

ILLINOIS STATE BOARD OF EDUCATION

Illinois State Board of Education*
4th Floor Board Room
100 North First Street
Springfield, Illinois
217/782-9560
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SCHEDULE AND AGENDA OF MEETINGS
June 16-17, 2003

Monday, June 16, 2003

Page No.

9:30 a.m. Education Policy Planning Committee Meeting
4th Floor, Superintendent's Conference Room

11:00 a.m. Finance and Audit Committee Meeting
4th Floor, Superintendent's Conference Room

12:00 Noon Governmental Affairs Committee Meeting
4th Floor, Superintendent's Conference Room

12:30 p.m. LUNCH
4th Floor, Board Conference Room

1:00 p.m. Call Meeting to Order/Roll Call
4th Floor, State Board Room

1:00 p.m. ITEMS FOR DISCUSSION

Education Policy/Planning Issues

- **Due Process Hearing Officers Contracts**
- **New Teacher Preparation Programs:**
 - **Illinois State University-LBS II**
 - **Concordia College-Alternative Certification Program**
- **School Year 03-04 Membership of the State Teacher Certification Board**
- **School Year 03-04 Membership of the State Department of Corrections School District 428's Board of Education**
- **NCLB: Illinois Accountability Plan**

- **Highly Qualified Teachers Policy**
- **Thomas Jefferson Charter School Renewal Application**
- **Notices of Objection:**
 - **Blackburn College**
 - **University of Illinois**
 - **University of Chicago**
- **Oak Park Elementary School Request for Waiver of Rules**
- **Rules Presented for Adoption**
 - **Part 25 (Certification); Emergency**
 - **Part 25 (Certification)**
 - **Part 27 (Standards for Certification in Specific Teaching Fields)**
- **Rules Presented for Initial Review**
 - **Part 25 (Certification; Companion to Emergency)**

Finance and Audit Issues

- **ISBE Monthly Reports:**
 - Finance, Audit, Agency Operations, Budget Status Reports**
- **ISBE Agency Budget for FY04**
- **FY04 State Education Budget**
- **Hazel Crest School District FY04 Budget**
- **Venice Community Unit School District #3: Certification and Involuntary Oversight Panel**

6:00 p.m. Executive Session

9:30 a.m. PLENARY BUSINESS MEETING

- A. Call Meeting to Order/Roll Call**
- B. Introduction of FY03-04 Teacher of the Year**
- C. Introduction of Carlinville Middle School Science Team National Finalists**
- D. Introduction of Student Advisory Council Members**

E. Public Participation

F. Approval of Minutes:

- **May 12-13, 2003**

G. Action Items

- **Due Process Hearing Officers Contracts**
- **New Teacher Preparation Programs:**
 - **Illinois State University-LBS II**
 - **Concordia College-Alternative Certification Program**
- **School Year 03-04 Membership of the State Teacher Certification Board**
- **School Year 03-04 Membership of the State Department of Corrections School District 428's Board of Education**
- **NCLB: Illinois Accountability Plan**
- **Highly Qualified Teachers Policy**
- **Thomas Jefferson Charter School Renewal Application**
- **Rockford Youth Build Charter School Decision**
- **Notices of Objection:**
 - **Blackburn College**
 - **University of Illinois**
 - **University of Chicago**
- **Oak Park Elementary School Request for Waiver of Rules**
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- **ISBE Monthly Reports**
- **ISBE Budget for FY04**
- **Hazel Crest School District FY04 Budget**
- **Venice Community Unit School District #3: Certification and Involuntary Oversight panel**

H. Announcements and Reports

- **Superintendent**
- **Chairman**
- **Committees**
 - a. **Board Operations- Joyce Karon, Chair**
 - b. **Finance & Audit- Richard Sandsmark, Chair**
 - c. **Joint Education, Ronald Gidwitz, Chair**

- d. Governmental Relations, Bev Turkal, Chair
- e. Education Policy Planning, Marjorie Branch, Chair
- Members

I. Other Information
Monthly Status Report on Rulemaking

ADJOURN

*All meetings are accessible to persons with disabilities (see next page.)

**ILLINOIS STATE BOARD OF EDUCATION
MINUTES OF THE STATE BOARD OF EDUCATION MEETING**

State Board Room
100 North First Street
Springfield, IL 62777

June 16-17, 2003

MEMBERS PRESENT:

Ronald Gidwitz	Marjorie B. Branch	Dean Clark
Judy Gold	Joyce Karon	Gregory Kazarian
Richard Sandsmark	Janet Steiner	Beverly Turkal

State Superintendent: Robert E. Schiller

MEMBERS ABSENT:

None

The State Board of Education's, Education Policy Planning Committee and the Finance and Audit Committee met at 9:30 a.m. and 11:00 a.m. respectively. The Governmental Affairs Committee meeting was cancelled. A closed session began at 11:40 a.m. and adjourned at 1:10 p.m.

Convene
Meeting/Roll
Call

The General meeting of the State Board of Education was called to order at 1:15 p.m. by the Chair, Dr. Janet Steiner, who asked Kay Evans, assistant to Board Services, to call the roll. A quorum was present.

Chair, Dr. Steiner indicated that the technology staff would be making the audio portion of the meeting available via the Internet.

Due Process
Hearing
Officers

Dr. Steiner called for Agenda Item: Approval of Due Process Hearing Officers Contracts.

Superintendent Schiller gave background information. The Due Process Screening Committee recommended the reappointment of hearing officers whose terms expire June 30, 2003.

Dr. Steiner called for agenda item: New Teacher Preparation Programs.

New Teacher Preparation Programs

Superintendent Schiller said we have recommendations from for the State Teacher Certification Board to approve proposals from – Concordia University, Elmhurst College and St. Xavier University to offer alternative teacher certification in secondary areas of math and science; and from Illinois State University to offer Special Education (pre-school-age 21) Certificate Program for LBS II in the areas of: Deaf-Blind Specialist, Multiple Disabilities Specialist, and Transition Specialist.

Teacher Certification Board Appointments

Dr. Steiner called for agenda item: Teacher Certification Board Appointments.

