

ILLINOIS STATE BOARD OF EDUCATION  
Video Conference Rooms  
Springfield and Chicago

REVISED  
8/3/07

Wednesday, August 8, 2007  
10:00 a.m.

***PLEASE NOTE: This meeting will now be held via teleconference from the following locations:***

**Illinois State Board of Education**  
Springfield Office  
Video-Conference Room, 3<sup>rd</sup> Floor,  
100 N. First Street, Springfield, IL

Chicago Office  
Video-Conference Room, 14<sup>th</sup> Floor  
James R. Thompson Center  
100 W. Randolph, Chicago, IL

**The Plenary Session will also be audio broadcast via the Internet.**

**Public Conference Call Number: 1-866-297-6391 (listen only)**  
**Confirmation #: 1 8 6 5 5 7 9 6**

The Plenary Session will also be audio broadcast via the Internet.

**A. Roll Call/Pledge of Allegiance**

1. Consideration of and Possible Actions on Any Requests for Participation in Meeting by Other Means

**B. Public Participation**

**C. Superintendent's Report**

Action Considerations

1. Approval of Minutes: June 21, 2007 (**pp. 2-15**)

2. Rules for Adoption

- a. Part 35 (Mentoring Program for New Principals) (**pp. 16-27**)
- b. Part 180 (Health/Life Safety Code for Public Schools) (**pp. 28-67**)
- c. Part 401 (Special Education Facilities Under Section 14-7.02 of the School Code) (**pp. 68-89**)

3. Contracts and Grants over \$1 million

- a. FY08 Mathematics and Science Partnership Grants (Title II, Part B) (**pp. 90-92**)
- b. Illinois Migrant Council - Migrant Education Contract (Title I, Part C of NCLB) (**pp. 93-94**)

4. Update List of SES Providers (**pp. 95-98**)

5. FY08 Budget (*tentative*)

6. Legislation (*tentative*)

**D. New Business**

**E. Information Items**

1. Rulemaking Monthly Status Report (**pp. 99-102**)
2. SBE Fiscal & Administrative Monthly Reports (**pp. 103-120**)

**F. Adjourn**

**NOTE:** Chairman Ruiz may call for a break in the Board Plenary Session at which time the Board will go into closed session.

**Illinois State Board of Education Meeting**  
**MINUTES**  
**June 21, 2007**  
**100 North First Street**  
**Springfield, Illinois**

<b>ROLL CALL/PLEDGE OF ALLEGIANCE</b>	<p>Mr. Jesse Ruiz, Chairman, called the meeting to order at 9:55 a.m. Chairman Ruiz asked Ms. Jean Ladage, Assistant to the Board, to call the roll. A quorum was present. Dr. Christopher Koch, State Superintendent of Education, was also in attendance.</p> <p>The Board members, Dr. Koch and anyone who wished to join them faced the American flag and recited the Pledge of Allegiance.</p> <p>Chairman Ruiz announced that the Board meeting was being audio-cast live over the Internet.</p> <p><b>Members Present:</b></p> <p>Mr. Jesse Ruiz, Chairman Dr. Christopher Ward, Vice Chairman Dr. Vinni Hall, Secretary Dr. Andrea Brown Mr. Dean Clark Dr. David Fields Mr. Edward Geppert, Jr. Ms. Brenda Holmes Ms. Joyce Karon</p> <p><b>Members Absent:</b></p> <p>None</p>
<b>RESOLUTIONS &amp; RECOGNITION</b>	<p>Dr. Ward moved that the State Board of Education adopt the resolution recognizing Mr. Rolland Marshall for his leadership and dedication to improving Education for all students. Mr. Geppert seconded the motion and it passed with a unanimous voice vote.</p> <p>Dr. Hall moved that the State Board of Education adopt the resolution recognizing Ms. Frana Allen for her leadership and dedication to the field of Education. Ms. Holmes seconded the motion and it passed with a unanimous voice vote.</p> <p>Ms. Holmes moved that the State Board of Education adopt the resolution recognizing Mr. Ed Geppert for his leadership, dedication and commitment to the field of public education. Dr. Fields seconded the motion and it passed with a unanimous voice vote.</p> <p>Mr. Geppert thanked the Board for the opportunity to work and serve with them. He also took time to personally thank the staff for performing their jobs everyday with the nobility, expertise, knowledge and dedication that goes far beyond what one could expect. Mr. Geppert thanked the administrative staff for their assistance and support. He closed by saying that he hopes that he has been true to the teachers, staffs and children of the State of Illinois in representing them and their essential work, and by challenging them to do better. Mr. Geppert thanked the Board for his Certificate of Recognition. Chairman Ruiz wished him well in his new position as President of the Illinois Federation of Teachers.</p>

