

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

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AUTHORITY: Implementing Sections 2-3.25, 2-3.25g, 2-3.44, 2-3.96, 2-3.159, 10-17a, 10-20.14, 10-21.4a, 10-22.43a, 21B-5, 21B-20, 22-30, 22-60, 24-24, 26-13, 27-3.5, 27-6, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, 27-23.3 and 27-23.8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5].

SOURCE: Adopted September 21, 1977; codified at 7 Ill. Reg. 16022; amended at 9 Ill. Reg. 8608, effective May 28, 1985; amended at 9 Ill. Reg. 17766, effective November 5, 1985; emergency amendment at 10 Ill. Reg. 14314, effective August 18, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 3073, effective February 2, 1987; amended at 12 Ill. Reg. 4800, effective February 26, 1988; amended at 14 Ill. Reg. 12457, effective July 24, 1990; amended at 15 Ill. Reg. 2692, effective February 1, 1991; amended at 16 Ill. Reg. 18010, effective November 17, 1992; expedited correction at 17 Ill. Reg. 3553, effective November 17, 1992; amended at 18 Ill. Reg. 1171, effective January 10, 1994; emergency amendment at 19 Ill. Reg. 5137, effective March 17, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6530, effective May 1, 1995; amended at 19 Ill. Reg. 11813, effective August 4, 1995; amended at 20 Ill. Reg. 6255, effective April 17, 1996; amended at 20 Ill. Reg. 15290, effective November 18, 1996; amended at 22 Ill. Reg. 22233, effective December 8, 1998; emergency amendment at 24 Ill. Reg. 6111, effective March 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12985, effective August 14, 2000; amended at 25 Ill. Reg. 8159, effective June 21, 2001; amended at 25 Ill. Reg. 16073, effective November 28, 2001; amended at 26 Ill. Reg. 1157, effective January 16, 2002; amended at 26 Ill. Reg. 16160, effective October 21, 2002; amended at 28 Ill. Reg. 8486,

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effective October 23, 2020, for the remainder of the 150 days; amended at 45 Ill. Reg. 867, effective January 4, 2021; amended at 45 Ill. Reg. 1644, effective January 22, 2021; emergency amendment at 45 Ill. Reg. 4543, effective March 24, 2021, for a maximum of 150 days; amended at 45 Ill. Reg. 5362, effective April 12, 2021; amended at 45 Ill. Reg. 5744, effective April 21, 2021; amended at 45 Ill. Reg. _____, effective _____.

SUBPART A: RECOGNITION REQUIREMENTS

Section 1.100 Waiver and Modification of State Board Rules and School Code Mandates

- a) As authorized in Section 2-3.25g of the School Code [105 ILCS 5], an eligible applicant, as defined in 2-3.25g(a), or *any Independent Authority established under Section 2-3.25f-5 of the School Code* may petition for:
 - 1) Approval of waivers or modifications of State Board of Education rules and of modifications of School Code mandates, which may be requested to meet the *intent of the rule or mandate in a more effective, efficient or economical manner or when necessary to stimulate innovation or to improve student performance* (Section 2-3.25g(b) of the School Code)~~[105 ILCS 5/2-3.25g(b)]~~; and/or
 - 2) Approval of waivers of School Code mandates, which *may be requested when necessary to stimulate innovation or to improve student performance or the intent of the mandate in a more effective, efficient or economical manner* (Section 2-3.25g(b) of the School Code)~~[105 ILCS 5/2-3.25g(b)]~~.
- b) "The School Code" comprises only those statutes compiled at 105 ILCS 5.
 - 1) Waivers or modifications from State Board rules or School Code mandates implementing compliance with the federal Every Student Succeeds Act (20 USC 6301 et seq.) or the Every Student Succeeds Act State Plan are not permitted.
 - 2) Waivers or modifications of mandates pertaining to the use of student performance data and performance categories for teacher and principal evaluations, as required under Article 24A of the School Code, are not permitted and *on September 1, 2014, any previously authorized waiver or modification from such requirements shall terminate* (Section 2-3.25g(b) of the School Code).