Superintendent Schiller said the statute requires the State Board of Education to appoint members from specific categories of education to the Teachers Certification Board for a term of 3 years (members are allowed to serve two terms.) The Certification Board has two members retiring, and the IL Education Association (IEA) has recommended that Ms. Mary Jane Morris and Ms. Linda Malone replace these two retirees. The reappointment to a second term for Ms. Marsha Allen was recommended by the IL Federation of Teachers. Dr. Andrew Brulle was recommended by the IL Association of Colleges for Teacher Education. Dr. Eugene Zalewski was recommended by the IL Association of School Administrators.)

Appointments Bd of Ed – Dept of Corrections 428

Chair Steiner called for agenda item: Appointments to the Board of Education, Department of Corrections District #428.

Superintendent Schiller said that statute states that the State Board of Education is required to appoint four of the nine members of the Department of Corrections #428, to their Board. To answer questions, Jimmy Gunnell, Division Administrator for Special Education came forward. (He had previously worked at the Department of Corrections.) At the request of Ron Gidwitz, Mr. Gunnell said he would make a request of the Superintendent, LeAnn Miller, for copies of reports on the progress and assessment of students in the correctional facilities to share with the State Board.

NCLB IL Accountability Plan

Dr. Steiner called for agenda item: NCLB Illinois Accountability Plan.

Superintendent Schiller said that the Board's proposed Illini Plan would not be accepted by the federal government without changes to allow for steps in equal increments. The Assessment Task Force met to find a solution to comply with this federal requirement but also

to keep in tact what they were trying to accomplish. The Task Force adopted these changes with a recommendation that the State Board of Education accept them.

Regarding test specifications, specifically the untimed test issue following the Board's action (motion) at the May, 2003 meeting, Gail Lieberman, Director, Standards Aligned Learning, informed the Board the Task Force was concerned that the 5 minutes across the board was insufficient specifically in terms of reading and math which counts toward Adequate Yearly Progress. The Task Force recommended that it be requested of the test publishers that the new test design allow for a brief extended time in reading and math. These providers would then inform us of how this can be accomplished and the Board would review their responses at a later date.

Highly
Qualified
Teachers

Dr. Steiner called for agenda item: Illinois Criteria for Meeting the *NCLB* Requirements for Highly Qualified Teachers.

Superintendent Schiller provided each member a new 'draft' of this Report (see attachment B.)

The Superintendent said the State Boards' Education Policy Planning Committee discussed every aspect of this item and would take into consideration input from the field, the Certification Board, as well as conversations with stakeholders. He gave an overview of the criteria for meeting the *NCLB*'s requirements for being 'highly qualified' teachers, and the terms used in these criteria for Academic Major, Arts, Content Area Test, Core Academic Subjects, Current Teachers, Elementary/Middle Grades Test, and Primary Responsibility – he stopped to say the *Current* Teacher definition is one who has received their first teacher certificate in Illinois as of June 30, 2002, and *New* Teachers were those who received their first certificate on or after July 1, 2002.

Superintendent Schiller addressed the changes made on the recommendation of legal counsel regarding Part I, Current Teachers #2, and Part II, Special Circumstances, Vocational Certificate Holders. Leigh Ann Reichle, of the Legal Department stepped forward to explain the changes to the original draft dated June 16, 2003 and why these additional definitions were added.

Thomas
Jefferson
Charter
School

Dr. Steiner called for agenda item: Thomas Jefferson Charter School Renewal.

Superintendent Schiller explained the options to the Board. Note that there was a revised page (see attachment D).

A lengthy discussion followed. Janet Alison, staff, answered questions of the Board members with regard to special education and the lack of documentation of visits to the school, and the school's understanding of following special education criteria. Legal Counsel, Respicio Vazquez advised that this discussion be held in closed session. He said the State Board of Education should not assume that it has the legal obligation to advise the school of the requirements of special education.

Notices of
Objection

Dr. Steiner called for agenda item: Institutional Accreditation and Notices of Objection.

Superintendent Schiller said materials were provided to the Board members that included relevant background information and evidence provided by the institutions to support their objections. He said according to statute the State Board of Education recognizes teacher education institutions and approves teacher preparation programs in consultation with the State Teacher Certification Board. He gave further background information on procedures, including an institution's right to challenge this recommendation of accreditation status assigned to them, by a Notice of Objection. Those institutions brought forward today were: Blackburn College, University of Chicago, and the University of Illinois-Champaign. The Superintendent gave background on each of these schools.

General Counsel advised that each member state if they had a conflict of interest with any of the above schools with regard to present affiliation, former affiliation or employment, or immediate family members' affiliation with any of the schools, especially before they voted, or now before discussion.

Following are their disclosures:

Greg Kazarian – graduate of University of Illinois

Marjorie Branch – University of Chicago

Dean Clark – Blackburn College

Judith Gold – graduate University of Chicago

Ron Gidwitz – affiliate of foundation which prior to joining the Board contributed chairs to the University of Chicago, one of which is in the

School of Social Services which he thinks has jurisdiction over some of these programs. He said he had no conflict but did not want to have the appearance of conflict.

Janet Steiner – Blackburn College

Dick Sandsmark – none

Beverly Turkal – none

Request for Waiver – Oak Park S.D.

Dr. Steiner asked for agenda item: Request for Waiver of State Board Rule – Cost Proration Related to Pupil Transportation) –Oak Park Elementary School.

David Wood, Director, Operations, gave a background of this item, and said the school was caught in a rule that was put in place as a cost containment rule. The school, acting in good faith, went through a bidding process and ended up being treated differently by the rule this year because one contractor won both contracts than in the past when two separate contractors won separate contracts. The school and the State Board agency both see the situation differently. He said this particular situation could set precedence for other schools.

Ms. Wilson of Oak Park District 97 spoke on behalf of the school district and their waiver request.

Rules

Dr. Steiner called for agenda item: Rules for Adoption: Part 25 (Certification), Part 25 (Emergency) and Part 27 (Standards for Certification in Specific Teaching Fields) & Rules for Initial Review – Part 25 (Certification; companion to Emergency)

Superintendent Schiller gave a brief background of these Rules. Staff member Sally Vogl, and Lee Patton, Acting Director of Certification and Professional Preparation, were present to answer questions and give clarification as needed.