<b>Special Introduction</b>	<p>Dr. Koch introduced several members of the Illinois Parent Leadership Council, Mr. Brad Hemingway, a member of Olympia Fields School District #162 Parent Organization and the South Cook County Board for Junior Achievement; Ms. Shelia Stocks-Smith, Director of Education Liaison for the Springfield Mayor's Office; and Ms. Deb Kunz, ISBE Special Education staff member and a parent liaison. The group addressed the Board as council members of the Illinois Parent Leadership Council. The Illinois Parent Leadership Council was established by an Executive Order as part of Governor Blagojevich's Education Plan. The Council's purpose is to serve as an advisory body to the Illinois State Board of Education and the Office of the Governor in a leadership capacity, setting examples for Illinois parents and educators on the importance of parental involvement in education. Ms. Stocks-Smith noted that the Council strongly believes that there is a connection between home and school, as it relates to increasing student achievement.</p> <p>Ms. Stocks-Smith indicated that in the few meetings they have had, they are working to propose a schedule for next year's meetings and they are hoping to provide some best practices for parent involvement. Dr. Hall asked that they make parent involvement at the high school level a priority. Ms. Kunz thanked Superintendent Koch for his appreciation of the importance of parent involvement in the agency and his support of the Council.</p>
<b>IBHE Liaison Report</b>	<p>Chairman Ruiz introduced Dr. Proshanta Nandi from the Illinois Board of Higher Education (IBHE). Dr Nandi gave the following summary on the June 5, 2007 IBHE meeting held at the President Abraham Lincoln Hotel and Conference Center in Springfield.</p> <ul style="list-style-type: none"> <li>• Received a presentation by Dr. David Spence, President of Southern Regional Education Board on the Development of Statewide College and Career Readiness Standards and Assessments.</li> <li>• Don McNeil of the Illinois Student Assistance Commission briefed the IBHE members on Student Loan Issues.</li> <li>• The Board took action to allocate funds for two programs: Health Services Education Grants Act Fiscal Year 2007 Grant and Diversifying Higher Education Faculty in Illinois Program Fiscal Year 2008 Grant Program.</li> <li>• Discussed campus safety.</li> </ul>
<b>PUBLIC PARTICIPATION</b>	<p>Mr. Joseph Pedersen, President of Achievement Builders Corporation, spoke on their online web-based testing program. The testing program was developed in Illinois and is now used in eight other states. The tests are practice ISAT exercises for students in grades 3 through 8. The tests allow elementary students, teachers and parents to see deficit-strength feedback in student learning within the fundamental learning areas of reading, mathematics, science &amp; social science by producing a scorecard.</p> <p>Board members asked Mr. Pedersen several questions about the product.</p>
<b>SUPERINTENDENT'S REPORT</b>  <b>Consent Agenda Items and Motion</b>	<p>Chairman Ruiz commented that all items listed with an asterisk (*) on the agenda are considered to be routine and will be enacted in one motion and vote. Any board members who wishes separate discussion on any item listed on the consent agenda may remove that item from the consent agenda , in which the event, the item will be considered in its normal sequence.</p> <p>Chairman Ruiz stated that consent agenda item D.8. NASBE Membership Renewal and Election will be removed from the consent agenda and</p>