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- 3) Waivers of mandates contained in Section 5-1 of the School Code or in Section 5-2.1 of the School Code also shall not be requested.
- c) As used in this Section, "waiver" means a petition to discontinue the implementation of a mandate and "modification" means a petition to partially implement a mandate.
- d) Each application for a waiver or modification shall provide the following, on a form supplied by the State Board of Education.
 - 1) Identification of the rules or mandates involved, either by quoting the exact language of or by providing a citation to the rules or mandates at issue. -Applicants unable to determine the exact language or citation may obtain a copy of, or citation to, the rules or mandates involved by contacting the State Board of Education [Legislative Affairs Department](#)~~Regulatory Support and Wellness Division~~ by mail at 100 North First Street, Springfield, Illinois, 62777-0001, by email at waivercorrespondence@isbe.net~~waivers@isbe.net~~, or by telephone at [217-782-6510](tel:217-782-6510)~~217-782-5270~~.
 - 2) Identification as to the specific waivers ~~and~~/or modifications sought. -For modifications, the specific modified wording of the rules or mandates must be stated.
 - 3) Identification as to whether the request is for an initial waiver or modification or for the renewal of a previously approved request.
 - 4) For requests based upon meeting the intent of the rule or mandate in a more effective, efficient, or economical manner, a narrative description that sets forth:
 - A) the intent of the rule or mandate to be achieved;
 - B) the manner in which the applicant will meet that intent;
 - C) how the manner proposed by the applicant will be more effective, efficient, or economical; and
 - D) if the applicant proposes a more economical manner, a fiscal analysis showing current expenditures related to the request and the projected savings that would result from approval of the

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request.

- 5) If the request is necessary for stimulating innovation or improving student performance, the request must include the specific plan for improved student performance and school improvement upon which the request is based. This plan must include a description of how the applicant will determine success in the stimulation of innovation or the improvement of student performance.
 - 6) If the request is for a waiver of the administrative expenditure limitation established by Section 17-1.5 of the School Code, the request must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted to comply with the administrative expenditure limitation and shall otherwise comply with Section 17-1.5(d) of the School Code.
 - 7) The time period for which the waiver or modification is sought. Pursuant to Section 2-3.25g of the School Code, this time period may not exceed five years, except for requests made pursuant to subsection (c)(6) of this Section, which may not exceed one year (see Section 17-1.5(d) of the School Code).
 - 8) A description of the public hearing held to take testimony about the request from educators, parents, and students, which shall include the information required by Section 2-3.25g of the School Code.
 - 9) An assurance stating the date of the public hearing conducted to consider the application and, if applicable, the specific plan for improved student performance and school improvement; affirming that the hearing was held before a quorum of the board or before the regional superintendent, as applicable, and that it was conducted as prescribed in Section 2-3.25g of the School Code; and stating the date the application (and, if applicable, the plan) was approved by the local governing board or regional superintendent.
- e) Each applicant must attach to the application a dated copy of the notice of the public hearing that was published in a newspaper of general circulation, a dated copy of the written notifications about the public hearing provided to the applicant's collective bargaining agent and to those State legislators representing the applicant, and a dated copy of the notice of the public hearing posted on the applicant's website, each of which must comply with the requirements of Section

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2-3.25g of the School Code.

- f) Applications must be sent by certified mail, return receipt requested, and addressed as specified on the application form.
- g) Applications must be postmarked not later than 15 calendar days following the local governing board's approval. (See Section 2-3.25g(d) of the School Code.) Applications addressed other than as specified on the application form shall not be processed.
- h) Applications for the waiver or modification of State Board rules or for the modification of School Code mandates shall be deemed approved and effective 46 calendar days after the date of receipt by the State Board of Education unless disapproved in writing. -Receipt by the State Board shall be determined by the date of receipt shown on the return receipt form, except in the case of an incomplete application.
 - 1) An applicant submitting an incomplete application shall be contacted by staff of the State Board regarding the need for additional information and the date by which the information must be received in order to avoid the application's return as ineligible for consideration.
 - 2) The 45-day response time referred to in this subsection (h) shall not commence until the applicant submits the additional material requested by the State Board.
 - 3) Each application that has not been made complete by the date identified in accordance with subsection (h)(1) shall be ineligible for consideration and shall be returned to the applicant with an explanation as to the deficiencies.
- i) *The State Board may disapprove a request* for the waiver or modification of State Board rules or for the modification of School Code mandates *if* the request:
 - 1) *is not based upon sound educational practices;*
 - 2) *endangers the health or safety of students or staff;*
 - 3) *compromises equal opportunities for learning; or*
 - 4) *does not address the intent of the rule or mandate in a more effective,*