A five minute break was taken.

Dr. Steiner said the next order of business was to discuss agenda item: Finance, Audit and Agency Operations Status

Superintendent Schiller said if there were questions, David Wood would respond. There were no questions.

FY04 Budget

Chair Steiner called for agenda item: ISBE Agency Budget for FY04.

Superintendent Schiller explained the status of the agency's appropriations and funding, and explained the problems the agency was facing. Personnel positions and monies to fund these positions (state and federal) were presented. He stated we lost approximately 30% of state funding for personnel. In order to have a balanced personnel budget in concurrence with the state budget allocated, we would have to target reduction of 48 positions. He stated they would only be hiring if there were federal funding available for the position, or in the case of a state funded position, only if there is money available or it is a critical position.

Superintendent Schiller reviewed the financial status of the Venice Community Unit School District #3.

David Wood gave a quick overview of the situation.

Venice S.D. Mr. Farmer, Superintendent of Venice CUSD #3, Mr. Eddie Salmond, Board Treasurer, Ms. Ruby Johnson, Board President, and their attorney, Mr. Benjamin Edwards came forward to discuss the financial and fiscal condition of their school district.

Don Full, Manager, Accountability, came forward to give an accounting of the agency's part in this.

The Superintendent said the mechanisms were to step in, in our legal capacity, and take statutory action and not fund the school from the state aid perspective; on behalf of federal funds for special education and children not being provided, to step in to assure services are provided and directly funded at state level; and thirdly, establish a financial oversight panel.

Mr. Salmond said it was the feeling of the present board to have a voluntary oversight panel. It was decided the Venice board would go back for a special board meeting.

Hazel Crest
Budget FY04 Chair, Steiner called for agenda item: Hazel Crest School District FY04 budget.

Superintendent Schiller gave an update on the Hazel Crest School District and the school finance authority. He gave good news when he reported that six months later the SFA has recommended to reorganize the district, to close two elementary schools, but keep the class sizes in the low teens or low twenties; and reworked the budget to reduce administrative costs. They will open this coming year with a \$330,000 fund balance which includes paying back the first year

loan from the State, making all their payments, and a projected negotiated agreement with their unions.

Donna LuAllen, Manager, School Finance, came forward to answer questions and gave additional input outlining her many visits to the school district.

State
Education
Budget

Superintendent Schiller gave an overview of the State Education budget. David Wood was present to give additional input. Mr. Schiller said what we requested and what was given was quite close.

Joyce Karon said the Board would like to commend staff for the quality work and tenacity shown through this arduous process.

Closed
Session

Chair Steiner asked for a motion to go into Closed Session.

Ron Gidwitz read the motion as follows:

I move that the State Board of Education go into closed session under the exceptions set forth in the Open Meetings Act of the State of Illinois as follows:

Section 2 (c) (1) for the purpose of discussing information regarding appointment, employment, compensation, discipline, performance, or dismissal of an employee.

Section 2 (c) (11) for the purpose of discussing litigation.

The Board is authorized to invite anyone into these meetings as needed.

Joyce Karon seconded the motion.

Adjournment

The Board adjourned the General session at 5:00 p.m. to go into closed session at the Renaissance Hotel, Springfield, IL.

Reconvene

The Board reconvened at 9:30 a.m. on June 17, 2003 at the Illinois State Board of Education's Board Room, Springfield, IL.

Dr. Janet Steiner, Chair called the meeting to order and asked Kay Evans, Assistant to Board Services, to call the roll. A quorum was present as all members were present.

Teacher of
Year
Introduction

Dr. Steiner introduced the FY03-04 Illinois Teacher of the Year, Mr. David Morrison from Mt. Prospect, IL. Mr. Morrison gave a few words.

Carlinville
Middle
School
Science
Team Nat'l
Finalists

Dr. Steiner then introduced the Carlinville Middle School Science Team National Finalists. She introduced Mr. Nicholson, Principal; Regional Superintendent for Macoupin County, Larry Pfeiffer; Teacher, Russ Tepen; and four students: Luke Pullman, Mike Rule, Chris Strobeck, and Chris Walker. Mr. Tepen spoke on the science project they had entered in order to win this recognition which was on the West Nile Virus, and the students gave a presentation/skit on mosquitoes and how to reduce chances of contracting this disease. They gave their web address as www.swatskiters.org. Dr. Steiner read a Board Resolution for their accomplishment and presented it to Mr. Tepen.

Student
Advisory
Council

Next, Dr. Steiner introduced Andrew Schwarm, Student Advisory Council to the State Board of Education. Advisors Dr. Marilyn Holt and Mike Kotner accompanied him. She also named Dr. Robert Buser who was unable to be in attendance. Andrew gave a presentation of how the SAC had helped him and his fellow students, and what it has meant to the students that comprise this Council. He said the SAC would like to encourage the State Board to take a leadership role in the nation, as well as the state, to further global education.

Dr. Steiner handed out "Certificates of Appreciation" to Andrew, Marilyn Holt and Mike Kotner for their services to the Student Advisory Council. She said we would mail certificates to each of the students along with Joe Turek, ISBE staff, who put in time to work with these students, and student, LaTasha Crow who also served as a student advisor/liaison.

Public
Participation

Dr. Steiner called for public participation.

AFSCME

First was AFSCME Local 2811 President, Jamie Johnson, representing the support staff of ISBE, and union member Alisha Lynch. Alisha read a statement of concern for the support employees regarding the need to retain their jobs.

Ron Gidwitz said, for the record, our budget that was submitted to the Legislature had a personnel level of 640 people opposed to 538 or below. He said this Board had not desired or budgeted for this reduction, and the Board clearly did not want to see these additional reductions. He said, speaking for himself, that he thinks these individuals are right.

