

ILLINOIS REGISTER

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

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SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 226

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AUTHORITY: Implementing Article 14 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art.14 and 2-3.6].

SOURCE: Adopted August 12, 1976; rules repealed and new emergency rules adopted at 2 Ill. Reg. 37, p. 29, effective September 1, 1978, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 5, p. 932, effective February 1, 1979; emergency amendment at 4 Ill. Reg. 38, p. 328, effective September 15, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 8021, effective July 22, 1981; amended at 6 Ill. Reg. 558, effective December 23, 1981; emergency amendment at 7 Ill. Reg. 6511, effective May 6, 1983, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 8949, effective July 15, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 6669; amended at 8 Ill. Reg. 7617, effective May 17, 1984; emergency amendment at 10 Ill. Reg. 3292, effective January 27, 1986, for a maximum of 150 days; emergency expired June 24, 1986; amended at 10 Ill. Reg. 18743, effective October 22, 1986; amended at 10 Ill. Reg. 19411, effective October 31, 1986; amended at 13 Ill. Reg. 15388, effective September 14, 1989; emergency amendment at 14 Ill. Reg. 11364, effective June 26, 1990, for a maximum of 150 days; emergency expired November 23, 1990; amended at 15 Ill. Reg. 40, effective December 24, 1990; amended at 16 Ill. Reg. 12868, effective August 10, 1992; emergency amendment at 17 Ill. Reg. 13622, effective August 3, 1993, for a maximum of 150 days; emergency expired December 31, 1993; amended at 18 Ill. Reg. 1930, effective January 24, 1994; amended at 18 Ill. Reg. 4685, effective March 11, 1994; amended at 18 Ill. Reg. 16318, effective October 25, 1994; amended at 19 Ill. Reg. 7207, effective May 10, 1995; amended at 20 Ill. Reg. 10908, effective August 5, 1996; amended at 21 Ill. Reg. 7655, effective July 1, 1997; Part repealed, new Part adopted at 24 Ill. Reg. 13884, effective August 25, 2000; amended at 27 Ill. Reg. 8126, effective April 28, 2003; amended at 31 Ill. Reg. 9915, effective June 28, 2007; amended at 32 Ill. Reg. 4828, effective March 21, 2008; amended at 34 Ill. Reg. 17433, effective October 28, 2010; amended at 35 Ill. Reg. 8836, effective May 26, 2011; peremptory amendment, pursuant to PA 97-461, at 35 Ill. Reg. 14836, effective August 22, 2011; amended at 36 Ill. Reg. 12648, effective July 18, 2012; amended at 36 Ill. Reg. 12870, effective July 24, 2012; amended at 37 Ill. Reg. 16788, effective October 2, 2013; amended at 40 Ill. Reg. 2220, effective January 13, 2016; emergency amendment at 44 Ill. Reg. 5917, effective March 25, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg.

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6675, effective April 9, 2020, for the remainder of the 150 days; amended at 44 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 226.60 Charter Schools

For purposes of the federal Individuals with Disabilities Education Act ~~IDEA~~ and this Part, charter schools established pursuant to Article 27A of the School Code [~~105 ILCS 5/Art. 27A~~] shall be treated either as schools within school districts or as local educational agencies in their own right.

- a) When a school's charter is issued by a local board of education pursuant to Section 27A-8 of the School Code [~~105 ILCS 5/27A-8~~], that charter school shall be considered as a school within the district over which that board of education exercises jurisdiction.
- b) When a school's charter is issued by the State Board of Education ~~Charter School Commission~~ pursuant to Section 27A-7.5 of the School Code [~~105 ILCS 5/27A-7.5~~], that charter school shall be considered as a local educational agency.

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

Section 226.75 Definitions

~~Assistive Technology Device: See 34 CFR 300.5.~~

~~“Behavioral intervention” means an intervention: An intervention based on the methods and empirical findings of behavioral science and that is designed to positively influence a child's actions or behaviors positively.~~

~~“Business day” means Monday through Friday, except for federal and State holidays.~~

~~“Day” means a calendar day.~~

~~Case Study Evaluation: See "Evaluation".~~

~~Day; Business Day; School Day: See 34 CFR 300.11.~~

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~~Developmental Delay: See 34 CFR 300.8 and 300.111(b). Delay in physical development, cognitive development, communication development, social or emotional development, or adaptive development (may include children from three through nine years of age).~~

“Disability” means the 13 disabilities identified in the federal Individuals with Disabilities Education Act ~~Disability: IDEA identifies 13 disabilities as the basis for students' eligibility~~ for special education and related services. These disabilities (autism, deaf-blindness, deafness, emotional disability, hearing impairment, intellectual disability, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment) shall be defined as set forth in 34 CFR 300.8(c). In addition, for purposes of this Part, "autism" shall include, but not be limited to, any Autism Spectrum Disorder that adversely affects a child's educational performance.

“Domain” means an ~~Domain: An~~ aspect of a child's functioning or performance that must be considered in the course of designing an evaluation. The domains are health, vision, hearing, social and emotional status, general intelligence, academic performance, communication status, and motor abilities.

“Equipment” has the meaning given to that term under ~~Equipment (a programmatic definition, not intended to coincide with the definition of "equipment" given in the Requirements for Accounting, Budgeting, Financial Reporting, and Auditing at 23 Ill. Adm. Code 100.20): See 34 CFR 300.14.~~

“Evaluation” has the meaning given to that term under ~~Evaluation: See 34 CFR 300.15.~~

“Extended school year services” has the meaning given to that term under ~~Extended School Year Services: See 34 CFR 300.106(b).~~

“Functional behavioral assessment” means an ~~Behavioral Assessment: An~~ assessment process for gathering information regarding the target behavior, its antecedents and consequences, controlling variables, the student's strengths, and the communicative and functional intent of the behavior, for use in developing behavioral interventions.

“General curriculum” means the ~~Curriculum: The curriculum adopted and/or~~ used by a local school district or by the schools within a district for nondisabled

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students; the content of the program, as opposed to the setting in which it is offered.

“Individualized education program team” or “IEP team” has the meaning given to that term under IEP Team. ~~See 34 CFR 300.23.~~

“Independent educational evaluation” has the meaning given to that term under Educational Evaluation. ~~See 34 CFR 300.502(a)(3)(i).~~

“Individualized education program” Education Program or “IEP” has the meaning given to that term under: ~~See 34 CFR 300.22.~~ An IEP shall be considered "linguistically and culturally appropriate" if it addresses the language and communication needs of a student as a foundation for learning, as well as any cultural factors that may affect the student's education.