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efficient or economical manner or does not have improved student performance as a primary goal. (Section 2-3.25g(d) of the School Code).~~{105 ILCS 5/2-3.25g(d)}~~

- j) Disapproval of an application for a waiver or modification of a State Board rule or for a modification of a School Code mandate shall be sent by certified mail to the applicant no later than 45 calendar days after receipt of the application by the State Board. -An applicant wishing to appeal the denial of a request may do so within 30 calendar days after receipt of the denial letter by sending a written appeal by certified mail to the Illinois State Board of Education, Legislative Affairs Department~~Regulatory Support and Wellness Division~~, 100 North First Street, ~~S-404E-222~~, Springfield, Illinois 62777-0001 or by email to ~~waiverscorrespondence@isbe.net~~waivers@isbe.net. -The written appeal shall include the date the local governing board approved the original request, the citation of the rule or School Code section involved, and a brief description of the issue. -Appeals of denials shall be submitted to the General Assembly in the semiannual report required under Section 2-3.25g of the School Code.
- k) Applications shall be ~~postmarked~~received by August 15 to be considered for the fall waiver report and January 15 to be considered for the spring waiver report. The State Superintendent of Education shall periodically notify school districts and other potential applicants of the date by which applications must be postmarked in order to be processed for inclusion in the next report to the General Assembly. -Each application will be reviewed for completeness. -Complete applications shall be submitted to the General Assembly in the next report. Incomplete applications shall be treated as discussed in subsections (h)(1) and (h)(3).
- l) The State Superintendent shall notify Regional Superintendents of Schools and Intermediate Service Centers of the disposition of requests for waivers or modifications submitted by school districts located within their regions.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.420 Basic Standards

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

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- 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. 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.

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- 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

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- 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:
 - 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

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be counted for a half day of attendance. Students in attendance for fewer than two hours of school work shall not be counted for purposes of calculating average daily attendance.

- B) For purposes of determining average daily attendance on the district's General State Aid claim, students enrolled full time in grades 2 through 12 may be counted for a full day of attendance only when they are in attendance for five or more clock hours of school work; provided, however, that students in attendance for more than two and one-half clock hours of school work but less than five clock hours may be counted for a half day of attendance. Students in attendance for fewer than two and one-half hours of school work shall not be counted for purposes of calculating average daily attendance.
 - C) For purposes of determining average daily attendance for General State Aid received under Sections 18-12 and 18-12.5 of the School Code, "immediately preceding school day" shall include school days in the previous school year in instances in which the building closure occurs before three or more days of instruction have been provided in the school year for which attendance is being counted.
 - D) For the purposes of determining average daily attendance for General State Aid under Section 10-20.56 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

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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.

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- 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;
 - 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

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year (i.e., after 40 days of enrollment beginning with the first day of official attendance). 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 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

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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*

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

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- 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

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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 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:

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- 1) Guidance and Counseling Needs;
 - 2) Psychological Needs;
 - 3) Social Work Needs;
 - 4) Health Needs.
- r) Social Sciences and History
- Each school system shall provide history and social sciences courses that do the following:
- 1) analyze the principles of representative government, the Constitutions of both the United States and the State of Illinois, the proper use of the flag, and how these concepts have related and currently do relate in actual practice in 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);:-

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8) *in public schools only, include a study of the roles and contributions of lesbian, gay, bisexual, and transgender people in the history of this country and this State (Section 27-21 of the School Code); and*

9) *include instruction on the history of Illinois (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.
- t) Each school district shall provide instruction as required by Sections 27-3.5, 27-13.2, 27-13.3, 27-23.3, 27-23.4 and 27-23.8 of the School Code.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

Section 1.440 Additional Criteria for High Schools

The School Code establishes differing requirements for the coursework that high schools must offer, the courses students must take, and the courses students must pass in order to graduate.