U of I – C

Sheryl Benson, Executive Director of the Council on Teacher Education, and Susan Fowler, Dean, College of Education, UIUC,

Champaign, IL spoke on the Notice of Objection – Accreditation Review at University of Illinois – Champaign. They said they raised concerns about the review process. They were among the first group of universities reviewed in the fall of 01-02 academic year, which was the first year the NCATE standards were used to evaluate educational units. Further, they said they fully intend to continue to engage in ongoing review and improvement of their programs, and do not believe it would be fruitful or cost-effective to incur the time and expense required of a focus visit as recommended in the accreditation team report. They think they have proved, during their on-sight visit, they have met the 6 NCATE standards and their continual efforts to address weakness stated in the team report.

Jeff Williams,
Parent

Dr. Steiner, Chair, called Jeff Williams, a parent to speak. He spoke on behalf of his special education child and the memo released on April 10 by Chris Koch directed to Special Education departments concerning the OSEP investigation and review. He was concerned that this memo did not filter down to parents so they were uninformed. Beverly Turkal said it seems the glitch is between the districts and the parents. She recommended he contact his district to get this straightened out.

Loris Fleming
and Sons

Dr. Steiner, Chair called Mrs. Lori Fleming with her sons Logan and Steven Fleming who spoke on behalf of herself and PACE (Parents Align for Compliance in Education), a statewide parents group, located in Chicago. She spoke on non-compliance, lack of prior notice of child movement to parents, and proper management of behavior.

Terry Giosta,
Parent

Dr. Steiner, Chair, called for Terry Giosta, parent of 5 children from Midland School District. He spoke on local control and the impact the State Board of Education has on rural schools, and what happens when local control is gone in the school board and they are not getting correct facts from them. He has a special education student. He asked if he could mail information into the Board, which Dr. Steiner said was fine.

Chicago
Teachers
Union

At Mr. Gidwitz's recommendation they moved Mr. Marty McGreal, from the Chicago Teachers Union up in order to have the participants from the Thomas Jefferson Charter School talk prior to the voting. Mr. McGreal talked about the *NCLB* – highly qualified issue. He said he would like to thank Lee Patton for going out of her way to seek advice from all around the state before jumping into this issue.

Approval of
Minutes

Dr. Steiner, in continuing with the agenda, called for approval of the May 12-13 minutes.

Dick Sandsmark gave the motion to accept the May 12-13, 2003 minutes as presented.

Marjorie Branch seconded the motion.

Dr. Steiner called for a vote on the motion, which passed unanimously with the following votes:

Dick Sandsmark – yes Janet Steiner – yes Beverly Turkal - yes
Marjorie Branch – yes Dean Clark - yes Ron Gidwitz – yes
Judith Gold – yes Joyce Karon – yes Greg Kazarian – yes

Dr. Steiner said each item on the agenda was reviewed by the full Board prior to this meeting, that she would ask the Superintendent for a summary of the item, will then call for a motion and second, and will allow further Board discussion to be followed by the vote.

Motion - Due
Process
Hearing
Officers

Superintendent Schiller provided the recommendation of the Due Process Hearing Officers Contract, and gave a brief summary.

Dick Sandsmark said he would move that the State Board of Education reappoint the following hearing officers who terms expired June 30, 2003, for an additional 2-year term.

Charles Arschenbrenner	Stacey Stutzman
Vivian Gordon	Alan Cook
Robert Ladenson	Julia Quinn Dempsey
Frank Norwik	Nancy Hablutzel

Ron Gidwitz seconded the motion.

Vote on
Motion

Dr. Steiner called for a vote on the motion, which passed unanimously with the following votes:

Dick Sandsmark – yes Janet Steiner – yes Beverly Turkal - yes
Marjorie Branch – yes Dean Clark - yes Ron Gidwitz – yes
Judith Gold – yes Joyce Karon – yes Greg Kazarian – yes

New Teacher
Preparation

Superintendent Schiller said the State Teacher Certification Board has provided recommendations for the approval of new preparation programs at Concordia University, Elmhurst College and St. Xavier University and Illinois State University.

Motion

Joyce Karon said she moved that the State Board of Education provisionally approve the following programs, thereby authorizing the

institutions to conduct the programs and to recommend candidates for certification by entitlement until the time of the institution's next scheduled review:

Concordia University, Elmhurst College and St. Xavier University –
Alternative Teacher Certification Program in
secondary areas of: Mathematics and Science
Illinois State University –
Special Education (Pre-School-Age 21) Certificate –
Learning Behavior Specialist II in three areas:
Deaf-Blind Specialist
Multiple Disabilities Specialist
Transitional Specialist

Dick Sandsmark seconded the motion.

Vote on
Motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Joyce Karon – yes Greg Kazarian - yes Dick Sandsmark - yes
Janet Steiner – yes Beverly Turkal - yes Marjorie Branch – yes
Dean Clark - yes Ron Gidwitz – yes Judith Gold - yes

State
Teacher
Membership

Superintendent Schiller said the State Certification Board has five vacancies and have received nominations.

Motion

Marjorie Branch gave the motion that the Illinois State Board of Education appoint the following individuals to serve on the State Teacher Certification Board:

Ms. Marsha Allen (second term) Illinois Federation of Teachers
Ms. Mary Jane Morris and Ms. Linda Malone – IL Education
Association
Dr. Andrew Brulle (second term) IL Association of Colleges for
Teacher Education
Dr. Eugene Zalewski (second term) IL Association of School
Administrators

Dean Clark seconded the motion.

Vote on
Motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Marjorie Branch – yes Dean Clark - yes Ron Gidwitz – yes
Judith Gold – yes Joyce Karon – yes Greg Kazarian – yes
Dick Sandsmark – yes Janet Steiner – yes Bev Turkal - yes

Dept of
Corrections
Bd Members Superintendent Schiller gave a brief synopsis of the appointments to the Board of Education of the Department of Corrections District #428.

Motion Ron Gidwitz moved that the Illinois State Board of Education appoint the following individuals to serve on the Board of Education Department of Corrections District #428:

Ms. Peggy Ashline
Mr. Jorge Montes
Mr. John Newsom
Ms. Katie Wright

Joyce Karon seconded the motion.

Vote on
Motion Dr. Steiner called for a vote on the motion which passed with the following votes:

Ron Gidwitz – yes Joyce Karon – yes Judith Gold – yes
Greg Kazarian – yes Dick Sandsmark – yes Janet Steiner – yes
Beverly Turkal – yes Marjorie Branch – yes Dean Clark – yes

Accountability
Plan Dr. Steiner Chair, called for agenda item: *NCLB*: Illinois Accountability Plan.

