

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1

PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section

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

SUBPART B: SCHOOL GOVERNANCE

Section

- 1.210 Approval of Providers of Training for School Board Members under Section 10-16a of the School Code
- 1.220 Duties of Superintendent (Repealed)
- 1.230 Board of Education and the School Code (Repealed)
- 1.240 Equal Opportunities for all Students
- 1.242 Temporary Exclusion for Failure to Meet Minimum Academic or Attendance Standards

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

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 Code 180 (Repealed)
- 1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)
- 1.270 Book and Material Selection (Repealed)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

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section

- 1.310 Administrative Qualifications and Responsibilities
- 1.320 Evaluation of Licensed Educators
- 1.323 Teacher Evaluation Ratings During a Gubernatorial Disaster
- 1.325 Teacher Remediation Plan During a Gubernatorial Disaster
- 1.330 Toxic Materials Training

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

- 1.410 Determination of the Instructional Program
- 1.420 Basic Standards
- 1.421 Remote and Blended Remote Learning
- 1.422 Electronic Learning (E-Learning) Days Pilot Program
- 1.423 Competency-Based High School Graduation Requirements Pilot Program
- 1.425 Additional Criteria for Physical Education
- 1.430 Additional Criteria for Elementary Schools
- 1.440 Additional Criteria for High Schools
- 1.442 State Seal of Biliteracy
- 1.443 Illinois Global Scholar Certificate
- 1.445 Required Course Substitute
- 1.450 Special Programs (Repealed)
- 1.460 Credit Earned Through Proficiency Examinations
- 1.462 Uniform Annual Consumer Education Proficiency Test (Repealed)
- 1.465 Ethnic School Foreign Language Credit and Program Approval
- 1.470 Adult and Continuing Education
- 1.480 Correctional Institution Educational Programs

SUBPART E: SUPPORT SERVICES

Section

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1.510 Transportation
- 1.515 Training of School Bus Driver Instructors
- 1.520 Home and Hospital Instruction
- 1.530 Health Services
- 1.540 Undesignated Emergency Medications in Schools: Epinephrine; Opioid Antagonists; Asthma Medication

SUBPART F: STAFF LICENSURE REQUIREMENTS

Section

- 1.610 Personnel Required to be Qualified
- 1.620 Accreditation of Staff (Repealed)
- 1.630 Paraprofessionals; Other Unlicensed Personnel
- 1.640 Requirements for Different Certificates (Repealed)
- 1.650 Transcripts of Credits
- 1.660 Records of Professional Personnel

SUBPART G: STAFF QUALIFICATIONS

Section

- 1.700 Requirements for Staff Providing Professional Development
- 1.705 Requirements for Supervisory and Administrative Staff
- 1.710 Requirements for Elementary Teachers
- 1.720 Requirements for Teachers of Middle Grades
- 1.730 Minimum Requirements for Secondary Teachers and Specified Subject Area Teachers in Grades 6 and Above through June 30, 2004
- 1.735 Requirements to Take Effect from July 1, 1991, through June 30, 2004
- 1.736 Requirements to Take Effect from July 1, 1994, through June 30, 2004
- 1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004
- 1.740 Standards for Reading through June 30, 2004
- 1.745 Requirements for Reading Teachers and Reading Specialists at all Levels as of July 1, 2004
- 1.750 Standards for Media Services through June 30, 2004
- 1.755 Requirements for Library Information Specialists Beginning July 1, 2004
- 1.760 Standards for School Support Personnel Services
- 1.762 Supervision of Speech-Language Pathology Assistants
- 1.770 Standards for Special Education Personnel
- 1.780 Standards for Teachers in Bilingual Education Programs
- 1.781 Requirements for Bilingual Education Teachers in Prekindergarten, Kindergarten and any of Grades 1-12

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1.782 Requirements for Teachers of English as a Second Language in Prekindergarten, Kindergarten and any of Grades 1-12
- 1.783 Requirements for Administrators of Bilingual Education Programs
- 1.790 Substitute Teacher
- 1.792 Short-Term Substitute Teacher
- 1.794 Substitute Teachers; Recruiting Firms

- 1.APPENDIX A Professional Staff Educator Licensure
- 1.APPENDIX B Competency-Based High School Graduation Requirements Pilot Program
Criteria for Review
- 1.APPENDIX C Glossary of Terms (Repealed)
- 1.APPENDIX D State Goals for Learning
- 1.APPENDIX E Evaluation Criteria – Student Performance and School Improvement
Determination (Repealed)
- 1.APPENDIX F Criteria for Determination – Student Performance and School
Improvement (Repealed)
- 1.APPENDIX G Criteria for Determination – State Assessment (Repealed)
- 1.APPENDIX H Guidance and Procedures for School Districts Implementing the Illinois
Global Scholar Certificate

