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NOTICE OF EMERGENCY AMENDMENTS

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CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

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

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

c) Every school district shall:

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

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

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

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

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

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

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

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

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

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

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

3) A school district shall be considered to have conducted a legal school day, which is eligible to be counted for General State Aid, when the following conditions are met during a work stoppage.

   A) Fifty percent or more of the district's students are in attendance, based on the average daily attendance during the most recent full month of attendance prior to the work stoppage.

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

   C) All teachers hold educator licenses that are registered with the regional superintendent of schools for their county of employment. Other than substitute teachers, licensure appropriate to the grade level and subject areas of instruction is held by all teachers.

4) Sections 18-12 and 18-12.5 of the School Code set forth requirements for a school district to claim General State Aid in certain circumstances when one or more, but not all, of the district's school buildings are closed either for a full or partial day. A school district shall certify the reasons for the closure in an electronic format specified by the State Superintendent within 30 days from the date of the incident.

   A) If the certification is submitted under Section 18-12 of the School Code, it shall indicate whether instruction was provided to students using an e-learning day authorized under Section 10-20.56 of the School Code and Section 1.422 of this Part.

   B) If the certification is submitted for reasons of a public health emergency under Section 18-12.5 of the School Code, it shall be accompanied by a signed statement from the local health department to the State Superintendent that includes:
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i) the name of the building that is being recommended for closure;

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

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

5) Attendance for General State Aid Purposes

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

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

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

D) For the purposes of determining average daily attendance for
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General State Aid under Section 10-20.56 or 10-29 of the School Code, a school district operating a remote educational program shall document the clock hours of instruction for each student, and make available to the State Superintendent or his or her designee upon request, a written or online record of instructional time for each student enrolled in the program that provides sufficient evidence of the student's active participation in the program (e.g., log in and log off process, electronic monitoring, adult supervision, two-way interaction between teacher and student, video cam). "Clock hours of instruction" shall be calculated in accordance with Section 18-8.05(F)(2)(j) of the School Code.

g) Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to ensure 176 days of actual pupil attendance, computable under Section 18-8.05 of the School Code (see Section 10-19 of the School Code).

h) Local boards of education shall establish and maintain kindergartens for the instruction of children (see Sections 10-20.19a and 10-22.18 of the School Code).

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

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

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

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

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

3) Each public school district, including charter schools, offering a kindergarten program, whether full-day or half-day, shall report to the State Board of Education on the 14 State Readiness Measures listed in subsection (h)(3)(A) annually on each student enrolled in kindergarten, except as otherwise provided under this subsection (h)(3). The Kindergarten Individual Development Survey (KIDS) shall be available to school districts for this purpose. Data for each student, based on local instruction and assessment practices, shall be reported through the KIDSTech rating system. A school district is not obligated to administer KIDS in any school year in which the State does not provide funding sufficient for the cost of reporting or access to professional development for teachers and administrators.

A) For the purpose of this subsection (h)(3), the 14 State Readiness Measures shall address, at a minimum:

i) language and literacy development:
   • communication and use of language (Expressive);
   • reciprocal communication and conversation;
   • comprehension of age-appropriate text;
   • phonological awareness;
   • letter and word knowledge;

ii) cognition; math:
   • classification;
   • number sense of quantity;
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- number sense of math operations;
- shapes; and

iii) approaches toward learning and social and emotional development:
- curiosity and initiative in learning;
- self-control of feelings and behavior;
- engagement and persistence;
- relationships and social interactions with familiar adults;
- relationships and social interactions with peers.

B) Each school district shall report electronically the results of the observations conducted and evidence collected once each school year (i.e., after 40 days of enrollment beginning with the first day of official attendance or, during a Gubernatorial Disaster Proclamation due to a public health emergency, by a date identified by the State Superintendent of Education). The data required under this subsection (h)(3)(B) shall be reported for any student who was enrolled in a kindergarten classroom at least 30 days before the date on which the data is required to be reported.

C) By August 1 of each school year, each school district shall provide to the State Superintendent the name, title, email address and telephone number for the district staff personnel who will serve as the KIDS contact persons, using a form prescribed for this purpose. Staff personnel serving as the KIDS contact person can be anyone that the district chooses, but preferably is someone who is working closely with the kindergarten teachers and can act as a liaison between SBE and the kindergarten teachers. This can include teachers and administrators.

D) Each KIDS contact person designated under subsection (h)(3)(C) shall participate in, at a minimum, a KIDS administrator training
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sponsored by the State Board no later than 30 days after the beginning of the school year. A KIDS contact person need only take the KIDS administrator training once.

E) All teachers teaching in a public or charter school classroom containing kindergarten students shall complete or have had completed the KIDS teacher training sponsored by the State Board.

F) Beginning in the 2017-18 school year and thereafter, a public school district, including charter schools, shall report the data required under subsection (h)(3)(B) for each student enrolled in kindergarten.