Superintendent Schiller stated that the Accountability Task Force has two recommendations for the Board to consider: 1) the recommendation of untimed tests as part of test specifications provided in the upcoming RFP; and 2) amend the Illini Plan in accordance with the U.S. Department of Education directive.

First motion Dean Clark read part of the motion: “I move that the Illinois State Board of Education hereby approve that the Task Force’s recommendation on untimed tests be included in the information or test specifications that will be used later this summer for new test development.”

Greg Kazarian asked if the motion could be broken up into two parts because, in consultation with Legal Counsel regarding the testing issue, they would like to propose alternative language to that which was written.

First
amendment With regard to the alternative language being added, Beverly Turkal gave the motion, “ the information on test specifications that will be used in the new test development for the state assessments late this year invite test publishers to propose, in compliance with agency

procurement requirements, if appropriate and statistically valid, a test design which allows the estimated 2% of students who are continuously productively engaged in completing the test who need the additional time within which to complete the test.”

Marjorie Branch seconded the motion.

Greg Kazarian explained that what this would do is invite test development companies to provide us guidance if this could be accomplished and was statistically valid in a reasonable way. He said they wanted to make it clear to the publishers it was not a requirement for their submission to us that they give us an open test design, but they are invited to do so if it is statistically valid and reasonable. He said the 2% language regarding those who are continuously advancing came from the Task Force Recommendations, and it defines who we are talking about.

Second amendment

Ron Gidwitz said he would like to make an amendment to this amendment so that a test vendor only be allowed to make one submission. If the issue is credibility, if they can submit a test that is statistically valid, then they need to only make one submission to satisfy the requirements and that should be the one we accept.

Joyce Karon said she did not find fault in what Ron was trying to do, but she objected to putting in a percentage because we were making an assumption that it is only 1-2% group. What if it is more?

Greg Kazarian seconded Mr. Gidwitz’s amendment to the motion. In answer to Joyce Karon’s comments, he said we have tried to respect and consider with some weight the work and the Task Force’s language. He said it was not an open test design and he did not want to go there. He wanted to only focus on those 1-2% of the students. Greg said he would settle on “a small percentage of students who are continuously, productively...”

Vote on motion

Dr. Steiner called for a vote on Mr. Gidwitz’s second amendment which unanimously passed with the following votes:

Marjorie Branch – yes Dean Clark – yes Ron Gidwitz – yes
Judy Gold – yes Joyce Karon – yes Greg Kazarian - yes
Richard Sandsmark – yes Janet Steiner – yes Bev Turkal – yes

Motion Reread on Amendment

For clarity, Bev Turkal again read her amendment which now stated, “the information on test specifications that will be used in new test development for the state assessments later this year, invite test publishers to propose, in compliance with agency procurement

requirements, if appropriate and statistically valid, a test design which allows, with a small percent of students who are continuously, productively engaged in completing the test, some additional time in which to complete the test.”

Marjorie Branch seconded the motion.

Vote on amendment

Chair Steiner asked for a roll call vote on the amendment which passed with the following votes:

Beverly Turkal – yes Marjorie Branch – yes Ron Gidwitz - yes
Dean Clark – yes Judy Gold – yes Joyce Karon - yes
Dick Sandsmark – yes Greg Kazarian - yes Janet Steiner – yes

Vote on first motion

Dr. Steiner, Chair asked for a roll call vote on the first motion as read by Dean Clark.

Dean Clark - yes Ron Gidwitz - yes Judy Gold – yes
Joyce Karon – yes Greg Kazarian – yes Janet Steiner – yes
Marjorie Branch – yes Beverly Turkal – yes Dick Sandsmark – yes

Motion on Illini Plan

Joyce Karon then moved that the State Board of Education hereby approve that the Task Force’s recommendation on the revised Illini Plan be accepted and then submitted as accepted to the U.S. Department of Education for consideration as part of the overall accountability plan.

Marjorie Branch seconded the motion.

Ron Gidwitz explained that this was discussed at Monday’s meeting where the adjustment was made to accommodate the concerns expressed by USDE Under Secretary Eugene Hickok for some nominal changes in the progression over time to accommodate the statutory language in the *NCLB* legislation.

Vote on motion

Dr. Steiner called for a roll call vote which passed unanimously with the following votes:

Joyce Karon – yes Greg Kazarian - yes Dick Sandsmark – yes
Janet Steiner – yes Beverly Turkal – yes Marjorie Branch - yes
Dean Clark - yes Ron Gidwitz - yes Judith Gold - yes

Dr. Steiner called for discussion and motion on Highly Qualified Teachers Policy.

Highly
Qualified

Superintendent Schiller said we discussed this item in great detail Monday. He said the *NCLB* Legislation requires that all state boards of education define a policy where each teacher in their respective areas of certification, are considered highly qualified, by meeting 3 basic requirements: 1) a bachelors degree, 2) full state certification, and 3) demonstrated subject matter competency in the areas taught.

Motion

Joyce Karon moved that the Illinois State Board of Education approve the Illinois Criteria for meeting the *NCLB* Requirements for Highly Qualified Teachers as outlined in the document named such and dated June 17, 2003.

Ron Gidwitz seconded the motion.

Vote on
motion

Dr. Steiner called for a vote on the motion that passed with the following votes:

Joyce Karon – yes Greg Kazarian – yes Dick Sandsmark - yes
Janet Steiner – yes Beverly Turkal – yes Marjorie Branch – yes
Dean Clark – yes Ron Gidwitz - yes Judith Gold – yes

Superintendent Schiller said this document will be noted as final and adopted and put on our website.

Thomas
Jefferson
Charter
School

Superintendent Schiller said we have a request from the Thomas Jefferson Charter School for a renewal of their existing charter for an additional 5 years. The Board has the opportunity to consider whether to renew the charter for the requested term, to renew it for less than the requested term, or deny the application for the renewal.