	<p>considered a separate item for discussion. He also indicated that agenda items # 13. Ogden v. Ruiz Settlement Agreement and agenda item # 15. Englert v. Dunn will be discussed after the closed session.</p> <p>Superintendent Koch gave the Board members a brief summary on the items on the consent agenda.</p> <p>Chairman Ruiz asked for a motion regarding the consent agenda.</p> <p><b><u>Motion:</u></b> Dr. Hall moved that the State Board of Education hereby approve the consent agenda items as presented. Mr. Clark seconded the motion and it passed with a unanimous roll call voice vote.</p> <p>The following motions were approved by action taken in the consent agenda motion:</p> <p style="text-align: center;"><b><u>Approval of Minutes</u></b></p> <p>The State Board of Education hereby approves the minutes for the meeting of May 17, 2007 Board meeting.</p> <p style="text-align: center;"><b><u>Rules for Adoption</u></b></p> <p style="text-align: center;"><b>Part 25(Certification)</b></p> <p>The State Board of Education hereby adopts the proposed rulemaking for: Certification (23 Illinois Administrative Code 25). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.</p> <p style="text-align: center;"><b><u>Rules for Adoption</u></b></p> <p style="text-align: center;"><b>Part 350 (Secular Textbook Loan)</b></p> <p>The State Board of Education hereby adopts the proposed rulemaking for: Secular Textbook Loan (23 Illinois Administrative Code 350). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.</p> <p style="text-align: center;"><b><u>Rules for Adoption</u></b></p> <p style="text-align: center;"><b>Part 555 (Children's Mental Health Initiative)</b></p> <p>The State Board of Education hereby adopts the proposed rulemaking for: Children's Mental Health Initiative (23 Illinois Administrative Code 555). Further, the Board authorizes the State Superintendent of Education to make such technical and nonsubstantive changes as the State Superintendent may deem necessary in response to suggestions or objections of the Joint Committee on Administrative Rules.</p> <p style="text-align: center;"><b><u>Contracts over \$1 million</u></b></p> <p style="text-align: center;"><b>WIDA Memorandum of Understanding</b></p> <p>The State Board hereby authorizes staff to extend the Memorandum of Understanding to provide for the development, printing, delivery, and scoring services for the ACCESS. This agreement period will extend from July 1, 2007 through June 30, 2009, with the total amount not exceeding \$9 million for the two-year period.</p>
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<p><b>Grants over \$1 million</b></p>	<p><b>University of Illinois Memorandum of Understanding</b>  The State Board hereby authorizes staff to develop and the State Superintendent to execute a Memorandum of Understanding to provide for the ongoing evaluation of assessment services. The agreement shall extend from September 30, 2007 until June 30, 2012. The total amount shall not exceed \$1,250,000 for the five year period.</p> <p><b>Illinois Interactive Report Card Contract</b>  The State Board hereby approves the contract renewal with Northern Illinois University for the purpose of refining and maintaining the Illinois Interactive Report Card.</p> <p><b>Student Information System (SIS) Contract Renewal</b>  The State Board hereby approves the contract renewal with IBM for the purpose of expanding the SIS to include new capabilities.</p> <p><b>Harrisburg Project Contract</b>  The State Board hereby approves the renewal of the Harrisburg Project to retain a contracting entity to manage the collection and reporting of special education data.</p> <p><b>FY08 Illinois Virtual High School (IVHS) Technology for Success</b>  The State Board hereby authorizes the State Superintendent to enter into a multi-year intergovernmental agreement with Illinois Mathematics and Science Academy to administer the Illinois Virtual High School.</p> <p><b>Reading First Wireless Generation</b>  The State Board hereby authorizes the State Superintendent to issue Wireless Generation a contract approval out of federal Title I, Part B, Subpart I Reading First Funds in an amount not to exceed \$1,100,000 and further, to enter into this contract and in accordance with all applicable laws.</p> <p><b><u>Grants over \$1 million</u></b></p> <p><b>FY08 21<sup>st</sup> Century Community Learning Center Grants</b>  The State Board hereby authorizes the State Superintendent to approve grant awards to selected grantees for the federal 21<sup>st</sup> Century Community Learning Centers program that exceed \$1 million dollars, and further, to enter into grant agreements in accordance with all applicable laws.</p> <p><b>FY08 Learning Technology Center Grants (Technology for Success)</b>  The State Board hereby authorizes the State Superintendent to approve grant awards to selected Regional Offices of Education to operate the Learning Technology Centers in an amount not to exceed \$2.4 million, and further, to enter into grant agreements pursuant to these Continuing Applications and in accordance with all applicable laws.</p> <p><b>FY08 Enhancing Education Through Technology Grants</b>  The State Board hereby authorizes the ISBE to enter into grant agreements with district(s) for the second year of the Enhancing Education Through Technology Program which exceed \$1 million.</p> <p><b>Illinois Statewide Technical Assistance Center Grant (ISTAC)</b>  The State Board hereby approves the renewal of the ISTAC grant to provide a fully coordinated statewide approach to technical assistance and support for</p>
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	<p>the implementation of best practices.</p> <p><b><u>ISAT Math Definitions</u></b>  The State Board of Education approves the ISAT Math Performance Descriptions.</p> <p><b><u>QZAB Bond Authorization(s)</u></b>  The Illinois State Board of Education hereby approves the applications submitted by the districts listed below for designation of \$14,790,000 in bonds from the calendar year 2006 allocation and \$14,790,000 in bonds from the calendar year 2007 allocation as Qualified Zone Academy Bonds pursuant to the provisions of Section 1397E of the Internal Revenue Code of 1986, as amended (the Qualified Zone Academy Bond Program.)</p> <table border="1" data-bbox="530 629 1472 960"> <thead> <tr> <th>District</th><th>2006 Allocation</th><th>2007 Allocation</th></tr> </thead> <tbody> <tr> <td>City of Chicago School District 299</td><td>\$ 2,958,000</td><td>\$ 2,958,000</td></tr> <tr> <td>School District U-46</td><td>\$ 6,200,000</td><td></td></tr> <tr> <td>Cook County School District 130</td><td>\$ 4,830,000</td><td></td></tr> <tr> <td>Kewanee Community Unit School District 229</td><td>\$ 802,000</td><td>\$ 198,000</td></tr> <tr> <td>Sunnybrook School District 171</td><td></td><td>\$ 3,150,000</td></tr> <tr> <td>Unity Point Community Consolidated School District 140</td><td></td><td>\$ 1,010,955</td></tr> <tr> <td>Joppa-Maple Grove Unit District 38</td><td></td><td>\$ 800,000</td></tr> <tr> <td>Brownstown Community Unit School District 201</td><td></td><td>\$ 1,281,000</td></tr> <tr> <td>Quincy School District 172</td><td></td><td>\$ 5,392,045</td></tr> <tr> <td>Total</td><td>\$14,790,000</td><td>\$14,790,000</td></tr> </tbody> </table> <p><b><u>Pre-K Report to the General Assembly</u></b>  The State Board of Education directs staff to transmit the Illinois Prekindergarten Program for Children At Risk of Academic Failure 2005-06 Evaluation Report to the Illinois General Assembly and post the report on the Agency's Web site.</p> <p><b><u>Appeals Advisory Committee Recommendations</u></b>  The Illinois State Board of Education accepts the Appeals Advisory Committee and the Superintendent's recommendation to:  Uphold the Agency's position on Sandwich CUSD #430, Woodstock CUSD #200, Lincoln SD #156, Milford THSD #233, Lockport THSD #205, and Charleston CUSD #1.</p> <p>The Illinois State Board of Education accepts the Appeals Advisory Committee and the Superintendent's recommendation to reject the Agency's position on part 1 of Chicago SD #299 appeal, finding that for this specific instance, the students whose tests were lost at John Whistler Elementary School and Mount Greenwood Elementary School will not be calculated into the participation rate for the 2006 AYP cycle only.</p> <p>The Illinois State Board of Education rejects the Appeals Advisory Committee's recommendation and accepts the Superintendent's recommendation to uphold the Agency's position on part 2 of Chicago SD #299 appeal, finding that the Illinois Accountability Workbook approved by the Department of Education states: "Regardless of where a student with disabilities may be attending school, his or her achievement results are counted as part of the AYP for the student's home school. This calculation will be included in the district's AYP." (See Appendix A) Furthermore, to support Chicago's appeal on this matter would be inconsistent with intent and provisions of the Corey H. settlement.</p>	District	2006 Allocation	2007 Allocation	City of Chicago School District 299	\$ 2,958,000	\$ 2,958,000	School District U-46	\$ 6,200,000		Cook County School District 130	\$ 4,830,000		Kewanee Community Unit School District 229	\$ 802,000	\$ 198,000	Sunnybrook School District 171		\$ 3,150,000	Unity Point Community Consolidated School District 140		\$ 1,010,955	Joppa-Maple Grove Unit District 38		\$ 800,000	Brownstown Community Unit School District 201		\$ 1,281,000	Quincy School District 172		\$ 5,392,045	Total	\$14,790,000	\$14,790,000
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<p><b>Recommendations for the Teacher Certification Board</b></p>	<p>Section 4, paragraph 15, states that all ISBE policies, current and future, which have an impact on the education of children with disabilities in the LRE, shall support the education of students with disabilities. Current ISBE policy complies with the Corey H. settlement agreement and should not be altered.</p> <p style="text-align: center;"><b><u>Recommendations for the Teacher Certification Board</u></b> <b><u>Institution Accreditation and Program Approvals</u></b></p> <p style="text-align: center;"><b>Bradley University</b></p> <p>In accordance with Section 25.125 (j) (1) of the State Board's administrative rules, the State Board of Education hereby assigns the status of "<b>continuing accreditation</b>" to <b>Bradley University</b> and authorizes the institution to conduct its programs and recommend candidates for certification by entitlement until the time of the institution's next scheduled review. This review will occur in 2013.</p> <p>In accordance with Section 25.127 (j) (1) (A) of the State Board's administrative rules on review of individual programs, the State Board of Education hereby assigns "<b>continuing approval</b>" to the following professional education preparation programs for <b>Bradley University</b> as they meet the applicable Illinois content area standards.</p> <ul style="list-style-type: none"> <li>• Early Childhood Education</li> <li>• Elementary Education</li> <li>• Family and Consumer Science</li> <li>• Music</li> <li>• Science: Biology</li> <li>• Science: Chemistry</li> <li>• Science: Earth and Space Science</li> <li>• Science: Physics</li> <li>• Visual Arts</li> <li>• Learning Behavior Specialist I</li> </ul> <p>In accordance with Section 25.127 (j) (1) (B) of the State Board's administrative rules on review of individual programs, the State Board of Education hereby assigns "<b>provisional approval</b>" to the following professional education preparation programs for <b>Bradley University</b> as the program reports were found to exhibit less than full compliance with the applicable content standards.</p> <ul style="list-style-type: none"> <li>• English Language Arts</li> <li>• Foreign Language (French, German, Spanish)</li> <li>• Mathematics</li> <li>• Social Science: History</li> <li>• School Counselor</li> <li>• Principal/General Administrative</li> </ul> <p>Programs that have been provisionally approved must submit the relevant SPA or SAO program report results to the State Board no later than 18 months after provisional approval has been granted [IAC Section 25.127 (j) (1) (B)]. The results of the program report reviews will be conveyed to the Certification Board, which will then convey its recommendations to the State Board of Education.</p> <p style="text-align: center;"><b>Wheaton College</b></p> <p>In accordance with Section 25.127 (j) (1) (A) of the State Board's administrative rules on review of individual programs, the State Board of Education assigns "<b>continuing approval</b>" to the following professional education preparation</p>
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programs for **Wheaton College** as they meet the applicable Illinois content area standards.