G) The 14 State Readiness Measures shall be reported for kindergarten children taught in a self-contained special education classroom or an alternative setting unless a special education team deems it inappropriate, at which time the justification for this decision must be recorded in the Individualized Education Program.

H) The 14 State Readiness Measures shall be reported for kindergarten children who are English learners unless the school district deems that required Language and Literacy Measures should be substituted with more appropriate non-required measures.

i) Career Education

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

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

j) Co-Curricular Activities

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

k) Consumer Education and Protection

1) A program in consumer education shall include at least the topics required by Section 27-12.1 of the School Code.

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

3) The minimal time allocation shall not be less than nine weeks or the equivalent for grades 9-12.

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

l) Conservation of Natural Resources

Each district shall provide instruction on current problems and needs in the conservation of natural resources, including, but not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of domestic animals (Section 27-13.1 of the School Code).

m) Every school district has the responsibility to prepare students for full citizenship. To this end each school district should encourage student discussion and communication in areas of local, State, national and international concern.

n) Health Education

1) Each school system shall provide a program in compliance with the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
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A) There is no specific time requirement for grades K-6; however, health education shall be a part of the formal regular instructional program at each grade level.

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

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

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

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

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

1) General
The program shall include an organized collection of resources that circulate to students and staff in order to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served. A district that relies solely upon the collection of a local public library shall maintain evidence that students receive instruction, direction, or assistance in locating and using resources that are applicable to these purposes from an individual who is qualified under Section 1.755 and who is acting on behalf of the school district.

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

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

4) Staff
Nothing in this subsection (o)(4) shall be construed as prohibiting districts or schools from sharing the services of individuals qualified under Section 1.755, and nothing in this subsection (o) shall be construed as permitting an individual who is not qualified as a library information specialist to assume that role. Each district shall assign responsibility for overall direction of its program of library media services to an employee who holds a professional educator license endorsed for a teaching or an administrative field. Except as otherwise provided in subsection (o)(4)(A), the individual to whom this responsibility is assigned shall meet the requirements of Section 1.755, and the individual to whom this responsibility is assigned shall not provide the services described in Section 1.755 unless he or she meets the requirements of that Section.

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

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

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

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

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

p) Physical Education
Appropriate activity related to physical education shall be required as provided for by Section 27-6 of the School Code. The time schedule shall compare favorably with other courses in the curriculum. Safety education as it relates to the physical education program should be incorporated. See Section 1.425 for additional requirements that apply to the provision of physical education instruction.

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

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

r) Social Sciences and History
Each school system shall provide history and social sciences courses that do the following:
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1) analyze the principles of representative government, the Constitutions of both the United States and the State of Illinois, the proper use of the flag, and how these concepts have related and currently do relate in actual practice in the world (see Section 27-21 of the School Code);

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

3) include in the teaching of United States history the role of labor unions and their interaction with government in achieving the goals of a mixed free-enterprise system (Section 27-21 of the School Code);

4) include the study of that period in world history known as the Holocaust (Section 27-20.3 of the School Code);

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

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

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

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

(Source: Amended by emergency rulemaking at 44 Ill. Reg. ______, effective ____________, for a maximum of 150 days)

SUBPART F: STAFF LICENSURE REQUIREMENTS

Section 1.630 Paraprofessionals; Other Unlicensed Personnel

a) Pursuant to Sections 10-22.34 and 34-18 of the School Code [105 ILCS 5/10-22.34 and 34-18], school boards may employ nonteaching personnel or use volunteer personnel for nonteaching duties not requiring instructional judgment or evaluation of pupils.

b) Paraprofessionals

1) School boards may further utilize volunteer personnel or employ personnel who do hold an educator license with stipulations endorsed for paraprofessional educator to serve as paraprofessionals (or "teacher aides") to assist in the instruction of pupils, so long as each individual is under the immediate supervision of a teacher who holds a valid professional educator license endorsed for the teaching field of assignment and is directly engaged in teaching subject matter or conducting activities (see Sections 10-22.34 and 34-18 of the School Code). To "assist in the instruction of pupils", i.e., to serve as a paraprofessional, means to support teachers through interactions with students that will help them master curricular content, such as by tutoring; or to assist with classroom management, such as by organizing instructional materials.

2) Beginning July 1, 2013, an individual employed as a paraprofessional shall meet the requirements set forth in 23 Ill. Adm. Code 25.510 (Paraprofessionals) except in the following circumstances.

   A) Any individual whose paraprofessional approval was continued after June 30, 2013, in accordance with the provisions of 23 Ill. Adm. Code 25.15 (Types of Licenses; Exchange), may continue to serve as a paraprofessional subject to any limitations of his or her approval.
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B) An individual who holds an educator license indicative of completion of a bachelor's degree may serve as a paraprofessional without obtaining an educator license with stipulations endorsed for paraprofessional educator.