Final
Decision

Ron Gidwitz read that it was very clear that the matter before the Illinois State Board of Education is of great concern to many people. The Thomas Jefferson Charter School has asked to have their charter renewed for a period of five years. The State Board of Education as the chartering entity may refuse or may renew the charter in accordance with the Illinois Charter School Law.

Standard of
Review

Pursuant to 105ILCS 5/27A-9(c) the Illinois State Board of Education has the authority and discretion to refuse to renew a charter if it clearly demonstrated that a charter did any of the following or otherwise failed to comply with the requirements of this law. The following are:

Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.

Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter.

Failed to meet generally accepted standards of fiscal management.

Violated any provision of law from which the charter school was not exempted.

Motion

(He said this was the motion)...With respect to the final decision, the Illinois State Board of Education reviewed the Recommendation of the State Superintendent. However, the Illinois State Board of Education hereby renews the charter of Thomas Jefferson Charter School for one year subject to receipt and approval of Thomas Jefferson Charter School's submission of an approved accountability plan and compliance with all special education requirements under IDEA by August 1, 2003. Said renewal is subject to a reduced 80% per capita tuition rate ('PCTR'). Further, the Thomas Jefferson Charter School shall be awarded a charter by the State Board of Education upon execution of a charter school agreement with the State Superintendent of Education.

This will be a final administrative decision and is subject to judicial review as provided under Section 17A-9(e) of the Charter Schools Law.

Dean Clark seconded the motion.

The meeting broke for a break, and returned 5 minutes later. Copies of the motion were distributed to the audience.

Public
Participation
on Thomas
Jefferson
Charter
School

Dr. Steiner said there were individuals from the Thomas Jefferson Charter School who had asked to be included in the discussion. They were: Linda Brown, 2nd grade teacher, Debbie Townsend, 7th & 8th grade teacher, Barbara Katz, 3rd grade teacher, and parents, Fumie Ikeda, Sachiyo Hashimoto, Yasue Miyasaki, Ms. Perez, Nora de Silva, David Remer, Ken Murray, and Char Berry, Principal. Each gave a reason for renewing Thomas Jefferson Charter School's charter.

Julie Heuberger, Attorney, Franczek Sullivan, representing School District #59; Barbara Somogyi, President, Board of Education, District #59; and Laura Walters, Immediate-Past President District #59 School Board, stepped forward to say the Board should not renew the charter for Thomas Jefferson because they did not meet the requirements for special education.

Greg Kazarian said after listening to both sides a decision had been put before the Board, but he was inclined to be receptive to the motion by Ron Gidwitz to provide them a very limited opportunity to swiftly address these deficiencies and meet the requirements of their charter.

Dick Sandsmark said he was concerned how this was hurting special education children. He said we were giving them a deadline of August 1, 2003 to have an accountability plan and an all special education requirement plan. He said if this was not submitted by August 1 he would vote for the school charter to be revoked. He said there was no excuse for saying they did not understand the special education requirements.

Dean Clark agreed with Dick Sandsmark, as did Ron Gidwitz and Joyce Karon.

Dick Sandsmark also commented that the Charter School and District #59 need to begin communicating and working together.

General Counsel, Respicio Vazquez said that if the plan is submitted by August 1, 2003, the State Board of Education can still visit the school after August 1 and throughout the year if we feel there are complaints regarding special education that arise, just like in any other school district.

Ron Gidwitz would like the record to show that we have an obligation to ensure they comply with the charter, but do not have an obligation to help them implement it. Mr. Vazquez said that was true.

Vote on motion

Dr. Steiner called for a vote on the motion which passed by the following votes:

Ron Gidwitz – yes	Judith Gold - yes	Joyce Karon – no
Greg Kazarian – yes	Dick Sandsmark – yes	Janet Steiner – no
Beverly Turkal – yes	Marjorie Branch – yes	Dean Clark – yes

Board Member Resigning

Marjorie Branch said that she had to leave to catch her plane. Dr. Steiner announced that Marjorie had handed in her letter of resignation and that this was her last day with the Board. She would be moving to Las Vegas, Nevada with her family. Dr. Steiner read a Board Resolution in honor of the service given by Mrs. Branch (see attachment F.)

Ron Gidwitz said he would like to thank Marjorie for being a stalwart under his administration as Board Chairman. He said she was knowledgeable, clear-thinking, level headed, and unambiguous. He truly appreciated her support. He said we will be at a disadvantage without her experience, foresight, and determination that No Child be Left Behind.

Rockford
Youth Build
Charter
School

Dr. Steiner said we have a motion on the Rockford Youth Build Charter School.

Motion

Dick Sandsmark moved that having reviewed the record, the Illinois State Board of Education hereby denies the appeal based on the following evidence:

- (1) board members were concerned that the charter school proposal had not adequately shown that it was economically sound for the charter school and the school district;
- (2) board members reviewed additional material such as an independent financial analysis by ISBE staff of costs and budget impact; and
- (3) board members expressed reservations that the charter school proposal was in the best interests of the students it was designed to serve.

The board members accepted the evidence that that Rockford School District was in grave financial condition and, in fact, had recently received an audit stating that the district's financial condition "raised a substantial doubt about the District's ability to continue as an ongoing concern." (R. 474, 477-78.) The board members rejected the evidence respecting the proposed charter school's fiscal soundness and its impact on Rockford School District 205 as inconclusive and inadequate to meet the statutory standard. This was based on the fact that the record includes a number of varying figures in reference to the financial impact of CCS's proposal on RSD 205. Even despite ISBE staff's additional review and analysis of the financial soundness of the proposal, there remained considerable confusion over which figures apply to which funding level (whether at the minimum 75% level, a variable level ranging from 88% in the first year to 95% in the fifth year, or at the maximum 100% level), and indeed which funding level was being sought by CCS (R. 368; 414 - 416; 422 - 423; 473 - 478; 501 - 502). Finally, based on the uncertain impact of an insufficiently clear charter school proposal upon a school district already in grave financial condition and in turn upon the proposed charter school itself, the board members found

that the charter school proposal was not in the best interests of the students it was designed to serve.

Therefore, pursuant to 105 ILCS 5/27A-9(e), the Illinois State Board of Education will not exercise its discretion to reverse the local board's decision.