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,

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

effective June 1, 2004; emergency amendment at 28 Ill. Reg. 13637, effective September 27, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1891, effective January 24, 2005; amended at 29 Ill. Reg. 11811, effective July 13, 2005; amended at 29 Ill. Reg. 12351, effective July 28, 2005; amended at 29 Ill. Reg. 15789, effective October 3, 2005; amended at 29 Ill. Reg. 19891, effective November 23, 2005; amended at 30 Ill. Reg. 8480, effective April 21, 2006; amended at 30 Ill. Reg. 16338, effective September 26, 2006; amended at 30 Ill. Reg. 17416, effective October 23, 2006; amended at 31 Ill. Reg. 5116, effective March 16, 2007; amended at 31 Ill. Reg. 7135, effective April 25, 2007; amended at 31 Ill. Reg. 9897, effective June 26, 2007; amended at 32 Ill. Reg. 10229, effective June 30, 2008; amended at 33 Ill. Reg. 5448, effective March 24, 2009; amended at 33 Ill. Reg. 15193, effective October 20, 2009; amended at 34 Ill. Reg. 2959, effective February 18, 2010; emergency amendment at 34 Ill. Reg. 9533, effective June 24, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 17411, effective October 28, 2010; amended at 35 Ill. Reg. 1056, effective January 3, 2011; amended at 35 Ill. Reg. 2230, effective January 20, 2011; amended at 35 Ill. Reg. 12328, effective July 6, 2011; amended at 35 Ill. Reg. 16743, effective September 29, 2011; amended at 36 Ill. Reg. 5580, effective March 20, 2012; amended at 36 Ill. Reg. 8303, effective May 21, 2012; amended at 38 Ill. Reg. 6127, effective February 27, 2014; amended at 38 Ill. Reg. 11203, effective May 6, 2014; amended at 39 Ill. Reg. 2773, effective February 9, 2015; emergency amendment at 39 Ill. Reg. 12369, effective August 20, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 13411, effective September 24, 2015; amended at 40 Ill. Reg. 1900, effective January 6, 2016; amended at 40 Ill. Reg. 2990, effective January 27, 2016; amended at 40 Ill. Reg. 4929, effective March 2, 2016; amended at 40 Ill. Reg. 12276, effective August 9, 2016; emergency amendment at 40 Ill. Reg. 15957, effective November 18, 2016, for a maximum of 150 days; amended at 41 Ill. Reg. 126, effective December 27, 2016; amended at 41 Ill. Reg. 4430, effective April 5, 2017; amended at 41 Ill. Reg. 6924, effective June 2, 2017; emergency amendment at 41 Ill. Reg. 8932, effective June 28, 2017, for a maximum of 150 days; amended at 41 Ill. Reg. 14044, effective November 3, 2017; amended at 42 Ill. Reg. 11512, effective June 8, 2018; amended at 43 Ill. Reg. 3792, effective February 28, 2019; amended at 43 Ill. Reg. 10213, effective August 30, 2019; amended at 43 Ill. Reg. 10718, effective September 11, 2019; amended at 43 Ill. Reg. 13324, effective October 29, 2019; emergency amendment at 43 Ill. Reg. 14305, effective November 20, 2019, for a maximum of 150 days; emergency amendment to emergency rule at 43 Ill. Reg. 14941, effective December 4, 2019, for the remainder of the 150 days; emergency amendment to amended emergency rule at 44 Ill. Reg. 4085, effective February 25, 2020, for the remainder of the 150 days; amended at 44 Ill. Reg. 1929, effective January 13, 2020; amended at 44 Ill. Reg. 6377, effective April 9, 2020; emergency amendment at 44 Ill. Reg. 7971, effective April 27, 2020, for a maximum of 150 days; emergency amendment at 44 Ill. Reg. 8382, effective May 1, 2020, for a maximum of 150 days; amended at 44 Ill. Reg. 9961, effective May 21, 2020; amended at 44 Ill. Reg. _____, effective _____.

SUBPART A: RECOGNITION REQUIREMENTS

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Section 1.30 State Assessment

The State Superintendent of Education shall develop and administer assessment instruments and other procedures in accordance with Section 2-3.64a-5 of the School Code [105 ILCS 5]. In addition, school districts shall collaborate with the State Superintendent in the design and implementation of special studies. The requirements of this Section do not apply if the State Board of Education has received a waiver from the administration of assessments from the U.S. Department of Education.

- a) Development and Participation
 - 1) Assessment instruments and procedures shall meet generally accepted standards of validity and reliability as stated in "Standards for Educational and Psychological Testing" (2014), published by the American Educational Research Association, 1430 K St., N.W., Suite 1200, Washington, D.C. 20005. (No later amendments to or editions of these standards are incorporated.)
 - 2) Districts shall participate in special studies, tryouts, and/or pilot testing of these assessment procedures and instruments when one or more schools in the district are selected to do so by the State Superintendent.
 - 3) A school shall generally be selected for participation in these special studies, tryouts and/or pilot testing no more than once every four years, except that participation may be required more frequently as needed to ensure sufficient sample size for validity.
 - 4) *All pupils enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law [105 ILCS 5/Art. 27A], a school operated by a regional office of education under Section 13A-3 of the School Code [105 ILCS 5/13A-3], or a public school administered by a local public agency or the Department of Human Services and students receiving scholarships to attend nonpublic schools under the Invest in Kids Act [35 ILCS 40] shall be required to participate in the State's accountability assessments, whether by taking the regular assessment, with or without accommodations, or by participating in the State's approved alternate assessment (Sections 2-3.25a and 2-3.64 of the School Code). Assessments in English/language arts and mathematics are administered*

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

annually in grades 3 through 11, and, for science, in grades 5, 8 and at least once in high school.