“Individualized Family Service Plan” or “IFSP” means 20 U.S.C. 1401(15). ~~See 34 CFR 300.24.~~

Least Restrictive Environment (LRE): See 34 CFR 300.114.

“Limited English proficient” has the meaning given to that term under Proficient. ~~See 34 CFR 300.27.~~

“Native language” has the meaning given to that term under Language. ~~See 34 CFR 300.29.~~

“Parent” has the meaning given to that term under: ~~See 34 CFR 300.30.~~

“Personally identifiable” has the meaning given to that term Identifiable (with reference to information). ~~See 34 CFR 300.32.~~

“Qualified bilingual specialist” means an Bilingual Specialist. ~~An individual who holds the qualifications described in Section 226.800(f).~~

“Qualified personnel” means staff Personnel. ~~Staff members or other individuals who hold the certificate, educator or professional license, registration, or credential that is required for the performance of a particular task.~~

“Qualified specialist” means an Specialist. ~~An individual who holds the applicable qualifications described in Subpart I.~~

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“Related services” has the meaning given to that term under Services: See 34 CFR 300.34.

“School Code” or “Code” means 105 ILCS 5.

“School day” means any day, including a partial day, that children are in attendance at school for instructional purposes.

“School district” means a District: A public school district established under Article 10 or Article 34 of the School Code [105 ILCS 5/Art. 10 or 34] or a charter school established under Article 27A of the School Code [105 ILCS 5/Art. 27A].

“Special education” has the meaning given to that term under Education: See 34 CFR 300.39.

“Student record” means Record: See Section 2 of the Illinois School Student Records Act [105 ILCS 10/2] and 23 Ill. Adm. Code 375.10 (Student Records).

“Supplementary aids and services” has the meaning given to that term under Aids and Services: See 34 CFR 300.42.

“Transition services” has the meaning given to that term under Services: See 34 CFR 300.43.

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

SUBPART B: IDENTIFICATION OF ELIGIBLE CHILDREN

Section 226.130 Additional Procedures for Students Suspected of or Having a Specific Learning Disability

- a) In addition to the requirements set forth in Sections 226.110 and 226.120 of this Part, the district shall adhere to the procedures set forth at 34 CFR 300.307, 300.308, 300.309, 300.310, and 300.311 when evaluating a student who is suspected of, or who has previously been identified as having, a specific learning disability as described in 34 CFR 300.8.

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- b) Provided that the requirements of this subsection (b) are met, each district ~~shall~~ *may utilize response to scientific, research-based intervention or multi-tiered systems of support as part of an evaluation procedure to determine if a child is eligible for special education services due to a specific learning disability.* ~~implement the use of a process that determines how the child responds to scientific, research-based interventions as part of the evaluation procedure described in 34 CFR 300.304.~~ When a district implements the use of a process of this type, the district shall not use any child's participation in the process as the basis for denying a parent's request for an evaluation.
- 1) The State Superintendent of Education shall disseminate a plan outlining the nature and scope of the professional development that is necessary to permit implementation of a process of this type and describing any additional activities or resources that the Superintendent finds to be essential. Any amendments to the plan will be made in consultation with the statewide teacher organizations, statewide school management organizations, and State Advisory Council on Education of Students with Disabilities.
 - 2) The plan shall quantify the estimated cost of the professional development and other necessary resources and shall identify sources of funding that are or may become available to the State Superintendent for these purposes.
 - 3) The plan shall include:
 - A) a method of identifying school districts that are less able than others to implement a process of the required type without technical or financial assistance from the State;
 - B) a timeframe for the provision of training, other technical assistance and materials, or financial resources for related purposes that demonstrates the State Superintendent's best efforts to secure and provide relevant support to districts; and
 - C) a method of allocating resources that affords first consideration to districts that may otherwise be unable to implement a process of the required type without diverting necessary support from other aspects of the educational program.

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- c) Each district shall have a plan for the use of a process that determines how the child responds to scientific, research-based interventions as part of the evaluation procedure described in 34 CFR 300.304. Each district's plan shall identify the resources the district will devote to this purpose and include an outline of the types of State-level assistance the district expects to need, with particular reference to the professional development necessary for its affected staff members to implement this process. The plan developed pursuant to this subsection (c) may be incorporated into a district's district improvement plan (see 23 Ill. Adm. Code 1.85(b)) if one exists.
- d) In addition to using an identification process of the type required by subsection (b), a district may use a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability.

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

SUBPART C: THE INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Section 226.220 Development, Review, and Revision of the IEP

The development, review, and revision of each child's IEP shall conform to the requirements of 34 CFR 300.324 and 300.328. The additional requirements of this Section shall also apply.

- a) When an IEP has been developed or revised, the district shall provide notice in accordance with 34 CFR 300.503(b) and (c) immediately to the parents, and implementation of the IEP shall occur no later than 10 school days after the provision of this notice or by the beginning of the following school year if the IEP is developed or revised with fewer than 10 school days remaining in the school year. If the new or revised IEP requires extended-year services, those services shall be provided in accordance with the provisions of the IEP.
- b) *If, at a meeting to develop or revise a child's individualized education program, the individualized education program team determines that a certain service is required in order for the child to receive a free, appropriate public education and that service is not implemented within 10 school days after the service was to be initiated as set forth by the child's IEP, then the local education agency shall provide the child's parent or guardian with written notification that the service has not yet been implemented. The notification must be provided to the child's parent or guardian within 3 school days of the local education agency's non-compliance with the child's IEP and must inform the parent or guardian about*

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the school district's procedures for requesting compensatory services (See Section 14-8.02f(d) of the Code). For purposes of this Section, "school days" does not include days where a child is absent from school for reasons unrelated to a lack of IEP services or when the service is available, but the child is unavailable.

- c) b) Either a child's educational provider or a child's parent may request an IEP meeting at any time. Within 10 days after receipt of a request, the district shall either agree and notify the parent in accordance with 34 CFR 300.503 or notify the parents in writing of its refusal, including an explanation of the reason no meeting is necessary to ensure the provision of FAPE for the child.
- d) e) The development of an IEP for a child who has a disability on the autism spectrum shall include consideration of the factors specified in Section 14-8.02(b)(1) through (7) of the School Code.

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

SUBPART D: PLACEMENT

Section 226.310 Related Services

Each school district shall ensure that related services (~~defined in 34 CFR 300.34~~) are provided if necessary to assist an eligible child in benefiting from his or her special education. Local education agencies must make service logs that record the delivery of related services administered under the child's IEP and the minutes of each type of related service that has been administered available to the child's parent or guardian at any time upon request of the child's parent or guardian. Related services for which a log must be made are: speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services. The local education agency must inform the child's parent or guardian within 20 school days from the beginning of the school year or upon establishment of an IEP of his or her ability to request those service logs (See Section 14-8.02f(d) of the Code).