- Elementary Education
- English Language Arts
- Foreign Language (French, German, Spanish): Undergraduate
- Mathematics
- Music
- Social Science: History

Further, in accordance with Section 25.127 (j) (1) (B) of the State Board's administrative rules on review of individual programs, the State Board of Education assigns "**provisional approval**" to the following professional education preparation programs for **Wheaton College** as the program reports were found to exhibit less than full compliance with the applicable content standards.

- Foreign Language (French, German, Spanish): Graduate
- Science: Biology
- Science: Chemistry
- Science: Earth and Space Science
- Science: Physics

Programs that have been provisionally approved must submit the relevant SPA program report results to the State Board no later than 18 months after provisional approval has been granted [IAC Section 25.127 (j) (1) (B)]. The results of the program report reviews will be conveyed to the Certification Board, which will then convey its recommendations to the State Board of Education.

**Recommendations for the Teacher Certification Board**  
**Initial Unit Accreditation and Program Approval**

**American College of Education**  
**Argosy University**  
**The Chicago School**

In accordance with Section 25.155 (l) (1) of the State Board's administrative rules, the State Board of Education hereby:

- Recognizes the **American College of Education**, assigns accreditation of the educational unit, and approves the Principal/General Administrative teacher education program, thereby authorizing the educational unit to conduct the approved program and recommend candidates by entitlement. The State Board hereby authorizes the institution to conduct its program and recommend candidates for certification by entitlement until the time of the institution's next scheduled review. This review will occur in 2012.
- Recognizes **Argosy University**, assigns accreditation of the educational unit, and approves the Principal/General Administrative and Superintendent Teacher education programs, thereby authorizing the educational unit to conduct the approved programs and recommend candidates by entitlement. The State Board authorizes the institution to conduct its programs and recommend candidates for certification by entitlement until the time of the institution's next scheduled review. This review will occur in 2012.