- A) Students who are served in any locked facility that has a State-assigned region/county/district/type/school (RCDTS) code, and students beyond the age of compulsory attendance whose programs do not culminate in the issuance of regular high school diplomas are not required to participate in the State's accountability assessment. Students with an IEP who receive an alternate diploma are required to participate in the State's accountability assessment during years of compulsory attendance. These students can be exempted only after participating in the State's final accountability assessment.
 - B) It is the responsibility of each district or other affected entity (e.g., nonpublic school or special education cooperative) to ensure that all students required to participate in the State's accountability assessment do so. (See also Section 1.50.)
- 5) Each district or other affected entity shall ensure the availability of reasonable accommodations for participation in the State's accountability assessment by students with disabilities, as reflected in those students' IEPs, ISPs, or plans developed under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), or limited English proficiency.
- b) Assessment Procedures
- 1) All assessment procedures and practices shall be based on fair testing practice, as described in "Code of Fair Testing Practices in Education" (2004), published by the Joint Committee on Testing Practices of the American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, 750 First Avenue, N.E., Washington D.C. 20002-4242. (No later amendments to or editions of this code are incorporated.)
 - 2) Districts and other affected entities shall protect the security and confidentiality of all assessment questions and other materials that are considered part of the State's accountability assessments, including but not necessarily limited to test items, reading passages, charts, graphs, and tables.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 3) Districts shall promptly report to the State Superintendent all complaints received by the district of testing irregularities. A district shall fully investigate the validity of any complaint and shall report to the State Superintendent the results of its investigation.
- 4) Districts shall administer the State's final accountability assessment or its approved alternate assessment, if applicable under subsection (d), to students in grade 11. (See Section 2-3.64 of the School Code.) For the purpose of this subsection (b)(4), "grade 11" means the point in time when a student has earned the number of credits necessary for enrollment in grade 11, as determined by his or her school district in accordance with Sections 1.420(b) and 1.440.
- 5) Districts shall ensure that students who have not taken the State's final accountability assessment at the highest grade or level assessed shall not receive a regular high school diploma. In accordance with Section 2-3.64a-5 of the School Code, districts, with approval from the State Board of Education, may issue a regular high school diploma to a student who has not met this requirement.
- 6) To request approval to graduate a student who has not taken the State's final accountability assessment, the school must submit to the State Board:
 - A) Explanation of why the student was not able to be assessed on the State's final approved accountability assessment in either grade 11 or 12, or in the commensurate final stage of a competency-based program.
 - B) Justification that granting the exemption does not represent systemic exclusion from accountability based on gender, race, disability, English Learner status, income or other demographic factors.
- 7) Schools within a district that exercise this exemption for less than 1 percent of the graduating cohort of that school year (i.e., all students receiving a regular diploma from that school within a single school year) will have these exemption requests approved without requiring additional evidence.
- 8) Schools within a district that exercise this exemption for more than 1 percent of the graduating cohort of that school year will be asked to

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

submit additional evidence in support of subsection (b)(6)(B) and may receive additional support, monitoring or audits.

- c) **Accommodations**

Students who have been identified at the local level as having limited proficiency in English as provided in 23 Ill. Adm. Code 228.15 (Identification of Eligible Students), including students not enrolled in programs of bilingual education, may participate in an accommodated setting for the State's accountability assessment, subject to the limitations set forth in Section 2-3.64 of the School Code. A student with limited proficiency in English shall be afforded extra time for completion of the State's accountability assessment when, in the judgment of the student's teacher, extra time is necessary in order for the student's performance to reflect his or her level of achievement more accurately, provided that each test must be completed in one session. See also Section 1.60(b) of this Part.
- d) **Illinois Alternate Assessment**

The 1 percent of students with the most significant cognitive disabilities whose IEPs identify the State's regular accountability assessment as inappropriate for them even with accommodations shall participate in the State's approved alternative accountability assessment, based on achievement standards aligned to the Illinois Learning Standards, for all subjects tested. (See also Section 1.60(c).)
- e) **Review and Verification of Information**

Each school district, charter school and nonpublic school participating in the Invest in Kids Act shall have an opportunity to review and, if necessary, correct the preliminary data generated from the administration of the State's accountability assessment, including information about the participating students as well as the scores achieved.

 - 1) Within 10 business days after the preliminary data from the accountability assessments is made available, each district or charter school shall make any necessary corrections to its data and then use a means prescribed by the State Board to indicate either:
 - A) that both its demographic and preliminary data are correct; or
 - B) that it is requesting rescoring of some or all portions of the assessment for specific students, if available.
 - 2) When districts request rescoring, staff of the State Board and/or its contractor shall have an additional period of 21 days within which to work

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

with the affected district or charter school to make any resulting corrections.

- 3) At the end of the 21-day period discussed in subsection (e)(2), all districts' and charter schools' data shall stand as the basis for the applicable school report cards and determination of status. Any inaccuracies that are believed to persist at that time shall be subject to the appeal procedure set forth in Section 1.95.
- f) Reports of the State's Accountability Assessment Results
- 1) Following verification of the data under subsection (e), the State Board shall send each school and district a report containing final information from the results of each administration of the State's accountability assessment.
 - A) The scores of students who are served by cooperatives or joint agreements, in Alternative Learning Opportunities Programs established under Article 13B of the School Code, by regional offices of education under Section 13A-3 of the School Code, by local agencies, or in schools operated by the Department of Human Services, scores of students who are served in any other program or school not operated by a school district and who are scheduled to receive regular high school diplomas, all scores of students who are youth in care of the State, and all scores of students who have IEPs, shall be reported to the students' respective districts of residence and to the schools within those districts that they would otherwise attend.
 - B) The scores of students enrolled in charter schools shall be reported to the chief administrator of the charter school and to any school district serving as a chartering entity for the charter school.
 - C) The scores of students who were enrolled in nonpublic schools through the Invest in Kids Act scholarship program shall be reported to the students' nonpublic schools of record.
 - 2) Each report shall include, as applicable to the receiving entity:

