commission on Charter Schools. The Charter School Quality Act created the nine member commission that has authority to review and approve new charter school applications. The Commission also reviews renewal applications for existing charter schools. The goal of this Act is to improve the quality of charter school authorizing in our State by setting clear standards that focus on accountability and student outcomes. I believe that the reappointment of these three individuals will assure that the Commission continues this important work.

The following three candidates are recommended for reappointment to the Commission:
Angela Rudolph – Vice Chair
Bill Farmer - Secretary
Sylvia Zaldivar- Sykes

I appreciate your leadership and the efforts of the Board in selecting well-qualified members for the Commission. If I can provide any other information for your consideration, please feel free to contact me.

Cordially,

Pat Quinn
Governor