- a) Course Offerings. Each district shall provide a comprehensive curriculum that includes at least the following offerings. The time allotment, unless specified by the School Code or applicable rules, is the option of the local school district.
- 1) Language Arts
 - 2) Science
 - 3) Mathematics
 - 4) History of the United States
 - 5) Foreign Language

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- 6) Music
 - 7) Art
 - 8) Career and Technical Education – Orientation and Preparation
 - 9) Health Education (see the Critical Health Problems and Comprehensive Health Education Act)
 - 10) Physical Education (see Section 27-6 of the School Code)
 - 11) Consumer Education (see Section 27-12.1 of the School Code)
 - 12) Conservation of Natural Resources (see Section 27-13.1 of the School Code)
 - 13) Driver and Safety Education (see the Driver Education Act [105 ILCS 5/27-24 through 27-24.10] and 23 Ill. Adm. Code 252)
- b) Required Participation
- 1) Each student shall be required to take one semester or the equivalent, i.e., at least 18 weeks, of health education during the secondary school experience.
 - 2) 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.
 - 3) Each student shall be required to take consumer education for 50 minutes per day for a period of nine weeks in any of grades 9-12.
 - 4) Each student shall be required to take a course covering *American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag for not less than one hour per week, or the equivalent.* (Sections 27-3 and 27-4 of the School Code)

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- c) Specific Requirements for Graduation. A "unit" is the credit accrued for a year's study or its equivalent. -A student may be permitted to retake a course that he or she has already successfully completed (for example, to earn a better grade). However, credit may not be awarded more than once for completion of the same course, and the same course may not be counted more than once toward fulfillment of the State requirements for graduation.
- 1) Each student shall be required to have accrued at least 16 units in grades 9-12 if graduating from a four-year school or 12 units in grades 10-12 if graduating from a three-year high school. -In either case, one unit shall be in American History or American History and Government. -(Section 27-22 of the School Code) -*No student shall receive certification of graduation without passing an examination on the subjects discussed in subsection (b)(4).*
 - 2) Pursuant to Section 27-22 of the School Code, all students, except students with disabilities whose course of study is determined by an individualized education program, must successfully complete certain courses, depending upon the school year in which they enter grade 9 and subject to the exceptions provided in Section 1.445 of this Part, as a prerequisite to receiving a high school diploma.
 - 3) Credits earned by students prior to entry into grade 9 as authorized by Section 27-22.10 of the School Code may be used to fulfill any of the requirements of subsection (c)(2) of this Section.
 - 4) Pursuant to Section 22-85 of the School Code, as a prerequisite to receiving a high school diploma from a public high school, the parent or guardian of each student or, if a student is at least 18 years of age or legally emancipated, the student must comply with either of the following:
 - A) File a Free Application for Federal Student Aid with the United States Department of Education or, if applicable, an application for State financial aid.
 - B) On a form created by the State Board of Education, file a waiver with the student's school district indicating that the parent or guardian or, if applicable, the student understands what the Free Application for Federal Student Aid and application for State financial aid are and has

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chosen not to file an application.

A school district must award a high school diploma to a student who is unable to meet the requirements of this paragraph due to extenuating circumstances, as determined by the school district, if (i) the student has met all other graduation requirements under the School Code and (ii) the principal attests that the school district has made a good faith effort to assist the student or, if applicable, his or her parent or guardian in filing an application or a waiver.

- d) School districts shall have on file in the local district office a description of all course offerings that may comply with the requirements of the law. A course will be accepted as meeting the relevant requirement for graduation if its description shows that its principal instructional activity is the development and application of knowledge and skills related to the applicable requirement.