C) An individual who holds an educator license with stipulations endorsed for career and technical educator may serve as a paraprofessional without obtaining an additional endorsement for paraprofessional educator.

3) Each paraprofessional shall be under the direct supervision and control of a fully licensed teacher when assisting with instruction, whether this occurs in classrooms, laboratories, shops, playgrounds, libraries, or other educational settings where instructional judgment requires the supervision of a fully licensed teacher. The fully licensed teacher shall be responsible for planning the activities to be conducted by the paraprofessional and for evaluating the pupils with whom the paraprofessional works. The fully licensed teacher shall be continuously aware of the paraprofessional's activities, i.e., the teacher shall be responsible for controlling the paraprofessional's activities and shall be able to modify them at any time.

4) Paraprofessionals shall not be utilized as substitutes for or replacement of fully licensed teachers, and they shall not have equivalent responsibilities. Fully licensed teachers shall exercise professional judgment when assigning duties to paraprofessionals and shall retain the responsibility for determining students' scholastic activities.

5) Each school district shall:

A) submit a list of all paraprofessionals it employs to the State Superintendent of Education with its annual application for recognition;

B) maintain a file for each paraprofessional that describes his or her functions and includes his or her statement of approval, if applicable, or verification of his or her holding an educator license with stipulations endorsed for paraprofessional educator; and

C) be responsible for ensuring that no individual is employed as a paraprofessional without an educator license with stipulations
endorsed for paraprofessional educator, except as permitted under subsection (b)(2) of this Section, and that paraprofessionals whose paraprofessional approval was continued are assigned only to tasks for which their approval is valid.

c) Other Unlicensed Personnel

1) School boards may designate unlicensed persons of good character, as defined in Section 21B-15 of the School Code, to serve as supervisors, chaperones or sponsors, either on a voluntary or on a compensated basis, for the following activities:

A) for school activities not connected with the academic program of the schools (see Section 10-22.34a of the School Code [105 ILCS 5/10-22.34a]); and

B) for school activities connected to the academic programs of the schools during any time in which the Governor has declared a disaster due to a public health emergency under Section 7 of the Illinois Emergency Management Agency Act. Individuals designated under this subsection (c)(1)(B) shall work under the supervision of licensed personnel who are physically present in the same building. Unlicensed personnel shall not enact student discipline. Licensed personnel shall enact student discipline and provide classroom support to non-licensed individuals as needed.

2) Unlicensed personnel in special education programs under contract to the local board of education, other than paraprofessionals, shall be governed by 23 Ill. Adm. Code 226 (Special Education). Also, beginning July 1, 2006, educational interpreters for persons who are deaf or hard of hearing shall be approved pursuant to 23 Ill. Adm. 25.550 (Approval of Educational Interpreters).

3) In accordance with Section 10-22.34(d) of the School Code [105 ILCS 5/10-22.34(d)], school districts may utilize unlicensed persons who are completing their clinical experiences and/or student teaching.

A) A candidate participating in clinical experiences shall not be required to hold an educator license with stipulations endorsed for paraprofessional if:
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i) the candidate is engaging in the clinical experience as part of an approved Illinois teacher preparation program in which he or she is enrolled;

ii) when the candidate assists in instruction, he or she is under the immediate supervision of a teacher who holds a valid professional educator license and is directly engaged in teaching the subject matter or conducting other learning activities; and

iii) the cooperating teacher constantly evaluates the candidate's activities and is able to control or modify them.

B) Unlicensed personnel enrolled in a student teaching course at a college or university are not required to be under the constant supervision of a teacher, provided that their activity has the prior approval of the representative of the higher education institution, that teaching plans have been previously discussed with and approved by the supervising teacher, and the teaching is performed in accordance with the requirements of 23 Ill. Adm. Code 25.620 (Student Teaching) (see Section 10-22.34(d) of the School Code).

C) In accordance with Section 10-22.34b of the School Code [105 ILCS 5/10-22.34b], school districts may, with the prior approval of the responsible regional superintendent of schools, utilize unlicensed persons to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill. The regional superintendent shall approve an assignment of this type when:

i) the individual holding a professional educator license endorsed in a teaching field under whose direction the instruction will be provided has specified in writing the material to be covered and the amount of time to be allotted for the specialized instruction;

ii) the district superintendent has identified in writing the selected individual's professional competence or
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outstanding proficiency in the area of specialization in which instruction is to be provided;

iii) the district superintendent has affirmed in writing that a district representative has determined the environment where instruction will be provided, if away from the school, to be safe and appropriate to the age of the students involved; and

iv) the district superintendent has described the precise function to be served by the specialized instruction and any compensation to be paid to the selected individual.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. ______, effective ____________, for a maximum of 150 days)