	<ul style="list-style-type: none"> <li>▪ Recognizes <b>The Chicago School</b>, assigns accreditation of the educational unit, and approves the School Psychologist teacher education program, thereby authorizing the educational unit to conduct the approved program and to recommend candidates by entitlement. The State Board authorizes the institution to conduct its program and recommend candidates for certification by entitlement until the time of the institution's next scheduled review. This review will occur in 2012.</li> </ul> <p><b>END OF THE CONSENT AGENDA</b></p>
<b>NASBE Membership Renewal and Election</b>	<p><b><u>NASBE Membership Renewal and Election</u></b></p> <p>Mr. Geppert moved that the Illinois State Board of Education authorizes renewal of NASBE membership for 2008, including the middle-range professional development account for use by Illinois members.</p> <p>Mr. Geppert further moved that the Illinois State Board of Education refrain from voting for the candidate for President-Elect.</p> <p>On behalf of the members of the Illinois Board, he would like to take this opportunity to officially request that NASBE review voting procedures for the election of national officers. Specifically we would request NASBE to examine the possibility of allowing for write-in candidates.</p> <p>Illinois casts its vote in the remaining offices, Secretary-Treasurer: Greg Haws-Utah and Central Area Director, Clinton Waara-South Dakota.</p> <p>Mr. Clark seconded the motion and it passed with a unanimous roll call vote.</p> <p>Mr. Geppert explained that there are concerns around the country and in Illinois with the NASBE process to elect national officials; when options are limited due to the withdrawal of a prior candidate. NASBE needs to address this issue so that there are adequate options for states in electing their national officers.</p>
<b>Update List Of SES Providers</b>	<p>Mr. Dean Clark moved that the following motion be adopted:</p> <p>Whereas the <i>No Child Left Behind Act of 2001</i> requires that the State Board of Education promote maximum participation of Supplemental Educational Service providers and maintain an updated list of approved providers. I move that the applicants indicated on Attachment 1 be approved for addition to the Illinois <i>Approved List of Supplemental Educational Service Providers</i>.</p> <p>Ms. Brenda Holmes seconded the motion and it passed on a roll call vote, with Dr. Vinni Hall voting "No".</p>
<b>Draft Strategic Plan Update to the General Assembly</b>	<p>Dr. Koch commented that because the Strategic Plan <i>had not, again</i>, received adequate funding, it has been difficult to summarize <i>activities</i>, yet we continue to have the statutory authority for an annual report. In this draft report, information has been inserted about the Gates Memorandum of Understanding and Principal Mentoring. These items have been incorporated into the report under the appropriate goals. Also included is a section specifically showing where money has been expended from the allocation that was provided for the Strategic Plan.</p> <p>Ms. Holmes moved that the State Board of Education hereby approve the Strategic Plan Report and directs the State Superintendent to submit appropriate copies to the Illinois General Assembly on or before July 1, 2007.</p>

	Dr. Fields seconded the motion and it passed with a unanimous roll call vote.
<b>Part 226 (Special Education)</b>	<i>(No action needed)</i>
<b>Teacher Certification Board Nominations</b>	<p>Mr. Geppert moved that the State Board of Education hereby approves the following recommended appointments to the Illinois State Teacher Certification Board:</p> <p><b><u>Illinois Association of Colleges for Teacher Education (IACTE)</u></b> Dr. Deborah J. Curtis (Second Term)</p> <p><b><u>Illinois Education Association (IEA)</u></b> Sheila Bowens (First Term) Eric Brown (First Term)</p> <p><b><u>Illinois Federation of Teachers (IFT)</u></b> Caryn Block (First Term)</p> <p><b><u>Illinois Association of Regional Superintendents of Schools</u></b> Stephen Breese (First Term)</p> <p>Dr. David Fields seconded the motion and it passed with a unanimous voice call vote.</p>
<b>NEW BUSINESS</b>	Chairman Ruiz announced that "New Business" is a new item printed on the agenda. Although we will not be allowed to vote on any non-posted agenda items; this is an opportunity to discuss any upcoming agenda items. Chairman Ruiz asked if there was new business to be presented at this time; there was no new business.
<b>ANNOUNCEMENTS AND REPORTS:</b>  <b>Superintendent's Announcements</b>  <b>Senior Staff Announcements</b>	<p>Dr. Koch recognized staff for their efforts and long hours to help process the work for the end of the fiscal year. Superintendent Koch also stated that Darren Reisberg, Sally Vogl and he have had several meetings with the General Assembly JCAR on the Part 226 (Special Education) Regulation.</p> <p>Superintendent Koch commented that he plans to travel to Portland, Maine, for the Chief State School Offices Conference on July 28<sup>th</sup> - August 1<sup>st</sup>. This will be Dr. Koch's 2<sup>nd</sup> meeting with the Council.</p> <p>Beth Hanselman, Acting Assistant Superintendent for Special Education &amp; Support Services provided information to the Board regarding the State Performance Plan. She also commented that new IEP forms are available and staff will be conducting training on the new forms. This will help districts understand how to complete their IEP forms to ensure that their district will improve their program, specifically showing the relationship to the State Performance Plan, Part 226 regulations and federal regulations. Ms. Hanselman stated that they are now in the process of revising their Parent's Guide to align with the new regulations.</p> <p>Ms. Hanselman invited any Board Member who wished to attend to the Leadership Conference in Washington on August 8-10, 2007. She also reminded them of the Directors Conference on August 1-2, 2007 in Springfield at the Crowne Plaza. They will be holding sessions on Best Practices, Response to Intervention, Research Based Interventions, Literacy Transition,</p>