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- A) results for each student to whom the State assessment was administered (excluding any scores deemed by the State Board to be invalid due to testing irregularities); and
 - B) summary data for the school and/or district and the State, including but not limited to raw scores, scale scores, comparison scores, including national comparisons when available, and distributions of students' scores among the applicable proficiency classifications (see subsection (h)).
- g) Each school district and each charter school shall receive notification from the State Board of Education as to the status of each affected school with respect to accountability as reflected in the final data.
- h) **Classification of Scores**
Each score achieved by a student on the State's regular or alternate accountability assessment shall be classified among a set of performance levels, as reflected in score ranges that the State Board shall disseminate at the time of testing, for the purpose of identifying scores that "demonstrate proficiency".
- 1) Each score achieved by a student on a regular State assessment shall be classified among categories such as "did not yet meet", "partially meets", "approaching", "meets standards", or "exceeds standards". Among these scores, those identified as either meeting or exceeding standards shall be considered as demonstrating proficiency.
 - 2) Each score achieved by a student on the State's approved alternate accountability assessment shall be classified among categories such as "emerging", "approaching", "at target", or "advanced". Among these scores, those identified as "at target" or "advanced" shall be considered as demonstrating proficiency.
- i) **Scores Relevant to Accountability**
For purposes of determining a school's annual summative accountability rating, scores achieved and measures of growth calculated from those scores on the State's accountability assessment in reading or mathematics from students who attended the "same school within a local educational agency for at least half of a school year" (see section 1111(c)(4)(F)(i) of the Elementary and Secondary Education Act (20 USC 6301 et seq.)), shall be "relevant scores". For schools without grades higher than 2 and 3 (that is, for schools where the State's accountability assessment is not administered, and administered such that student

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

growth can be calculated for attending students), the "relevant scores" used to determine the annual summative accountability rating shall be current year data of students who were enrolled at the impacted school in the nearest year to have current applicable assessment data (i.e., a kindergarten-grade 3 school would map its 2016 grade 3 enrollments to use those students' 2017 grade 4 growth scores; a prekindergarten-grade 2 school would map its 2016 grade 2 enrollments to use those students' 2017 grade 3 English language arts and math proficiency scores, and would map its 2015 grade 2 enrollments to use those students' 2017 growth scores).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

SUBPART B: SCHOOL GOVERNANCE

Section 1.210 Approval of Providers of Training for School Board Members under Section 10-16a of the School Code

Entities that offer professional development activities, such as training organizations, institutions, regional offices of education, firms, professional associations, teachers' unions, and universities and colleges, may apply to the State Board of Education for approval to conduct leadership training activities for members of Illinois boards of education or Independent Authorities established under Section 2-3.25f-5 of the School Code in each of the topics specified in Section 10-16a of the School Code [105 ILCS 5/10-16a].

- a) Except as provided in subsection (b), each entity wishing to receive approval to offer the leadership training required under Section 10-16a of the School Code shall submit an application on a form supplied by the State Board of Education. An entity shall submit the application to the State Board of Education any time between March 1 and May 1 of each even-numbered year. Any application received after May 1 shall not be considered for that approval cycle. If the Governor has declared a disaster due to a public health emergency under Section 7 of the Illinois Emergency Management Agency Act, the application submission deadlines of this subsection are waived, and an entity may submit an application for review by the State Board of Education no later than 30 days after that declaration is no longer in effect. Each entity shall provide:
 - 1) a description of the intended offerings in each of the required areas;
 - 2) the qualifications and experience of the entity and of each presenter to be assigned to provide the leadership training, which shall include evidence

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

of a presenter's specific skills and knowledge in the area or areas in which he or she will be assigned;

- 3) the mode of delivery of the professional development (e.g., in-person instruction, distance-learning); and
 - 4) assurances that the requirements of subsection (c) will be met.
- b) An organization that has one or more affiliates (e.g., regional offices, local chapters) based in Illinois may apply for approval on their behalf.
- 1) The applicant organization shall provide a list of its affiliates for which approval is sought and supply the information required pursuant to subsection (a) with respect to each one.
 - 2) The applicant organization's provision of the assurances required pursuant to subsection (a)(4) shall be understood to apply to each affiliate for which approval is sought.
 - 3) The applicant organization shall notify the State Board of Education any time it determines that one or more affiliates should be removed from the list of approved providers.
 - 4) The approval status of the applicant organization shall be contingent upon its affiliates' compliance with the applicable requirements of this Section.
- c) Each entity approved to provide leadership training under this Section shall:
- 1) verify attendance at its training activities, provide to participants a written confirmation of their completion of the training, and require participants to complete an evaluation of the training; and
 - 2) maintain attendance and evaluation records for each event or activity it conducts or sponsors for a period of not less than five years.
- d) Applicants may be asked to clarify particular aspects of their materials.
- e) The State Superintendent of Education, in consultation with the Illinois Association of School Boards (IASB), shall respond to each application for approval no later than 30 days after receiving it.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- f) An entity shall be approved to offer leadership training if the entity's application presents evidence that:
 - 1) the leadership training that it sponsors or conducts will be developed and presented by persons with education and experience in the applicable areas to which they will be assigned; and
 - 2) the proposed training meets the requirements of Section 10-16a of the School Code.
- g) The State Board of Education shall post on its website at www.isbe.net the list of all approved providers. The website also shall indicate that the IASB is authorized under Section 10-16a(c) of the School Code to provide leadership training.
- h) Approval as a provider shall be valid for two calendar years (i.e., January 1 through December 31). To request renewal of approval, a provider shall submit a renewal application on a form supplied by the State Board of Education, within the timeframe specified in subsection (a), and containing:
 - 1) a description of any significant changes in the material submitted as part of its approved application or a certification that no such changes have occurred;
 - 2) evidence that the material to be used in the renewal cycle conforms to current statute, rules and procedures of the State Board of Education; and
 - 3) copies of the evaluations of the training that participants completed during the last approval period.
- i) A provider's approval shall be renewed if the application conforms to the requirements of subsection (h), provided that the State Superintendent has received no evidence of noncompliance with the requirements of this Section.
- j) The State Board of Education may evaluate an approved provider at any time to ensure compliance with the requirements of this Section. Upon request by the State Board, a provider shall supply information regarding its schedule of leadership training, which the State Board may, at its discretion, monitor at any time. In the event an evaluation indicates that the requirements have not been met, the State Board of Education, in consultation with IASB, may withdraw approval of the provider.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 44 Ill. Reg. _____, effective _____)

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section 1.323 Teacher Evaluation Ratings During a Gubernatorial Disaster

- a) This Section does not apply to circumstances in which a board and any exclusive employee representatives have completed the performance rating for teachers or mutually agreed to an alternate performance rating for teachers with or without contractual continued service and that agreement is in writing.