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

SUBPART F: PROCEDURAL SAFEGUARDS

Section 226.530 Parents' Participation

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With respect to parents' participation in meetings, school districts shall conform to the requirements of 34 CFR 300.322 and 300.501. For purposes of 34 CFR 300.322(a)(1), "notifying parents of the meeting early enough to ensure that they will have an opportunity to attend" means the district shall provide written notification no later than ten days prior to the proposed date of the meeting. No later than 3 school days prior to a meeting to determine a child's eligibility for special education and related services or to review a child's IEP, or as soon as possible if an IEP meeting is scheduled within 3 school days with written consent of the child's parent or guardian, the local education agency must provide the child's parent or guardian with copies of all written material that will be considered by the IEP team at the meeting so that the parent or guardian may participate in the meeting as a fully-informed member. The parent or guardian shall have the option of choosing from the available methods of delivery, which must include regular mail and picking up the materials at school. Parents shall also be informed of their right to review and copy their child's school student records prior to any special education eligibility or individualized education program review meeting, subject to the requirements of applicable federal and State law. (See Section 14-8.02f(c) of the Code). In addition, the district shall take whatever action is necessary to facilitate the parent's understanding of and participation in the proceedings at a meeting, including arranging for and covering the expense of an interpreter for parents whose native language is other than English or for an interpreter licensed pursuant to the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443] for parents who are deaf.

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

Section 226.570 State Complaint Procedures

This Section sets forth the State Board of Education's written complaint procedures, as required by 34 CFR 300.151, 300.152, and 300.153 and Section 14-8.02e of the School Code.

- a) A parent, individual, or organization may file a signed, written complaint with the State Board of Education alleging that a local school district, cooperative service unit, or the State has violated the rights of one or more children with disabilities. The complaint shall include:
 - 1) A statement that a responsible public entity has violated a requirement of Part B of the IDEA, 34 CFR, Article 14 of the School Code, or this Part;
 - 2) The facts on which the statement is based;
 - 3) The signature and contact information for the complainant;

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- 4) The names and addresses of the students involved (and the names of the schools of attendance), if known;
 - 5) A description of the nature of the problem of the child, including the facts relating to the problem; and
 - 6) A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.
- b) Except as otherwise provided under subsection (b) of Section 14-8.02e of the Code, a complaint shall only be considered if it alleges that the violation occurred not more than one year prior to the date on which the complaint is received.
- c) Within 60 days after receiving a complaint that meets the requirements of subsections (a) and (b), the State Board of Education shall:
- 1) Carry out an independent on-site investigation, if deemed necessary by the State Board of Education.
 - 2) Give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint.
 - 3) Require that the public entity that is the subject of the complaint submit a written response to the complaint, including corrective action compliance documentation. (See Section 14-8.02e of the School Code.) The public entity shall submit its response and all other documentation to the State Board of Education and the parent, individual, or organization filing the complaint no later than the date indicated in the written correspondence received under this subsection (c)(3), which in no case shall exceed 45 days.
 - 4) Provide the public entity with the opportunity during the complaint process to:
 - A) offer a proposal to resolve the complaint; ~~and~~/or
 - B) offer to engage the parent in mediation or alternative means of dispute resolution.

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- 5) Review all relevant information and make an independent determination as to whether the public entity is violating a requirement of Part B of the IDEA, 34 CFR, Article 14 of the School Code, or this Part.
- 6) Issue a written decision to the complainant that addresses each allegation in the complaint and contains:
 - A) findings of fact and conclusions;
 - B) the reasons for the State Board of Education's final decision;
 - C) orders for any actions, including ~~without limitation~~ technical assistance activities and negotiation, that are necessary to bring the public entity into compliance with applicable requirements.
- d) An extension of the time limit set forth in subsection (c) shall be allowed if exceptional circumstances exist with respect to a particular complaint or if the parent and the public entity agree to extend the time to conduct the activities pursuant to subsection (c)(4)(B) ~~(e)(3)(B)~~.
- e) If a written complaint is received by the State Board of Education involving one or more issues that are also the subject of a due process hearing, the State Board shall hold those portions of the complaint in abeyance pending the completion of the hearing. However, any issues that are not the subject of the hearing shall be resolved as provided in this Section.
- f) If a complaint is filed about an issue that has previously been decided in a due process hearing involving the same parties, the decision arising from that hearing shall be considered binding, and the State Board shall inform the complainant to that effect. A complaint alleging a public entity's failure to implement a decision arising from due process, ~~however,~~ shall be resolved by the State Board pursuant to Section 226.675.

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

SUBPART H: ADMINISTRATIVE REQUIREMENTS

Section 226.780 Procedures for Withdrawal Hearings before the Regional Board of School Trustees

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This Section sets forth the procedures for a hearing by one or more regional boards of school trustees to consider a school district's petition to withdraw from a special education joint agreement pursuant to Section 10-22.31 of the School Code [~~105 ILCS 5/10-22.31~~]. The procedures set forth in this Section shall not apply to school district withdrawals from a special education joint agreement agreed upon by all remaining member districts.

- a) Upon receipt of the petition for withdrawal, a regional board of school trustees that exercises oversight or governance over all member school districts of the joint agreement shall conduct the hearing.
 - 1) The Regional Superintendent of Schools, acting in her or his role as ex officio secretary of the regional board of school trustees, shall deliver a ~~cause~~ a copy of the petition ~~to be delivered~~ to the board of each member district and shall publish ~~cause~~ notice of the petition ~~to be published~~ once in a newspaper having general circulation in the educational service region. The notice shall include the following:
 - A) The date the petition was filed;
 - B) The name of each school district that is a member of the joint agreement;
 - C) The effective date on which the petitioning district would be withdrawn from the joint agreement if the petition is granted; and
 - D) The return date on which the hearing upon the petition will be held, which shall be no less than 10 and no more than 15 days after the publication of the notice.
 - 2) Prior to the hearing on the petition for withdrawal, the ex officio secretary of the regional board of school trustees shall submit to the regional board of school trustees a written report of the educational and administrative conditions of the districts involved relative to the provision of special education services.
 - 3) The regional board of school trustees shall hear evidence as to the special education needs and conditions of the petitioning school district and of the special education cooperative from which it wishes to withdraw and shall determine whether it is in the best interest of the students with disabilities

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in the petitioning district that the petition for withdrawal from the joint agreement be granted.