1) "Writing-Intensive" Courses

The course description for a "writing-intensive" course will be accepted for purposes of Section 27-22 of the School Code if:

- A) a goal of the course is to use the writing that students do relative to the subject matter being presented as a vehicle for improving their writing skills;
- B) writing assignments will be an integral part of the course's content across the time span covered by the course;
- C) the written products students are required to prepare in order to receive credit for the course and the feedback students receive are such that:
 - i) students' writing proficiency is evaluated against expectations that are appropriate to early or late high school and encompass all of the writing standards for those grades enumerated in the Illinois Learning Standards for English Language Arts and Literacy in History/Social Studies, Sciences, and Technical Subjects (see Appendix D); and
 - ii) students receive information from the evaluation of their written products that will permit them to improve their writing skills in terms of correct usage; well-organized

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composition; communication of ideas for a variety of purposes; and locating, organizing, evaluating and using information;

- D) The writing-intensive study provided in at least one writing-intensive course is designed to address and integrate the elements of the writing process and to refine or apply research skills.
- 2) Foreign Language Courses
The description for any foreign language course shall indicate whether the school district will award a State Seal of Biliteracy in accordance with the requirements of Section 1.442 of this Part and Section 2-3.159 of the School Code and state the qualifications for receipt of the seal.
- 3) Advanced Placement Computer Science Course
The description for an Advanced Placement Computer Science course shall indicate that the course is *equivalent to a high school mathematics course and qualifies as a mathematics-based, quantitative course* for purposes of the fulfillment of State graduation requirements in mathematics. (Section 27-22(f-5) of the School Code)
- e) It is the responsibility of the school district's administration to provide parents and guardians timely and periodic information concerning graduation requirements for all students, particularly in cases where a student's eligibility for graduation may be in question.
- f) Additional requirements for graduation may be adopted by local boards of education.

(Source: Amended at 45 Ill. Reg. _____, effective _____)

SUBPART G: STAFF QUALIFICATIONS

Section 1.783 Requirements for Administrators of Bilingual Education Programs

Beginning July 1, 2014, no individual shall be assigned to administer a bilingual education program with 200 or more students unless he or she is licensed in accordance with Section ~~1.705(n)~~~~1.705(m)~~ of this Part and meets the requirements of either subsection (a) or (b) of this Section, as applicable. -Individuals assigned to administer a bilingual education program with

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fewer than 200 students shall meet the requirements of 23 Ill. Adm. Code 228.35(d)(2) or (3), as applicable.

- a) Transitional Bilingual Education
 - 1) A person designated to administer a transitional bilingual education program shall:
 - A) hold the bilingual education endorsement issued pursuant to Section 1.781 of this Part; or
 - B) hold the English as a new language endorsement issued pursuant to Section 1.782 of this Part, with a language designation; or
 - C) present evidence of having completed 18 semester hours distributed among the following:
 - i) Foundations of bilingual education,
 - ii) Assessment of the bilingual student,
 - iii) Methods and materials for teaching ELs in bilingual programs,
 - iv) Methods and materials for teaching English as a Second Language, and
 - v) Cross-cultural studies for teaching ELs.
 - 2) Either linguistics (including English and non-English phonology and syntax) or bilingualism and reading shall be required in instances in which the distribution of coursework among each of the five areas in subsection (a)(1)(C) of this Section does not total 18 semester hours.
- b) Transitional Program of Instruction
 - A person designated to administer a transitional program of instruction shall:
 - 1) hold the bilingual education endorsement issued pursuant to Section 1.781 of this Part; or

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- 2) hold the English as a second language endorsement issued pursuant to Section 1.782 of this Part; or
- 3) hold the English as a new language endorsement issued pursuant to Section 1.782 of this Part; or
- 4) present evidence of having completed the coursework enumerated in subsection (a)(1)(C) of this Section, subject to the provision of subsection (a)(2).

(Source: Amended at 45 Ill. Reg. _____, effective _____)