- b) 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, the following shall apply:
 - 1) Any teacher in contractual continued service and who received an “Excellent” on his or her most recent evaluation, and whose performance evaluation is not conducted when the evaluation is supposed to be conducted will not default to the rating of “Proficient” and will instead default to a rating of “Excellent”.

 - 2) Any teacher not in contractual continued service will default to the rating of “Proficient”.

- c) A school board and any exclusive bargaining representative may mutually agree to an alternate performance rating for teachers not in contractual continued service during any time in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, as long as the agreement is in writing.

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 1.325 Teacher Remediation Plan During a Gubernatorial Disaster

If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act that suspends in-person instruction, the timelines connected to the commencement and completion of any remediation plan are waived. Except if the parties mutually agree otherwise and the agreement is in writing, any remediation plan that had been in place for more than 45 days prior to the suspension of in-person instruction shall resume when in-person instruction resumes and any remediation plan that had been in place

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

for fewer than 45 days prior to the suspension of in-person instruction shall be discontinued and a new remediation period shall begin when in-person instruction resumes.

(Source: Added at 44 Ill. Reg. _____, effective _____)

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.421 Remote and Blended Remote Learning Days

- a) Notwithstanding the provisions of 23 Ill. Adm. Code 1, if the Governor has declared a disaster due to a public health emergency under Section 7 of the Illinois Emergency Management Agency Act, the State Superintendent may declare a requirement to use remote learning days or blended remote learning days for a district, multiple districts, a region, or the entire State. During remote learning days, schools must conduct instruction remotely. During blended remote learning days, schools may utilize hybrid models of in-person and remote instruction. Once declared, remote learning days or blended remote learning days will be implemented in any of grades pre-kindergarten through 12 as days of attendance, and shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19 of the School Code.
- b) For purposes of this Section, a remote learning day or blended remote learning day may be met through a district's implementation of an e-learning program under Section 10-20.56 of the School Code.
- c) For any district that does not implement an e-learning program under Section 10-20.56 of the School Code, the district shall adopt a remote and blended remote learning day plan approved by the district superintendent. Each district may utilize remote and blended remote learning planning days, consecutively or in separate increments, to develop, review, or amend its remote and blended remote learning day plan or provide professional development to staff regarding remote education. Up to 5 remote and blended remote learning planning days may be deemed pupil attendance days for calculation of the length of a school term under Section 10-19 of the School Code.
 - 1) Each remote and blended learning day plan shall address the following:
 - A) Accessibility of the remote instruction to all students enrolled in the district.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- B) If applicable, a requirement that the remote learning day and blended remote learning day activities reflect State learning standards.
 - C) A means for students to confer with an educator, as necessary.
 - D) The unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14 of the School Code, students who are English learners, as defined in Section 14C-2 of the School Code, and students experiencing homelessness under the Education for Homeless Children Act, or vulnerable student populations.
 - E) How the district will take attendance and monitor and verify each student's remote participation.
 - F) Transitions from remote learning to on-site learning upon the State Superintendent's declaration that remote learning days or blended remote learning days are no longer deemed necessary.
- 2) The district superintendent shall periodically review and amend the district's remote and blended remote learning day plan, as needed, to ensure the plan meets the needs of all students.
 - 3) Each remote and blended remote learning day plan shall be posted on the district's Internet website where other policies, rules, and standards of conduct are posted and shall be provided to students and faculty.
 - 4) This Section does not create any additional employee bargaining rights and does not remove any employee bargaining rights.
 - 5) Statutory and regulatory curricular mandates and offerings may be administered via a district's remote and blended remote learning day plan, except that a district may not offer individual behind-the-wheel instruction required by Section 27-24.2 of the School Code via a district's remote and blended remote learning day plan. This Section does not relieve schools and districts from completing all statutory and regulatory curricular mandates and offerings.

(Source: Added at 44 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Section 1.422 Electronic Learning (E-Learning) Days ~~Pilot~~ Program

Section 10-20.56 of the School Code [105 ILCS 5/10-20.56] authorizes a ~~pilot~~ program for the use of e-learning days by school districts to provide instruction while the students are not in attendance at the school to which they have been assigned. An e-learning day may be used only in lieu of using one or more emergency days required under Section 10-19 of the School Code or when used during remote learning days and blended remote learning days under Section 10-30 or 34-18.66 of the School Code [105 ILCS 5/10-19]. This Section sets forth the process to apply for approval to participate in the E-Learning Days ~~Pilot~~ Program (hereinafter, referred to as the "e-learning program") and the terms and conditions for the use of e-learning days by participating districts.