- 4) The regional board of school trustees shall enter an order granting or denying the petition within 30 days after the hearing. *Approval of the petition ~~must~~ shall be by a two-thirds majority of the school trustees* (Section 10-22.31(a) of the School Code). A certified copy of such an order shall be sent to the petitioning district, the special education cooperative, the regional superintendent of education in whose region the cooperative is located, and the State Board of Education's ~~Division of~~ Special Education Services Department at 100 North First Street, Springfield, Illinois 62777.
- b) Upon receipt of the petition for withdrawal from a special education joint agreement in which more than one regional board of school trustees exercises oversight or governance over any of the school districts participating in the agreement, a joint hearing will be held on the petition.
 - 1) The petition for withdrawal shall be filed concurrently with each regional board of school trustees exercising oversight or governance over any of the member districts.
 - 2) The regional board of school trustees for the region where the administrative office of the special education cooperative is located shall be responsible for the coordination of all activities related to the joint hearing.
 - A) The coordinating regional board of school trustees shall comply with all provisions of subsection (a) of this Section, and shall provide copies of all notices and reports required under subsection (a) of this Section to the ex officio secretaries of each of the regional boards of school trustees whose school districts are parties to the special education joint agreement.
 - B) The joint hearing shall be held in the region of the coordinating regional board of school trustees.
- 3) *Approval of the petition ~~must~~ shall be by a two-thirds majority of all those school trustees present and voting at the joint hearing* (Section 10-22.31(a) of the School Code).

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- c) A member district wishing to withdraw from a joint agreement may obtain from its school board a written resolution approving the withdrawal. The withdrawing district must then present a written petition for withdrawal from the joint agreement to other member districts (See Section 10-22.31(g) of the Code).
- 1) Under no circumstances may the petition be presented to the other member districts less than 12 months from the date of the proposed withdrawal, unless the member districts agree to waive this timeline.
 - 2) Upon approval by school board written resolution of all of the remaining member districts, the petitioning member district must notify the State Board of the approved withdrawal in writing and must submit a comprehensive plan developed under Section 10-22.31(g-5) of the Code for review by the State Board.
 - 3) If the petition for withdrawal is not approved, the petitioning member district may appeal this decision to the trustees of schools of the township that has jurisdiction and authority over the withdrawing district. If a withdrawing district is not under the jurisdiction and authority of the trustees of schools of a township, a hearing panel shall be established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district.
 - A) The hearing panel is subject to the requirements under Section 10-22.31(g) of the Code.
 - B) Before the hearing, the withdrawing district must:
 - i) Provide written notification to all parents or guardians of students with disabilities residing within the district of its intent to withdraw from the special education joint agreement.
 - ii) Hold a public hearing to allow for members of the community, parents or guardians of students with disabilities, or any other interested parties an opportunity to review the plan for educating students after the withdrawal and to provide feedback on the plan.

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iii) Prepare and provide a comprehensive plan outlined under Section 10-22.31(g-5) of the Code.

4) The trustees of schools of the township having jurisdiction and authority over the withdrawing district or the hearing panel established under this subsection must convene and hear testimony to determine if the withdrawing district has presented sufficient evidence that the district, standing alone, will provide a full continuum of services and support to all its students with disabilities in the foreseeable future. If the petition for withdrawal is approved, then the petitioning member district shall be withdrawn from the joint agreement effective the following July 1 and shall notify the State Board in writing of the approved withdrawal.

d)e) In instances in which one or more of the competent regional boards of school trustees have been abolished, petitions for withdrawal shall be made to the school boards of those member districts that would fall under the oversight or governance of the abolished regional board of school trustees.

- 1) Upon receipt of the petition for withdrawal, the remaining member districts shall place the petition on their respective school board agenda for the next regularly scheduled board meeting.
- 2) Each member district shall afford the petitioning district the opportunity to address the school board at the time the petition is considered by the board.
- 3) Each member district shall act upon a resolution, either approving or denying the petition for withdrawal. Approval of a petition shall be by a two-thirds majority of those districts unless the joint agreement's articles of agreement provide otherwise.

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

SUBPART I: PERSONNEL

Section 226.800 Personnel Required to be Qualified

- a) General
 - 1) Each school district, or the special education cooperative of which it is a

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member, shall employ sufficient professional personnel and personnel not holding Illinois educator licensure to deliver and supervise the full continuum of special education and related services needed by the eligible students who reside in the district or districts served by the cooperative. The number and types of personnel employed shall be based on students' need rather than administrative convenience.

- 2) Each school district or special education cooperative shall periodically submit to the State Board of Education, on forms supplied by the State Board, the roster of the individuals who will be or are providing special education or related services. The State Board may request any additional documentation needed in order to verify that each individual holds the qualifications that are required for his or her assignments.
- ~~3) Reimbursement for personnel expenditures shall be made by the State Board with respect to only those individuals who are qualified, pursuant to this Subpart I, to deliver services to students with IEPs [105 ILCS 5/14-1.10 and 14-13.01] and whose positions are listed either in Section 226.850 or 226.860 of this Part, or pursuant to 23 Ill. Adm. Code 25.48 (Short Term Emergency Approval in Special Education) when applicable.~~
- 3)4) Each school district or special education cooperative shall develop and implement a comprehensive personnel development program for all personnel involved with the education of children with disabilities.

b) Professional Instructional Personnel

Each individual employed in a professional instructional capacity shall:

- 1) hold a valid professional educator license endorsed for the grade range to be served ~~special preschool age 21~~ and meet the qualifications required for the teaching area pursuant to 23 Ill. Adm. Code 25.43; ~~or~~
- 2) hold a valid professional educator license endorsed in another teaching area and approval issued by the State Board of Education specific to the area of responsibility (see Section 226.810); ~~or~~
- 3) be employed pursuant to an authorization for assignment issued to the employing entity under Section 226.820; or

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- 4) hold short-term emergency approval or endorsement issued pursuant to 23 Ill. Adm. Code 25.48.
- c) An individual assigned as a career and technical coordinator shall be required to hold an approval or endorsement for this position, which shall be granted provided that the individual submits an application demonstrating that he or she:
 - 1) has two years' teaching experience;
 - 2) holds a valid professional educator license endorsed in a teaching field; ~~with either a special preschool-age 21 endorsement or a secondary endorsement;~~ and
 - 3) has completed at least 16 semester hours of college coursework, which shall at least include each of the areas identified in subsections (c)(3)(A) through (D) and may include one or more of the areas identified in subsections (c)(3)(E) through (H):
 - A) Survey of the exceptional child;
 - B) Diagnosis of, and characteristics of the student with, all the disabilities encompassed by the Learning Behavior Specialist I (LBS I) credential;
 - C) Adaptations or modifications of the general curriculum to meet the needs of students with the disabilities encompassed by the LBS I credential;
 - D) Career and technical programming for students with disabilities;
 - E) Methods appropriate for teaching children with all the disabilities encompassed by the LBS I credential;
 - F) Guidance and counseling;
 - G) Educational and psychological diagnosis;
 - H) Career and technical education.
- d) An individual assigned as a teacher coordinator shall be required to hold an