	<p>Disproportionality and will finish the conference with a discussion of the changes to Part 226</p> <p>Linda Mitchell, Chief Financial Officer, stated that this is a very busy time for the school finance and fiscal staff of the agency as the end of the fiscal year approaches. Staff are working to get payments completed. She also reported that they have been informed that Calumet School District will be getting a new business manager July 1<sup>st</sup>.</p> <p>Don Evans, Director of Human Resources and Professional Development and Conference Planning, reported that the agency has been very active in the New Americans and Immigration Task Force. The Task Force has completed Phase 1 of the initiative. Phase 1 determines best practices to help immigrants coming into the State of Illinois with health and human services, as well as education. They are now moving into Phase 2 which is the implementation of the recommendations. The Committee is made up of community leaders and education leaders. They have a welcoming center opening in July in Melrose Park. Mr. Evans also commented that a draft copy of the Human Resources Manual will be coming out today for internal review.</p> <p>Ginger Reynolds, Assistant Superintendent of Teaching &amp; Learning Services for All Children, commented that this year's testing is moving ahead as planned and everything seems to be going well. June 29<sup>th</sup> is the deadline for schools to have their demographics data cleanup completed for their IAA, ISAT and IMAGE testing. There will be no extensions for further data clean up. Mid-July PSAE will be posted and schools will have a couple weeks to review and clean up that data.</p> <p>Darren Reisberg, General Counsel, reported that with the fiscal year coming to close initial contracts and amendments are being drafted. The fiscal area is working well with legal to create a systematic way of handling these contracts so that there will not be such a rush to process them by the end of the fiscal year.</p>										
<b>Chairman's Report</b>	<p>Chairman Ruiz reported that the following Board Members will be attending out of state meetings:</p> <ul style="list-style-type: none"> <li>• Brenda Holmes will be attending the ECS National Education Forum on July 10 - 13, 2007 in Philadelphia. (Expenses paid by ECS.)</li> <li>• Joyce Karon will be attending the NASH and The Education Trust State Teams P-16 Summer Institute in Minneapolis, Minnesota from July 29 - 31, 2007.</li> </ul> <p>Chairman Ruiz reported that he had participated in the following meetings since the last Board meeting:</p> <table> <tr> <td><b>May 18</b></td> <td>Attended the 27<sup>th</sup> Tutor/Mentoring Leadership &amp; Networking Conference, Northwestern School of Law</td> </tr> <tr> <td><b>May 24</b></td> <td>Panelist for Wallace Foundation Preparation of School Leaders:</td> </tr> <tr> <td><b>May 30</b></td> <td>Attended Inaugural Summit on the Metropolitan Family Services, University of Chicago's Glecher Center</td> </tr> <tr> <td><b>June 7</b></td> <td>Moderated panel – Gates Foundation IL Partners Convening/Preparing all Students for Success</td> </tr> <tr> <td><b>June 12</b></td> <td>Received Voice of Freedom Award at Harriet Beecher Stowe Fine</td> </tr> </table>	<b>May 18</b>	Attended the 27 <sup>th</sup> Tutor/Mentoring Leadership & Networking Conference, Northwestern School of Law	<b>May 24</b>	Panelist for Wallace Foundation Preparation of School Leaders:	<b>May 30</b>	Attended Inaugural Summit on the Metropolitan Family Services, University of Chicago's Glecher Center	<b>June 7</b>	Moderated panel – Gates Foundation IL Partners Convening/Preparing all Students for Success	<b>June 12</b>	Received Voice of Freedom Award at Harriet Beecher Stowe Fine
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	<p>Arts Academy</p> <p><b>June 12</b> Graduation keynote speaker at Salazar Elementary School</p> <p><b>June 23</b> <b>(Tomorrow)</b> Keynote speaker at Sterling/Rock Falls Twin Cities Education Scholarship Awards (30<sup>th</sup> Anniversary), Latin American Social Club Luncheon, Sterling.</p>
<p><b>Committee Reports</b></p>	<p><b>Board Operations Committee of the Whole</b>  Dr. Chris Ward reported that the committee discussed the following topics: <ul style="list-style-type: none"> <li>Approved the minutes of May 2007 Board Operations Committee Meeting</li> <li>Reviewed and approved a new nomination for a Resolution of Recognition.</li> <li>Discussed Board retreat plans and agenda.</li> <li>Discussed the NASBE Membership Renewal and Election.</li> </ul> <p><b>Education Policy Planning Committee</b>  Dr. David Fields reported that the committee discussed the following topics: <ul style="list-style-type: none"> <li>Kevin Cogdill, Superintendent of Marissa School District voiced his concerns to the Committee on not receiving an Enhancing Education through Technology grant.</li> <li>Received a presentation from several teachers in the Chester School District on the successes of their Enhancing Education through Technology grants.</li> <li>Approved the minutes from the May 2007 Education Policy and Planning Committee Meeting.</li> <li>Received a presentation from Dr. Fred Singleton, Field Director of the Illinois Principals Association and Mr. Jason Leahy, Executive Director of the Illinois Principals Association on the progress they are making in developing the Illinois Distinguished Principal Leadership Institute.</li> <li>Discussed and reviewed nine Grants and Contracts over \$1 million.</li> <li>Connie Wise and Kalpana Desai reviewed the Illinois Pre-Kindergarten Program for Children At Risk of Academic Failure 2005-06 Evaluation Report.</li> <li>Received a presentation from Jon Furr, Holland + Knight and Sally Askman, Gates Foundation discussed the status of the Illinois College and Work Readiness Partnership-Phase 2; Longitudinal Data System.</li> <li>Received a presentation on the Burnham Plan by Max McGee, Superintendent of Wilmette School District #39, Dave Bonnette, Retired Superintendent of River Forest School District #90, Jo Anderson, Executive Director of Illinois Education Association, Mitch Roth, General Counsel, Illinois Education Association and Mary Ellen Guest from A+ Illinois.</li> </ul> <p><b>Finance and Audit Committee of the Whole</b>  Mr. Edward Geppert reported that the committee discussed the following topics: <ul style="list-style-type: none"> <li>Gary Leider, ISBE Administrator, Rob Grossi, Chairperson of the Oversight Panel, Ernestine Stover, Board President of Calumet Public School District #132 and Elizabeth Reynolds, District Superintendent spoke to the Committee on the positive changes that are taking place in Calumet Park School District #132.</li> <li>Linda Mitchell and Ronny Wickhauser updated the Committee on the FY 08 budget.</li> <li>Approved the minutes of the May 2007 Finance and Audit Committee</li> </ul> </p> </p></p>