- a) An "approvable e-learning day":
 - 1) is a day of instruction provided for students who are not physically present at the school and that is accessible to all students, including students with disabilities and English learners;
 - 2) consists of a minimum of five clock hours of instruction; and
 - 3) is provided through electronic means, such as the *Internet, telephones, text messages, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meets the needs of all learners.* (Section 10-20.56(b) of the School Code)
- b) "All mandates", as used in Section 10-20.56(b) of the School Code, means mandates specific to academic goals and learning objectives, content areas of instruction, and instructional and other school support services. "All mandates" does not include the provision of transportation, school lunch and breakfast, after school care or other services not directly related to the provision of instruction.
- c) Once an e-learning day is used, a school district approved under this Section shall electronically submit a request to its regional office of education or intermediate service center to amend its calendar not later than 30 days from the date on which an e-learning day was taken. The request shall include a signed assurance that the district complied with each of the requirements of Section 10-20.56 of the School Code and Section 1.420(f)(5)(D) of this Part.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- d) If a school district used the e-learning day pursuant to Section 18-12 of the School Code [105 ILCS 5/18-12], the district also shall submit the information required under Section 1.420(f)(4) of this Part.
- e) A school district wishing to participate in the E-Learning Days ~~Pilot~~ Program shall submit an application to the State Board of Education that addresses each of the components listed in Section 10-20.56 of the School Code and subsection (f) of this Section.
 - 1) Each application for the E-Learning Days ~~Pilot~~ Program shall be submitted in a format specified by the State Superintendent by September 1 annually.
 - 2) Each application shall include a cover page that is signed by the school district superintendent; each of the district's exclusive collective bargaining representatives; and, as applicable, the district's regional superintendent of education or chief administrative officer of the district's intermediate service center.
 - 3) Each application shall include a description of the public hearing held by the school board to take testimony from the public, including from school district employees and parents, about the request.
 - 4) Each application shall include a dated copy of the notice of the public hearing that was published in a newspaper of general circulation and a dated copy of the written or electronic notifications about the public hearing that meet the requirements of Section 10-20.56(c) of the School Code.
- f) In addition to addressing each of the components in Section 10-20.56(d) of the School Code, each applicant shall:
 - 1) describe the process to be used to verify that five clock-hours of "instruction" under the direct supervision of educator licensed teachers will be provided;
 - 2) present a plan for addressing technology problems and providing other technical support, as applicable to its e-learning delivery system;
 - 3) detail how instruction and other services and programs provided by the e-learning program will:

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- A) address all the instructional mandates contained in Article 27 of the School Code (i.e., language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health) and this Part, as applicable;
 - B) comply with Article 14 of the School Code [105 ILCS 5/Art. 14], 23 Ill. Adm. Code 226 (Special Education), and the Individuals with Disabilities Education Act (also referred to as IDEA) (20 USC 1400 et seq.) and its implementing regulations (34 CFR 300, as amended by 71 Fed. Reg. 46540 (August 14, 2006) and 73 Fed. Reg. 73027 (December 1, 2008), no later amendments or editions included), and Section 504 of the Rehabilitation Act of 1973 (29 USC 701 et seq.), regarding the provision of services for students with disabilities;
 - C) comply with Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education), regarding services for English learners;
 - D) address the varying learning needs of students enrolled in general education coursework to include, as applicable, how the district will meet the instructional needs of students participating in, or receiving services from, programs under the Elementary and Secondary Education Act (20 USC 6301 et seq.) or McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.);
 - E) align to the district's curriculum and address the specific learning objectives of the course of instruction being provided; and
 - F) meet the requirements of Section 27-6 of the School Code [105 ILCS 5/27-6], regarding the provision of physical education, subject to any waiver of the requirement approved pursuant to Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g];
- 4) describe the process it will use to monitor Internet access or other electronic participation of individual students on an e-learning day (also see Section 1.420(f)(5)(D)); the description shall provide sufficient evidence of how students will actively participate in the program and any contingencies to be considered for students who are unable to access

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

instruction due to computer problems, power outages or other circumstances beyond a student's control; and

- 5) describe how expectations for e-learning coursework and other activities will be communicated to students and parents in advance of the school district's use of an e-learning day, as well as how feedback will be gathered from staff, students and parents about the successes and challenges of the e-learning program.
- g) Each application for an E-Learning Days ~~Pilot~~ Program that meets the requirements of Section 10-20.56 of the School Code and this Section shall be evaluated according to the criteria set forth in this subsection (g). The three highest ranked applications will be approved.
- 1) **Delivery System (up to 25 points)**
A robust system has been proposed to manage the e-learning system, ensuring accurate identification of students, reliable management of student attendance and provision of effective remedies for technical issues that may arise during the e-learning day that limit or block a student's or staff member's access to online participation.
 - 2) **Instructional Program (up to 25 points)**
The proposed program:
 - A) is built upon research about effective distance learning approaches;
 - B) includes a curriculum with high-quality learning experiences aligned to the learning objectives of the course or grade (including addressing the applicable instructional mandates identified in Article 27 of the School Code); organized lesson plans or other documentation of the instruction to be provided; and sequence and pacing to allow students to be successful; and
 - C) contains no penalties for students who encounter technical difficulties, providing a process for students to submit school work for credit that they were unable to complete during the e-learning day.
 - 3) **Special Populations (up to 25 points)**
Provisions for providing services for students with disabilities and English learners are appropriate and comply with State and federal laws and

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

regulations. The program also is likely to meet the varying learning needs of the students enrolled in general education coursework by adequately considering ability, grade level, at-risk status and/or demographic diversity.