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approval or endorsement for this position, which shall be granted provided that the individual submits an application demonstrating that he or she:

- 1) holds a valid professional educator license with an endorsement ~~either a special preschool-age 21 endorsement for the disability area of assignment issued pursuant to 23 Ill. Adm. Code 25.43 or a secondary endorsement with special education approval in the applicable disability area issued pursuant to Section 226.810;~~
 - 2) has completed a course in career and technical programming for students with disabilities; and
 - 3) has at least one year's work experience outside the field of education or has completed at least one course in either guidance and counseling or career and technical education.
- e) An individual assigned as a business manager's assistant shall hold a valid ~~professional educator~~ license endorsed for chief school business official pursuant to 23 Ill. Adm. Code 25.345.
- f) **Qualified Bilingual Specialists**
Professional staff otherwise qualified pursuant to this Section shall be considered "qualified bilingual specialists" if they submit the required application and meet the applicable requirements set forth in this subsection (f).
- 1) A holder of a valid professional educator license with an endorsement ~~a special preschool-age 21 endorsement~~ in the area of responsibility issued pursuant to 23 Ill. Adm. Code 25.43 shall successfully complete a language examination in the non-English language of instruction and shall have completed coursework covering:
 - A) Psychological/educational assessment of students with disabilities who have limited English proficiency;
 - B) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition; and
 - C) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English

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proficiency.

- 2) A holder of a valid professional educator license with an early childhood, elementary, secondary, or special preschool-age 21 endorsement who also holds special education approval in the area of responsibility (see Section 226.810) shall successfully complete a language examination in the non-English language of instruction and shall have completed the coursework listed in subsections (f)(1)(A), (B), and (C).
- 3) A holder of a valid professional educator license endorsed in a teaching field ~~with an early childhood, elementary, secondary, or special kindergarten-grade 12 or preschool-age 21 endorsement~~ who also holds an endorsement to teach bilingual education or English as a second language shall have completed coursework covering:
 - A) Methods for teaching in the special education area of assignment;
 - B) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and
 - C) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.
- 4) A holder of a valid educator license with stipulations endorsed for transitional bilingual educator issued pursuant to 23 Ill. Adm. Code 25.90 and endorsed for the language of assignment shall have completed two years of successful teaching experience and have completed coursework covering:
 - A) Survey of children with all types of disabilities;
 - B) Assessment of the bilingual student, or psychological/educational assessment of the student with disabilities who has limited English proficiency;
 - C) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition;

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- D) Methods for teaching in the special education area of assignment; and
 - E) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.
- 5) A holder of a valid professional educator license with a school support personnel endorsement for school counselor, school social worker, school psychologist, or speech and language pathologist shall successfully complete an examination in the non-English language and shall have completed coursework in assessment of the bilingual student or psychological/educational assessment of the student with disabilities who has limited English proficiency.
- g) **Directors and Assistant Directors of Special Education**
Each school district, or the special education cooperative of which it is a member, shall employ a full-time director of special education, who shall be the chief administrative officer of the special education programs and services of the district or cooperative entity.
- 1) Each director or assistant director of special education shall hold a valid professional educator license endorsed for director of special education issued pursuant to 23 Ill. Adm. Code 25.365 and a master's degree, including 30 semester hours of coursework distributed among all the areas specified in 23 Ill. Adm. Code 25.365(b). Beginning July 1, 2005, directors and assistant directors of special education shall be subject to the requirements of 23 Ill. Adm. Code 29.140 (Director of Special Education).
 - 2) Each school district or the special education cooperative of which it is a member, shall submit to the State Board of Education a letter identifying the individual employed as the director of special education by his or her full name and Illinois Educator Identification Number. If the individual is qualified as required, the State Board shall confirm that the individual is the State-approved director of special education for the school district or special education cooperative.
- h) **Supervisors**

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- 1) Each school district or special education cooperative shall employ sufficient supervisory personnel to provide consultation to and coordination of special education services.
- 2) Each individual performing a supervisory function shall hold one of the following:
 - A) a valid professional educator license with a special preschool-age 21 or K-21 endorsement in the area to be supervised, and a supervisory endorsement issued pursuant to 23 Ill. Adm. Code 25.497, with two years' teaching experience in that area; or
 - B) a valid professional educator license with a school support personnel endorsement, and a supervisory endorsement issued, with two years' experience in the area to be supervised; or
 - C) a valid professional educator license with an administrative endorsement issued under 23 Ill. Adm. Code 25.Subpart E and either a special preschool-age 21 or K-21 endorsement for the area to be supervised ~~or special education approval~~ in that area.
- i) Chief Administrator of Special School
The chief administrator of a special school shall hold a valid professional educator license with a general administrative, principal or director of special education endorsement issued pursuant to 23 Ill. Adm. Code 25.335, 25.337, or 25.365 and either:
 - 1) an endorsement or approval that is specific to at least one of the disabilities prevalent in the students served by the school, if the school serves students who are deaf or hard of hearing, blind or visually impaired, or speech- and language-impaired; or
 - 2) an endorsement as Learning Behavior Specialist I that either is unlimited or specific to one of the disabilities prevalent in the students served by the school (see 23 Ill. Adm. Code 25.46); ~~or~~
 - 3) ~~approval as an LBS I issued by the State Board of Education pursuant to Section 226.810 and 23 Ill. Adm. Code 25.47 (Special Provisions for the Learning Behavior Specialist I Approval) that either is unlimited or specific to one of the disabilities prevalent in the students served by the~~

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~~school.~~

- j) Other Professional Personnel
Each individual employed in a professional capacity not specified in subsections (a) through (i) shall, as appropriate to his or her assignment, hold:
- 1) a valid professional educator license endorsed for school support personnel appropriate to the area of responsibility (see 23 Ill. Adm. Code 25, Subpart D); or
 - 2) a valid professional license or permission to practice, if the individual's profession is governed by such a requirement and either no educational credential in the same or a related field is issued by the State Board of Education (e.g., for a physical therapist) or the School Code permits the individual to perform the functions assigned; or
 - 3) a credential, regardless of title, issued by a professional association or organization in the relevant field, when no educational credential in the same or a related field is issued by the State Board of Education and no license or permission to practice is required by the State (e.g., for a music therapist or a daily living skills specialist). Evidence of the individual's credential shall be kept on file by the school district or special education cooperative and presented to the State Board of Education upon request.
- k) Personnel Not Holding Educator Licensure
- 1) Each professional individual not holding educator licensure issued under Article 21B of the School Code [105 ILCS 5/Art. 21B] employed in a special education class, program, or service, and each individual providing assistance at a work site, shall function under the general direction of a professional staff member.
 - 2) Each program assistant or aide, whether providing instructional or noninstructional services, as well as each nonemployee providing any service in the context of special education, shall function under the direct supervision of a professional staff member.
 - A) Nothing in this subsection (k) authorizes individual student aides or others who do not hold an appropriate professional license to perform any nursing activity, as nursing activity may be defined in

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the Nurse Practice Act [225 ILCS 65] and rules governing that Act (68 Ill. Adm. Code 1300), including any procedures and duties requiring a medical order (e.g., tube feedings, catheterizations, administration of medications, tracheal suctioning, tube insertions, blood draws, dressing changes), except as may be otherwise authorized under State law.