This is a final administrative decision and is subject to judicial review as provided in Section 27A-9(e) of the Charter Schools Law.

Mr. Sandsmark believes his motion was a good summary of the fact. Ron Gidwitz seconded the motion. He also said he would enact Mr. Sandsmark's rendering of actions at the Board meeting. He said the record shows that he did attend the Board meeting and voted in favor of the charter, but he does believe that the reasons expressed by those who were not supportive of the charter were adequately reflected in the record and motion made by Mr. Sandsmark.

Vote on motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Dick Sandsmark – yes Janet Steiner – yes Beverly Turkal – yes
Dean Clark – yes Judith Gold – yes Joyce Karon – yes
Greg Kazarian – out of room Ron Gidwitz – yes

Notices of Objection

Dr. Steiner called for motion on Notices of Objection.

Superintendent Schiller gave a short overview of the recommendations of the State Teacher Certification Board, and the Board's options.

Dick Sandsmark said each should be voted on separately and he would give a motion on the first one.

Motion - Blackburn

He said, I move that Illinois State Board of Education accept the accreditation recommendations of the State Teachers Certification Board for Blackburn College.

Joyce Karon seconded the motion.

Dr. Steiner said she would not be voting on this because of her affiliation with the college.

Vote on motion

Dr. Steiner called for a vote on the motion which was passed with the following votes:

Dick Sandsmark – yes Beverly Turkal – yes Dean Clark – yes
Ron Gidwitz – yes Judith Gold – yes Joyce Karon – yes
Greg Kazarian – yes Janet Steiner – abstained

Motion on
University of
Chicago

Dick Sandsmark moved that the Illinois State Board of Education accept the accreditation recommendations of the State Teachers Certification Board for the University of Chicago.

Joyce Karon seconded the motion.

Greg Kazarian would like to say for the record that he was troubled with the perspective the university provided, that this is a new program and some of the deficiencies are inherent because it is a new program. But he also said it appeared the Certification Board considered this in their recommendations. He said he was inclined to support the results of the Certification Board, but he hoped, as a result of today, that we would mark the progress as the program moves forward because it will fill a need.

Vote on
Motion

Dr. Steiner called for a vote on the motion which was passed with the following votes:

Dick Sandsmark – yes Beverly Turkal – yes Dean Clark – yes
Ron Gidwitz – yes, he has no conflict but his family has a long history with the University of Chicago. Judith Gold –abstained
Joyce Karon – yes Greg Kazarian – yes
Janet Steiner – abstained

Motion on U
of I –
Champaign

Dick Sandsmark moved that Illinois State Board of Education accept the accreditation recommendations of the State Teachers Certification Board for the University of Illinois-Champaign.

Dean Clark seconded the motion.

Greg Kazarian said he was confused because if we were only to look under our rules at the information which was available to the review team at the time the recommendation was reached, and we are not allowed to look at the activities subsequent to that report/recommendation in considering whether the standards have been met or unmet, then he was interested in hearing from the Dean on her view whether the review team did not consider materials that had been provided to it, or if it was the position of the university that we should look at the subsequent submissions.

Susan Fowler, Dean, came forward to say that they did not believe that all the materials provided at the sight visit review were fully

considered, and have specifically stated in all their correspondence that they believed they have an assessment plan. She elaborated on the circumstances which led to the recommendation, and said they believed they had met the standards.

An extensive discussion followed with Janet Steiner asking if the Dean knew about the six-month report and would be willing to do that. Dean Fowler stated she knew about the six-month report and they felt what they had already provided and constituted this report, but would formally submit it again.

Superintendent Schiller said that if the six-month report adequately provided evidence that the weaknesses had been addressed, then they would not be subject to a focus visit. With regard to a six-month report time frame, this would be at the time of the decision of June 17, 2003.

Superintendent Schiller said the Board should be on record of the action here and the condition of the six-month report.

Addition to motion

Dick Sandsmark said he would add to his original motion that the six-month report should be submitted assuming that the report is acceptable, in lieu of the two-year focus visit.

Lee Patton gave an explanation to the Board of the options. Respicio Vazquez stated that we would have to wait to receive the six-month report and the rules would provide for those two options explained by Lee Patton. He said you would not have to approve what those options are now.

Greg Kazarian said though he did not have a conflict that would keep him from voting, he would like to put on the record his strong affection for the University because it is his alma mater.

Vote on motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Dick Sandsmark – yes Janet Steiner – yes Beverly Turkal – yes
Dean Clark – yes Ron Gidwitz – yes Judith Gold – yes
Joyce Karon – yes Greg Kazarian – yes

Motion on Oak Park

Ron Gidwitz made the motion that the Illinois State Board of Education hereby deny the petition from Oak Park Elementary School District 97 to waive the rules governing reimbursement of transportation costs because it does not address the intent of the rule or mandate in a more effective, efficient, or economical manner. Joyce Karon seconded the motion.

Ron Gidwitz said he was concerned about the concept. He said the school board has in good conscience tried to reduce its cost of transportation by accepting the lowest bids in both special education transportation and general education transportation, and by a quirk of fate, the same vendor in a competitive environment got both contracts and they are being penalized. He said he would like to give them a pass, but this would weaken the rule for the rest of the state. Therefore, he would support this with great regret.

Janet Steiner said she thinks many members of the Board feel this way. Dean Clark wanted to know if in the future the rule could be amended to deal with this particular situation. Superintendent Schiller said it was something we should look at in order to provide an incentive for districts that are looking to cut costs.

Greg Kazarian argued that the waiver is appropriate for a waiver because the intent that the rule is there to prevent is not what occurred here. It is an unintended consequence of our rule which seems a perfect place for a waiver. As he mentioned yesterday, we had an argument with the USDE because we think they ought to adapt one of their rules to meet what we think is right for our district, and we are completely within the spirit and sense of the law and we are a little frustrated that notwithstanding our diligence on that, that they didn't hear us. And here we are a day later in the same situation on the opposite foot being as intransigent as they were. His inquiry was why we could not pass the waiver and address the rules to prevent the opening of the door that Mr. Gidwitz is concerned with. Mr. Gidwitz said he would withdraw his motion because he said he was one of the more articulate individuals with respect to the USDE, going so far as to contact members of our congressional delegation to try and push what we were not able to do by way of statutory requirement. He stated Mr. Kazarian was correct that this is not a statutory requirement, but a rule. He said he withdraws his motion. Greg Kazarian then made the motion that we grant the waiver, review our rule, and to move quickly to adjust those rules so that they do not provide for this unintended consequence in the future. Dean Clark seconded the motion.