- 4) Notification and Training (up to 25 points)
The proposed process for both involving staff, students and parents in the program design and for notifying and orienting them about the e-learning program to be implemented will sufficiently prepare staff, students and parents to fully participate in and navigate the e-learning system effectively and efficiently. A detailed plan is included for collecting feedback from staff, students and parents after an e-learning day is used.
- 5) Priority Consideration
Priority consideration may be given to proposals with specific areas of emphasis, such as to ensure geographic distribution or the participation of school districts with varying demographic characteristics, as identified by the State Superintendent of Education in a particular Request for Applications.
 - h) The State Superintendent of Education will notify school districts approved for participation in the E-Learning Days ~~Pilot~~ Program no later than 45 days following the close of the application period.
 - i) Approval to participate in the E-Learning Days ~~Pilot~~ Program will be for three years (see Section 10-20.56(d) of the School Code), except that approval in the second and third years shall be based on a review of the continuation application required under this subsection (i).
 - 1) By September 1 of each year following initial approval, each participating school district shall submit a continuation application to the State Superintendent that:
 - A) provides a summary of how the applicant will meet each of the program components listed in Section 10-20.56 of the School Code and this Section;
 - B) describes any changes in the program delivery model to be implemented for the school year;

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- C) identifies any problems encountered in the previous school year related to the provision or monitoring of the program; and
 - D) proposes remedies to be implemented during the next school year to resolve the problems identified.
- 2) The continuation application shall be submitted electronically through the Illinois Web-based Application Security (IWAS) System (see <https://sec1.isbe.net/iwas/asp/login.asp?js=true>) according to the timelines established by the State Superintendent of Education.
 - 3) Approval during any continuation period shall be contingent upon sufficient evidence that the e-learning program to be implemented in the continuation period meets each of the requirements of Section 10-20.56 of the School Code and the application approved under this Section and that any deficiencies identified have been resolved.
- j) Terms and Conditions of Approval
- 1) A school district that receives approval to participate in the E-Learning Days ~~Pilot~~ Program shall notify all educator licensed personnel and other employees, students and parents that it will be implementing an e-learning program no later than 10 school days after receiving notification of approval from the State Board of Education.
 - 2) An e-learning day shall be implemented on a districtwide basis, except as otherwise authorized under Section 18-12 of the School Code.
 - 3) A school district that is approved to use e-learning days may choose to use an emergency day instead of an e-learning day; that is, the school district's participation in the e-learning program does not compel it to use only e-learning days. Further, the school district is not required to exhaust all of its emergency days before using an e-learning day.
 - 4) A school district using an e-learning day shall use only educator licensed personnel under contract with the school district to deliver instruction, except that a person holding a substitute teaching license issued under Section 21B-20 of the School Code [105 ILCS 5/21B-20] may be used in cases of illness or leaves of absence.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 5) The school district shall assign one or more school administrators to monitor the program, to include, but not be limited to, verifying attendance, providing instruction should a teacher be unavailable, and overseeing student participation and the technical aspects of the e-learning program.
- 6) The State Superintendent of Education may withdraw approval of the e-learning program when evidence is presented that the school district violated the requirements, terms and conditions set forth in Section 10-20.56 of the School Code and/or the application approved under this Section.
- 7) A student unable to participate in an e-learning day due to computer problems, power outages or other circumstances beyond the student's control shall not be penalized (e.g., unexcused absences, lowering of grades) for his or her inability to participate in the e-learning instruction if the student later completes and submits the required school work within a timeframe specified by the district. A school district, however, shall not count the student as being in attendance on the e-learning day for purposes of determining average daily attendance when computing General State Aid.
- 8) A school district shall compute General State Aid in accordance with the requirements of Section 18-8.05(F) of the School Code and Section 1.420(f) of this Part.
- ~~9) A school district shall submit a final report specific to its e-learning program no later than December 31, 2018, and interim reports no later than 30 days after an e-learning day is used, that address, at minimum, each of the items listed in this subsection (j)(9). The reports shall be submitted in accordance with a format specified by the State Superintendent of Education. Each report shall include:~~
 - ~~A) a description of the process and evidence used to verify that a minimum of five clock hours of instruction or school work was provided for each student participating on the e-learning day;~~
 - ~~B) a summary of how each of the requirements of Section 10-20.56 of the School Code and components of the e-learning program approved under this Section were met, describing any challenges~~

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

~~encountered and/or solutions proposed to remedy the problems identified;~~

~~C) a summary of attendance information of students and teachers for each e-learning day used, compared to attendance information relative to students and teachers for the three days previous to the e-learning day; and~~

~~D) a summary of feedback about the e-learning experience from a representative sampling of teachers, students and parents, and how the e-learning program was improved or modified based on the feedback received.~~

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1.425 Additional Criteria for Physical Education

The requirements of this Section apply to a school's provision of physical education required under Section 27-6 of the School Code [105 ILCS 5].

- a) There shall be a definite school policy regarding credit earned each semester in physical education, with provisions for allowable variables in special cases.
- b) Participation in a physical education course shall be required of all students a minimum of three days per five day instructional week except when an appropriate medical excuse is submitted (see Section 1.425(d)). A school board may also choose to allow for student exemptions as permitted by Section 27-6 of the School Code (see Section 1.425(e)). If a student nonattendance day is scheduled for a day that would otherwise include physical education or the school building is not open to students, physical education for that day does not need to be made up (e.g., if physical education is regularly scheduled for Monday, Wednesday and Friday, but a teacher inservice is scheduled on a given Monday, physical education for that Monday does not have to be moved to Tuesday or Thursday.) However, school districts shall make every effort to ensure all students have the ability to participate in physical education at least three days per week even when school is in session fewer than five days in a given week.
- c) *The physical education and training course offered in grades 5 through 10 may include health education (Section 27-5 of the School Code).*