B) The provisions of this subsection (k) do not apply to paraprofessional educators licensed under Section 21B-20 of the School Code [105 ILCS 5/21B-20] nor to educational interpreters approved pursuant to 23 Ill. Adm. Code 25.550 (Approval of Educational Interpreters).

3) Each school district shall provide training experiences appropriate to the nature of their responsibilities to the individuals discussed in subsections (k)(1) and (2). Training shall be in lieu of the requirements for personnel not holding educator licensure set forth in 23 Ill. Adm. Code 1, Subpart F.

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

Section 226.810 Early Childhood Special Education Teaching Approval

~~Special education approval for LBS I or early childhood may be issued by the State Board of Education to an individual who does not hold a special preschool-age 21 endorsement on his or her professional educator license or who lacks some of the qualifications for one of the endorsements enumerated in 23 Ill. Adm. Code 25.43. After August 31, 2015, LBS I approvals under this Section shall no longer be issued.~~

~~a) Beginning July 1, 2001, special education teaching approval will be issued for individuals to serve as LBS I and may be limited to one or more of the following areas, as applicable (see 23 Ill. Adm. Code 25.47):~~

~~1) Learning disabilities;~~

~~2) Social/emotional disorders;~~

~~3) Intellectual disability; and~~

~~4) Physically handicapped.~~

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- b) ~~An individual who holds a valid professional educator license with an early childhood, special, elementary or secondary endorsement, or a valid educator license with stipulations endorsed for transitional bilingual educator shall receive LBS I approval to teach in a special education area listed in subsection (a) if he or she has successfully completed college-level coursework addressing each of the following areas:~~
- 1) ~~Survey of exceptional children;~~
 - 2) ~~Characteristics of special education students in the specific area of approval sought;~~
 - 3) ~~Methods of teaching in the area of special education approval sought; and~~
 - 4) ~~Psychological diagnosis for children with all types of disabilities.~~
- e) ~~Except as provided in subsection (d), an individual who wishes to receive special education teaching approval shall submit an application for an LBS I endorsement on a form supplied by the State Board of Education and shall comply with any other application procedures as the State Board may require.~~
- 1) ~~If the individual qualifies for an LBS I endorsement, the State Board shall issue one and endorse it as warranted.~~
 - 2) ~~If the individual does not qualify for an LBS I endorsement, the State Board shall evaluate the application for special education approval and either issue the approval or notify the applicant of any deficiencies.~~
- d) ~~Special education approval issued prior to January 1, 2002, shall not be limited with regard to time or district of employment but shall be valid only for the special education areas indicated and the grade levels to which the individual's professional educator license or educator license with stipulations applies.~~
- e) ~~Any approval issued on or after January 1, 2002, shall be valid for three years, after which time the holder shall no longer be assigned to a special education teaching position unless he or she has received an unlimited LBS I endorsement pursuant to 23 Ill. Adm. Code 25.47 (Special Provisions for the Learning Behavior Specialist I Approval).~~

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- f) ~~The Beginning January 1, 2002, the~~ State Board shall issue an early childhood special education approval or endorsement to an individual who holds a valid professional educator license with an early childhood endorsement or an LBS I endorsement, provided that the individual makes application for approval in a format specified by the State Board demonstrating that he or she has successfully completed coursework in all the following areas:
- a)1) Methods – Developmentally and individually appropriate methods for fostering the social, emotional, cognitive, communication, adaptive, and motor development and learning of young children with special needs in various settings, such as the home, the school, and the community.
 - b)2) Assessment – Strategies, procedures, and formal and informal instruments for assessing young children's social, emotional, cognitive, communication, and motor skills; family concerns, priorities, and resources; and school, home, and community learning environments; and methods for conducting formative and summative individual and program evaluation.
 - c)3) Language Development – Typical and atypical language development in young children; specific language disabilities; the relationship between communication delays and other areas of early learning and development; and alternative communication systems for young children with disabilities.
 - d)4) Family and Community Relationships – Strategies in developing positive and supportive relationships with families of young children with special needs, including the legal and philosophical basis for family participation; family-centered services; and strategies for working with socially, culturally, and linguistically diverse families. Strategies and models for promoting effective consultation and collaboration with other professionals and agencies within the community.

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

Section 226.820 Authorization for Assignment

In the circumstances described in this Section, neither the qualifications required by Section 226.800 nor special education approval under Section 226.810 shall be required. ~~When~~

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~~authorized pursuant to this Section, reimbursement shall be available for staff providing special education and related services.~~

- a) No Fully Qualified Individual Available
When a district or cooperative entity, regional superintendent of schools, or nonpublic special education facility approved pursuant to 23 Ill. Adm. Code 401 (Special Education Facilities Under Section 14-7.02 of the School Code) demonstrates to the State Board of Education that it is unable to secure the services of an individual who holds the required credentials for a particular assignment, the State Board may authorize the assignment of another individual in accordance with 23 Ill. Adm. Code 25.48 (Short-Term Emergency Approval in Special Education).

- b) Interns
The State Board may also authorize the assignment of interns in ~~school psychology, school social work, school nursing, and~~ speech and language pathology who will work under the supervision of fully qualified professionals, subject to the requirements of this subsection (b).
 - ~~1) For each intern in school psychology, school social work, or school nursing, the director of special education shall submit, on forms supplied by the State Board:~~
 - ~~A) verification provided by an educational institution that the candidate is participating in a formal internship under its auspices; and~~
 - ~~B) a request for authorization to assign the individual to an intern's position.~~

 - 2) For each intern in speech and language pathology, the director of special education shall submit evidence that the individual holds a valid interim approval issued under 25 Ill. Adm. Code 25.255 (Interim Approval for Speech-Language Pathologist Interns). The director of special education shall provide evidence that the intern will be supervised by an individual who holds a valid professional educator license endorsed for special preschool-age 21 speech and language pathologist issued pursuant to 23 Ill. Adm. Code 25.43 (Standards for Licensure of Special Education Teachers) or 23 Ill. Adm. Code 25.252 (Endorsement for Non-Teaching Speech-Language Pathologist), as applicable.