	<p>Meeting.</p> <ul style="list-style-type: none"> <li>• Deb Vespa updated the Committee on school construction and Qualified Zone Academy Authorization (QZAB) Bonds.</li> </ul> <p>Chairman Ruiz announced that Dean Clark has agreed to Chair the Finance and Audit Committee with Ed Geppert resigning.</p> <p><b>Governmental Relations Committee of the Whole</b></p> <p>Ms. Brenda Holmes reported that the committee discussed the following topics:</p> <ul style="list-style-type: none"> <li>• Nicole Wills and Kristi Kenney updated the committee on upcoming ISBE legislation and other issues occurring in the General Assembly.</li> </ul> <p><b>Ad Hoc Rules Committee of the Whole</b></p> <p>Mr. Darren Reisberg reported that the committee discussed the following topics:</p> <ul style="list-style-type: none"> <li>• Discussed the rules for adoption: Part 225 (Certification), Part 350 (Secular Textbook Loan) and Part 555 (Children's Mental Health Initiative).</li> <li>• Darren Reisberg updated the Committee on Part 226 (Special Education)</li> </ul>
<b>Members' Reports</b>	<p>Mr. Clark attended the NASBE Governmental Affairs Committee Meeting on June 1, 2007 in Alexandria, Virginia. Mr. Clark commented that he had the opportunity to meet with Tu Cheng-Sheng, Minister of Education in Taiwan, on June 15, 2007. They discussed the Memorandum of Understanding that is being negotiated with ISBE and Ministry of Education in Taiwan for potential teachers, teacher exchanges and student visits. Mr. Clark also attended the inaugural showing of the video "Navigating American Education System" on June 18, 2007. The video is made available by the DuPage Regional Office of Education and it is designed to involve Hispanic parents in the education system so they can advocate for their children's education. Tonight, June 21<sup>st</sup>, he looks forward to attending the Illinois Arts Council Program "Arts Across America" at WTTW/Channel 11 Studio in Chicago.</p> <p>Dr. Brown commented that she has attended several Regional Superintendents retirement parties.</p> <p>Dr. Hall attended NASBE English Language Learners Study Group on June 1, 2007 in Alexandria, Virginia. Dr. Hall has also been serving on the Early Learning Council as Chair of Special Populations and they will be hosting a meeting on July 17, 2007 to determine what these special populations are. She was the graduation speaker at the Illinois Center for Rehabilitation and Education.</p> <p>Dr. Ward commented that he had the opportunity to attend the NASBE Models of Success Study Group on June 1, 2007 in Alexandria, Virginia. Dr. Ward stated that he will share the outcome of the study group with the Board and Superintendent Koch as soon as it is available.</p> <p>Dr. Fields stated that he attended Regional Superintendent Judith Pacey's retirement party. She is retiring from the Champaign/Ford Counties Regional Office of Education #9.</p> <p>Mr. Geppert stated that he attended the Illinois High School Challenge Conference on June 13-14, 2007 in Bloomington, Illinois.</p>

<b>Closed Session</b>	<p>Chairman Ruiz announced that following closed session the Board will reconvene to take action on the following agenda items listed on today's agenda: D. 13. Ogden v. Ruiz Settlement Agreement and D. 15. Englert v. Dunn Settlement Agreement.</p> <p>Dr. Hall moved that the Board enter into closed session under the exceptions set forth in the Open Meetings Act of the State of Illinois as follows:</p> <p>Section c 1 for the purpose of considering the appointment, employment, compensation, performance or dismissal of an employee; and</p> <p>Section c 11 for the purpose of considering pending or probable litigation against or affecting the Board.</p> <p>Dr. Hall further moved that the Board might invite anyone they wish to have included in this closed session. Mr. Geppert seconded the motion and it was passed with a unanimous roll call vote.</p> <p>The open meeting recessed at 11:35 a.m. and the Board went into closed session at 11:45 a.m. The open meeting reconvened at 12:50 p.m.</p>
<b>Ogden v. Ruiz Settlement Agreement</b>	<p>Dr. Hall moved that the State Board of Education hereby authorizes the State Superintendent to enter into a settlement agreement for Ogden v. Ruiz, including without limitation, the following terms.</p> <ul style="list-style-type: none"> <li>• The plaintiff will be permitted to retake the Test of Basic Skills on one occasion after September 1, 2007, upon certain conditions, including without limitation that: (a) Plaintiff provides an ink-based right thumb print to the Illinois State Police within two weeks of execution of the Settlement Agreement and (b) Plaintiff provides an ink-based finger print image of the right thumb print on the relevant test document at the test sight in accordance with the National Educational Systems procedure.</li> <li>• The defendant shall not pay any amount of money to Plaintiffs as a result of this settlement.</li> </ul> <p>Mr. Clark seconded the motion and it passed with a unanimous roll call vote.</p>
<b>Englert v. Dunn Settlement Agreement</b>	<p>Ms. Karon moved that the State Board of Education hereby authorize the State Superintendent to enter into a settlement agreement for Englert v. Dunn including, without limitation, the following terms:</p> <ul style="list-style-type: none"> <li>• Any Regional Superintendent or Assistant Superintendent during FY04 shall have the opportunity receive a statutory COLA for FY04, subject to any exceptions agreed upon by the Parties.</li> <li>• Any Regional Superintendent or Assistant Superintendent during FY06 shall have an opportunity to receive the statutory COLA for FY06, subject to any exceptions agreed upon by the Parties.</li> <li>• Any Regional Superintendent or Assistant Superintendent during FY07 shall, from the relevant FY07 appropriation, have an opportunity to receive the statutory COLA for FY07 for the period from February 1, 2007 through June 30, 2007 subject to any exceptions agreed upon by the Parties.</li> <li>• With respect to the payments for the FY04 and FY06, Defendants will use their best efforts to obtain an appropriation for such amounts in the FY08 State budget.</li> </ul>