Withdrawal of motion

Motion

Superintendent Schiller asked if they would be entertaining other petitions from other school boards, and Joyce Karon said that was her question. She said we had no idea what the impact of this motion would be.

Respicio said it was time sensitive at the time it was submitted – the 45 days for the Board to consider the waiver. He said the concern he had was the amount of waivers that would come in because the Board is opening up the door to this type of possibility. He said if we were restricting it, the Board would have to draft what language they

are going to restrict it to so it is saying, 'under these certain conditions we will be granting this waiver based on this criteria'. He stated that the rule would have to be submitted for publication based on public comment (approx. 4 months without controversy). Further discussion followed with David Wood giving his advice and expertise.

Vote on motion

Dr. Steiner called for a vote on the motion as presented by Greg Kazarian. The motion did not pass with the following votes:
Greg Kazarian – yes Dick Sandsmark – no Janet Steiner – no
Beverly Turkal - no Dean Clark – yes Ron Gidwitz – no
Judith Gold – yes Joyce Karon – no

Dr. Steiner called for another motion to deny the waiver but review the rules.

Motion to deny waiver

Joyce Karon said she moves that the Illinois State Board of Education hereby deny the petition by Oak Park Elementary School District 97 to waive the rules governing reimbursement of transportation costs because it does not address the intent of the rule or mandate in a more effective, efficient or economical manner. Dick Sandsmark seconded the motion.

Vote on Motion

Dr. Steiner called for a vote on the motion which passed with the following votes:
Joyce Karon – yes Greg Kazarian – no Dick Sandsmark – yes
Janet Steiner – yes Beverly Turkal – yes Dean Clark – no
Ron Gidwitz – yes Judith Gold – no

Motion on Rules

Dr. Steiner called for the motion on the Rules.

Motion

Ron Gidwitz said the State Board of Education hereby adopts the proposed rulemaking for:

Certification (23 Illinois Administrative Code 25); and
Standards for Certification in Specific Teaching Fields (23 Administrative Code 27).

Further, the State Board authorizes the State Superintendent of Education to make such technical or nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.

Joyce Karon seconded the motion.

Dr. Steiner called for a vote on the motion which passed with the

Vote on motion

following votes:

Ron Gidwitz - yes Judith Gold – yes Joyce Karon – yes
Greg Kazarian – yes Dick Sandsmark – yes Janet Steiner – yes
Beverly Turkal – yes Dean Clark – yes

Motion

Dick Sandsmark read the motion that the State Board of Education hereby adopts the emergency rulemaking for: Certification (23 Illinois Administrative Code 25). Further the Board authorizes the solicitation of public comment on the accompanying proposed amendments, including their publication in the Illinois Register.

Ron Gidwitz seconded the motion.

Dr. Steiner called for a vote on the motion which passed with the following votes:

Vote on motion

Dick Sandsmark – yes Janet Steiner – yes Beverly Turkal – yes
Dean Clark – yes Ron Gidwitz – yes Judith Gold – yes
Joyce Karon – yes Greg Kazarian – yes

Motion ISBE Financial Reports

Dick Sandsmark said he moves that the State Board of Education accept the financial, agency operations, and budget status reports presented during the June 2003 meeting.

Ron Gidwitz seconded the motion.

Vote on motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Dick Sandsmark – yes Janet Steiner - yes Beverly Turkal - yes
Dean Clark – yes Ron Gidwitz – yes Judith Gold – yes
Joyce Karon – yes Greg Kazarian – yes

Motion

Ron Gidwitz moved that the Illinois State Board of Education approve the reductions in agency contracts and personnel so as to have a balanced budget in FY04. Further, the Superintendent is authorized to modify this plan dependent on circumstances, including the Governor’s veto, union negotiations, emergencies, etc., presumably in consultation with various Board members.

Vote on motion

Greg Kazarian seconded the motion.

Dr. Steiner said we all approve the motion but we do not approve of the reductions, but there is nothing we can do about it because we do not have the money.

Dr. Steiner called for a vote on the motion which passed with the

following votes:

Dick Sandsmark – yes Janet Steiner - yes Beverly Turkal - yes
Dean Clark – yes Ron Gidwitz – yes Judith Gold – yes
Joyce Karon – yes Greg Kazarian – yes

Motion on
Hazel Crest

Ron Gidwitz moved that the Illinois State Board of Education accepts the Hazel Crest School District 152 ½ School Finance Authority's amended proposal FY04 budget and reorganization plan as presented.

Vote on
motion

Dr. Steiner called for a vote on the motion which passed with the following votes:

Dick Sandsmark – yes Janet Steiner - yes Beverly Turkal - yes
Dean Clark – yes Ron Gidwitz – yes Judith Gold – yes
Joyce Karon – yes Greg Kazarian – yes

Resolution for
Ron Gidwitz

Dr. Steiner then read a Board Resolution for Ron Gidwitz in appreciation of his tenure as Chairman of the State Board of Education from 1999 to 2003. He was presented a framed gavel as a momentous token to his Chairmanship.

Notification
by Governor
for Chair

Superintendent Schiller presented Dr. Steiner a framed official notification from the Governor of her appointment as Chair of the State Board of Education.

There were not any Committee presentations at this time.

Dr. Steiner said the next meeting would be in August, 2003. Dr. Schiller said there may be a need to call an emergency meeting before the end of the fiscal year.

Beverly Turkal said she would like to thank Dr. Schiller, Peter Leonis, David Wood and all staff who worked so diligently during the legislative sessions.

Adjournment

The meeting adjourned at 1:20 p.m.

An audio tape of the meeting is available through the State Board Services office in Springfield, (217/782-9560)

Respectfully submitted:

Richard Sandsmark
Secretary

Dr. Janet Steiner
Chair