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

Section 226.840 Qualifications of Evaluators

The following list identifies the credentials required to administer certain types of evaluations. Where no requirements are established, an evaluation may be performed by an individual who is qualified to administer it according to the technical specifications of the publisher.

<u>TYPE</u>	<u>REQUIRED QUALIFICATIONS</u>
Academic Performance	Professional educator license or approval issued under Section 226.810 appropriate for the age or disability of the child, or professional educator license with a school support personnel endorsement for school psychologist or school counselor. (See Article 21B of the School Code [105 ILCS 5/Art. 21B] and the State Board's rules at 23 Ill. Adm. Code 1 and 23 Ill. Adm. Code 25.)
Adapted Physical Education	Professional educator license endorsed for physical education with <u>an approval or endorsement</u> in adapted physical education (23 Ill. Adm. Code 25.43).
Assistive Technology	To the extent that a test is used in performing this assessment, qualification for administering the test according to the instructions provided by the test's publisher.
Audiological	License to practice as an audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110].
Clinical Psychological	License issued pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15].
Cultural Background Assessment	Professional educator license with a school support personnel endorsement for school

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psychologist, school social worker, or school counselor.

Hearing Screening

License to practice as an audiologist issued by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]; professional educator license with a school support personnel endorsement for speech and language pathologist or special preschool-age 21 endorsement for speech and language pathologist (23 Ill. Adm. Code 25.43 or 25.252); or certificate of training issued by the Department of Public Health (77 Ill. Adm. Code 675).

Learning Processes Evaluation

Professional educator license with a school support personnel endorsement for school psychologist or LBS I endorsement.

Medical Review

Meet the requirements set forth in Section 226.160 of this Part, as applicable.

Neurological Evaluation

Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987 [225 ILCS 60].

Occupational Therapy Evaluation

Certificate/Registration issued by the Department of Financial and Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].

Orientation/Mobility

Certification for orientation/mobility instruction and evaluation (Certified Orientation and Mobility Specialist, Academy for Certification of Vision Rehabilitation and Education Professionals, 4732 North Oracle Road, Suite 217, Tucson AZ 85705, or predecessor credential issued by the Association for Education and

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	Rehabilitation of the Blind and Visually Impaired, 1703 North Beauregard Street, Suite 440, Alexandria VA 22311).
Physical Therapy Evaluation	Certificate/registration issued by the Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].
Psychiatric Evaluation	Licensure/registration issued by the Department of Financial and Professional Regulation pursuant to the Medical Practice Act of 1987.
School Psychological	Professional educator license with a school support personnel endorsement for school psychologist.
Social Developmental Study (Adaptive Behavior, Cultural Background, Family History)	Professional educator license with a school support personnel endorsement for social worker, school counselor, or school psychologist (23 Ill. Adm. Code 25.215, 25.225, or, as applicable, 25.230 or 25.235).
Speech and Language Assessment	Professional educator license with a special preschool-age-21 speech and language pathologist endorsement (23 Ill. Adm. Code 25.43), or school support personnel endorsement for speech and language pathologist endorsement (23 Ill. Adm. Code 25.252).
Vision Screening	Certificate of training issued by the Department of Public Health (77 Ill. Adm. Code 675).

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

Section 226.850 List of Qualified Workers

The following table lists the work assignments and qualifications for qualified workers for whom reimbursement may be requested under Section 14-13.01 of the School Code. All requirements

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necessary for proper certification, educator or professional licensure, or approval in these work assignments are found in this Subpart I, unless otherwise noted.

WORK ASSIGNMENT	REQUIRED QUALIFICATIONS
Adapted Physical Education	A valid Illinois professional educator license endorsed for physical education and an adapted physical education approval <u>or endorsement</u> encompassing the grade levels and age ranges of the students served.
Administrator of a Special School	Must meet the requirements of Section 226.800(i).
Art Therapist	Registration from American Art Therapy Association or a master's degree in art therapy awarded by a regionally accredited institution of higher education.
Assistant Director	A valid professional educator license with a director of special education endorsement issued pursuant to 23 Ill. Adm. Code 25.365 and 23 Ill. Adm. Code 1.705 and meets the requirements of Section 226.800(g) of this Part.
Audiologist	Licensed to practice as an audiologist by the Department of Financial and Professional Regulation pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110] or Certificate of Clinical Competence in Audiology from the American Speech-Language-Hearing Association.
Autism	A valid Illinois professional educator license either with an LBS I or early childhood special education endorsement or approval encompassing the grade levels and age ranges of the students served.
Behavior Analyst	Board Certified Behavior Analyst (BCBA) as evidenced by a current valid certificate awarded by the Behavior Analyst Certification Board, Inc.
Career and Technical Coordinator	Meets the requirements set forth in Section 226.800(c) of this Part and 23 Ill. Adm. Code 1.737(c)

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Career and Technical Transition Specialist	Must hold a contract with the Illinois Department of Human Service-Division of Rehabilitation Services, under the Secondary Transition Experience Program (STEP).
Daily Living Skills Specialist	Certificate from the Academy for Certification of Vision Rehabilitation and Education Professionals or its predecessor organization.
Diagnostic Teacher	A valid Illinois professional educator license with an LBS I endorsement or approval.
Early Childhood <u>Special Education</u>	A valid Illinois professional educator license with an early childhood endorsement and either with an early childhood special education endorsement or early childhood special education approval or with a valid Illinois professional educator license with an LBS I endorsement and early childhood special education approval.
Emotional Disability	A valid Illinois professional educator license either with an LBS I endorsement or approval encompassing the grade levels and age ranges of the students served.
Hearing Impairment	A valid Illinois professional educator license endorsed for teacher of students who are deaf or hard of hearing pursuant to 23 Ill. Adm. Code 25.43.
Home/Hospital Instructor (see Section 226.300 of this Part)	A valid Illinois professional educator license either with an LBS I endorsement or approval encompassing the area of student's disability (i.e., intellectual disability, physically handicapped, learning disabilities or social/emotional disorders), professional educator license endorsed in the area of speech and language pathologist, blind or visually impaired, or deaf or hard of hearing.
Infant/Toddler/Family Specialist	For federally funded programs serving infants and toddlers, birth through two years of age: Completion of a degree program with evidence of specific training in child development and family development specific for children ages birth to five years.