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- d) Pursuant to Section 27-6(a) of the School Code, a student who presents an appropriate excuse from his or her parent or guardian or from a person licensed under the Medical Practice Act of 1987 shall be excused from participation in physical education.
- 1) Each school board shall honor excuses signed by persons licensed under the Medical Practice Act of 1987 and shall establish a policy defining the types of parental excuses it will deem appropriate for this purpose, which shall include, but not be limited to, reliance upon religious prohibitions.
 - 2) For each type of excuse that will be considered appropriate, the school board shall identify in its policy any evidence or support it will require. For example, a board may require a signed statement from a member of the clergy corroborating the religious basis of a request.
 - 3) *Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act of 1987 [225 ILCS 60], prevents their participation in the courses provided for normal children (Section 27-6 of the School Code).*
- e) Under Section 27-6(b) of the School Code, *a school board may excuse pupils from engaging in physical education courses if those pupils request to be excused for any of the reasons listed in this subsection (e). A school board that chooses to allow any of these exemptions shall establish a policy to excuse pupils on an individual basis.* The district shall maintain records showing that, in disposing of each request to be excused from physical education, the district applied the criteria set forth in Section 27-6 of the School Code to the student's individual circumstances.
- 1) School districts shall have guidelines for the return of students who have been excused from a physical education course pursuant to subsections (e)(2) through (4). These guidelines shall return the student to a physical education course as soon as practical. When creating these guidelines, a school district shall take into consideration the following:
 - A) The time in the school year when participation ceases;
 - B) Any future or planned additional participation pursuant to subsections (e)(2) through (4) by a student; and

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- C) Student class schedules.
- 2) *Students in grades 7-12 on a case-by-case basis, for ongoing participation in an interscholastic (e.g., Illinois Elementary School Association, the Southern Illinois Junior High Athletic Association, and Illinois High School Association) or extracurricular athletic program. Interscholastic and extracurricular athletic programs are limited to those programs that are sponsored by the school district as defined by school district policy.*
 - 3) Students in grades 11-12
 - A) *ongoing participation in interscholastic athletics;*
 - B) *enrollment in a course required for admittance into postsecondary education; or*
 - C) *enrollment in a course required for high school graduation, provided that failure to take such classes will result in the pupil being unable to graduate.*
 - 4) Students in grades 9-12
 - A) *ongoing participation in marching band for credit; or*
 - B) *enrollment in a Reserve Officer's Training Corps (ROTC) program sponsored by the school district.*
 - 5) Students in grades 3-12
 - A) *eligibility for special education services and the student's parent or guardian agrees, or there is a determination by the student's individualized education program (IEP) team, that the student needs this time for special education support and services; or*
 - B) *participation in an adaptive athletic program outside school setting as outlined in the student's IEP and as documented according to school board policy. (See Section 27-6 of the School Code.)*
 - 6) A board shall have no authority to honor parental excuses based upon students' participation in athletic training, activities or competitions conducted outside the auspices of the school district.

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- f) **Assessment and Reporting**
In accordance with Section 27-6.5 of the School Code, each school shall *use a scientifically-based, health-related physical fitness assessment for grades 3 through 12 and periodically report fitness information to the State Board of Education to assess student fitness indicators. If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, no student shall be required to participate in a physical fitness assessment for the duration of that declaration.*
- 1) For the purposes of this subsection (f), each school shall administer the FitnessGram[®] (<http://www.fitnessgram.net/>; also see subsection (f)(3)) to students in grades 3 through 12 (except as noted in subsection (f)(1)(A) and as exempted under Section 27-6 of the School Code) for the components and using the test items listed in subsections (f)(1)(A) through (f)(1)(D). Beginning in school year 2016-17, the FitnessGram[®] shall be administered at least annually in the second semester of the school year; however, schools also are encouraged to administer the assessment at the start of the school year in order to receive pre- and post-results.
 - A) Aerobic Capacity, grades 4 through 12, either the PACER test or the Mile Run test.
 - B) Flexibility, either the Back-Saver Sit and Reach test or the Trunk Lift test.
 - C) Muscular Endurance, the Curl-up test.
 - D) Muscular Strength, the Push-up test.
 - 2) As applicable, a school shall use the methodologies of the Brockport Physical Fitness Testing accessible at <http://www.pyfp.org/> to meet the requirements of this subsection (f) for any student with known orthopedic, intellectual and/or visual disabilities whose Individualized Education Program (IEP) and/or 504 Plan identifies the FitnessGram[®] as not appropriate.
 - 3) In order to ensure that the FitnessGram[®] and Brockport protocols are followed, school personnel administering the assessments shall participate in training related to the proper administration and scoring of the assessment by reviewing the chapters of the FitnessGram[®] Test

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Administration Manual titled "Test Administration", "Aerobic Capacity", and "Muscular Strength, Endurance and Flexibility" and, if applicable, the Brockport Physical Fitness Test Manual for students with disabilities, which are accessible at <http://www.pyfp.org/>. Each school district shall maintain evidence of an individual's successful completion of the training and make it available to the State Board of Education upon request.

- 4) *Fitness scores shall not be used for grading students or evaluating teachers* under the provisions of Article 24A of the School Code (Section 27-6.5(b) of the School Code).
- 5) Each school district shall annually report aggregate data regarding the total number of students whose fitness results for each of the components listed in subsection (f)(1) were identified as meeting the "healthy fitness zone" or as "needs improvement zone".
 - A) Data shall be submitted electronically to the State Board of Education no later than June 30 of each school year, beginning in school year 2016-17, using the Illinois State Board of Education Web Application Security System (IWAS).
 - B) Data shall be reported for students in grades 5, 7 and 10 only and include:
 - i) the total number of students tested by grade and gender;
 - ii) the total number of students achieving at the "healthy fitness zone" by grade and gender;
 - iii) the total number of students identified as "needs improvement zone" by grade and gender.
- h) Each school district shall establish procedures and protocols to ensure the confidentiality of individual student assessment results consistent with the requirements of the Illinois School Student Records Act [105 ILCS 10] and the Family Educational Rights and Privacy Act (20 USC 1232g).

(Source: Amended at 44 Ill. Reg. _____, effective _____)