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Inservice Coordinator	A valid Illinois professional educator license with an LBS I endorsement or a valid Illinois professional educator license endorsed for school support personnel (see 23 Ill. Adm. Code 25.Subpart D).
Intellectual Disability	A valid Illinois professional educator license endorsed in a teaching field with an LBS I endorsement or approval encompassing the grade levels and age ranges of the students served.
LBS I	Meets the requirements of 23 Ill. Adm. Code 25.43 appropriate to the area of responsibility or holds a valid Illinois professional educator license with an LBS I endorsement or approval encompassing the grade levels and age ranges of the students served.
Medical Services Personnel (Diagnostics and Evaluation)	Registration with the Illinois Department of Financial and Professional Regulation.
Music Therapist	Registration from the National Music Therapy Registry, certification from the Certification Board for Music Therapists, or master's degree in music therapy from a regionally accredited institution of higher education.
Occupational Therapist	Licensed by the Illinois Department of Financial and Professional Regulation pursuant to the Illinois Occupational Therapy Practice Act [225 ILCS 75].
Orientation and Mobility Specialist	Certificate from the Academy for Certification of Vision Rehabilitation and Education Professionals or its predecessor organization or the Association for the Education and Rehabilitation of the Blind and Visually Impaired.
Orthopedic Impairment	A valid Illinois professional educator license either with a cross-categorical special education or physically handicapped endorsement or with approval encompassing the grade levels and age ranges of students served.

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Physical Therapist	Licensed by the Illinois Department of Financial and Professional Regulation pursuant to the Illinois Physical Therapy Act [225 ILCS 90].
Recreational Therapist	Licensed by the National Council for Therapeutic Recreation or its predecessor organization.
Rehabilitation Counselor	Certificate from the Commission on Rehabilitation Counselor Certification (CRCC) or a master's degree in rehabilitation counseling awarded by a regionally accredited institution of higher education.
School Counselor/ Guidance Counselor	A valid Illinois professional educator license endorsed for school support personnel for school counselor issued under 23 Ill. Adm. Code 25.225.
School Counselor Intern	Meets the requirements of 23 Ill. Adm. Code 25.227.
School Nurse	Meets the requirements of Section 10-22.23 of the School Code [105 ILCS 5/10-22.23] and 23 Ill. Adm. Code 25.245.
School Nurse (Grandfathered)	Employed as a registered school nurse prior to July 1, 1976 and continuing in the same position with the same district or joint agreement.
School Nurse Intern	Meets the requirements of Section 226.820(b). Reimbursement for this position shall not be for a period of time that exceeds four months.
School Psychologist	Meets the requirements of Section 14-1.09 of the School Code [105 ILCS 5/14-1.09] and 23 Ill. Adm. Code 25.230 or 25.235, as applicable.
School Psychologist Intern	Meets the requirements of Section 226.820(b).
School Social Worker	Meets the requirements of Section 14-1.09a of the School Code [105 ILCS 5/14-1.09a], and Section 226.820(b) of this Part and 23 Ill. Adm. Code 25.215, as applicable.

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School Social Work Intern	Meets the requirements of Section 226.820(b).
Specific Learning Disability	A valid Illinois professional educator license either with an LBS I endorsement or with approval encompassing the grade levels and age ranges of the students served.
Speech-Language	Non-teaching Position: Meets the requirements of Section 14-1.09b of the School Code [105 ILCS 5/14-1.09b] and 23 Ill. Adm. Code 25.252, as applicable, for speech and language pathologist. Teaching Position: Holds a valid Illinois professional educator license issued pursuant to 23 Ill. Adm. Code 25.43 endorsed for speech and language pathologist.
Speech-Language Pathologist Intern (Interim)	Meets the requirements of 23 Ill. Adm. Code 25.255 and Section 226.820(b) of this Part.
State-Approved Director of Special Education (serving in a full-time capacity)	Meets the requirements of 23 Ill. Adm. Code 25.365 and Section 226.800(g) of this Part.
Supervisor	Meets the requirements of Section 226.800(h) of this Part and 23 Ill. Adm. Code 1.705(h), as applicable.
Support Teacher	A valid Illinois professional educator license either with an LBS I endorsement or with approval encompassing the grade levels and age ranges of the students served.
Teacher Coordinator of Vocational Education	Meets the requirements of Section 226.800(d).
Visual Impairment	A valid Illinois professional educator license issued pursuant to 23. Ill. Adm. Code 25.43 and endorsed for teacher of students who are blind or visually impaired.

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

Section 226.860 List of Other Employees Qualifying for Reimbursement (Repealed)

~~The following table lists the work assignments and qualifications for employees considered to be "noncertified" for the purposes of requesting reimbursement under Section 14-13.01 of the School Code. In order to qualify for reimbursement, the noncertified employee shall provide direct services to students with IEPs. (See Section 14-13.01(h) of the School Code; also see Section 226.800(k) of this Part.)~~

WORK ASSIGNMENT	REQUIRED QUALIFICATIONS
Hearing Screening Technician	Must hold a certificate from the Illinois Department of Public Health pursuant to 77 Ill. Adm. Code 675.
Individual Student Aide (noninstructional duties)	Training specific to the needs of the students being served, as determined by the school district under Section 226.800(k).
Interpreter for the Deaf or Oral Transliteration	Meets the requirements of 23 Ill. Adm. Code 25.550 for approval from the State Board of Education.
Noncertified Health Aide	Licensed by the Illinois Department of Financial and Professional Regulation pursuant either to Article 55 or 60 of the Nurse Practice Act [225 ILCS 65/Art. 55 or 60].
Occupational Therapy Assistant	Licensed by the Illinois Department of Financial and Professional Regulation pursuant to Section 9 of the Illinois Occupational Therapy Practice Act [225 ILCS 75/9] and 68 Ill. Adm. Code 1315.
Paraprofessional Educator	Holds a valid educator license with stipulations for paraprofessional educator and/or meets the requirements of 23 Ill. Adm. Code 25.510, or holds approval issued in accordance with 23 Ill. Adm. Code 25.15 (Types of Licenses; Exchange).
Physical Therapy Assistant	Licensed by the Illinois Department of Financial and Professional Regulation pursuant to Section 8.1 of the Illinois Physical Therapy Act [225 ILCS 90/8.1] and 68 Ill. Adm. Code 1340.

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~~Speech-Language
Pathology Assistant~~

~~Licensed by the Illinois Department of Financial and Professional
Regulation pursuant to Section 8.5 of the Illinois Speech-
Language Pathology and Audiology Practice Act [225 ILCS
110/8.5] and 68 Ill. Adm. Code 1465.~~

~~Vision Screening
Technician~~

~~Must hold a certificate from the Illinois Department of Public
Health pursuant to 77 Ill. Adm. Code 685.~~

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