	<ul style="list-style-type: none"> <li>• There shall be no COLA for FY05 and any such COLA for FY05 shall not be included in the calculation of future salaries.</li> </ul> <p>Mr. Geppert seconded the motion and it passed with a unanimous roll call vote.</p>
<b>Information Items</b>	Chairman Ruiz asked that the Board members please read the Monthly Status Report on Rulemaking and the State Board of Education Fiscal and Administrative Monthly Reports printed in the Board meeting materials each month for information purposes. There were no inquires this month regarding these reports.
<b>Motion for Adjournment</b>	Mr. Clark moved that the meeting be adjourned. Dr. Fields seconded the motion and it passed with unanimous voice vote. The meeting adjourned at 1:00 p.m.

**Respectfully Submitted,**

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**Dr. Vinni Hall**  
**Board Secretary**

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**Mr. Jesse Ruiz**  
**Chairman**

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education   
Darren Reisberg, General Counsel

**Agenda Topic:** Action Item: Rules for Adoption – New Part 35 (Mentoring Program for New Principals)

**Materials:** Recommended Rules

**Staff Contact:** Linda Jamali, Division Administrator  
Dennis Williams

**Purpose of Agenda Item**

The purposes of this agenda item are to present new Part 35 for adoption.

**Expected Outcomes of Agenda Item**

The Board will be asked to adopt the proposed rules.

**Background Information**

This rulemaking implements one of the four new certification-related initiatives that were established by P.A. 94-1039 in response to the efforts of the State Action for Education Leadership Project (SAELP). New Section 2-3.53a of the School Code calls for first-year principals to be paired with experienced principals in a year-long mentoring relationship. Principals with at least three years' experience are eligible to serve as mentors if they complete training offered by entities approved by ISBE and if they have "demonstrated success as instructional leaders". The law further provides for several specific areas of educational practice on which the mentoring effort is to focus and for matching new principals with mentors based on the similarity between their grade levels or types of schools, the new principals' learning needs, and geographical proximity.

In the time that has elapsed since enactment of this law, the agency issued an RFSP and subsequently executed a contract for the preparatory work that was necessary in order to identify the desired competencies and dispositions of mentors and, based on that information, to design the training they will be required to undergo. The Partnership for Illinois New Principal Mentoring (made up of the Illinois Principals Association, the DuPage County Regional Office of Education, the Consortium for Educational Change, and the Eastern Illinois University New Leaders Assistance Service) was the recipient of this contract and also developed requirements for the structure of the mentoring program. In addition to conducting the training for all the mentors, the providers that are approved under these rules will be responsible for matching up the mentors with the new principals who are required to participate in the program, for support and assistance during the mentoring relationship, and for serving as conduits for information regarding the completion of requirements. Each mentor will work through one of the providers to ensure the quality of the program.

Since the statute makes the program and new principals' requirement for participation in it contingent upon appropriation, a decision will need to be made annually regarding whether the program will operate. The rules state the cost-related assumptions on which that decision will be based. (Note that, under the law, first-year principals will not be required to participate if they have served as assistant principals for five or more years in the districts where they are hired as principals.) Additional provisions cover the criteria by which experienced principals will be determined to have demonstrated success as instructional leaders; the criteria for approval of the providers; the basic requirements of the program; and the flow of information culminating in payment to the mentors who have served.

Rules for this program needed to be in effect in early May, in order to allow for selection and training of an adequate number of mentors in case the appropriation for Fiscal Year 2008 is sufficient to require operation of the program. The developmental steps described above did not leave sufficient time available for completion of the ordinary rulemaking process within that timeframe. Emergency rules were therefore presented to the Board for adoption in April of this year, and the ordinary rulemaking process has been conducted concurrently. The proposed rules were published in the Illinois Register to elicit public comment, but none was received. The version being presented for adoption is therefore identical to the proposed and emergency versions.

### **Analysis and Implications for Policy, Budget, Legislative Action and Communications**

Policy Implications: Please see above.

Budget Implications: The agency's proposed budget includes \$1.9 million for this initiative for FY 2008. The number of new principals who will be subject to these requirements next year is estimated at approximately 350. If the requested amount is appropriated, we believe it will be adequate for operation of the program at that level and will advise all school districts that first-year principals will be required to participate.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

### **Pros and Cons of Various Actions**

Adoption of these rules will permit completion of the ordinary rulemaking process before the emergency rules expire, providing for uninterrupted authority to operate this program if a sufficient appropriation is received. If rules are not adopted, the agency will be unable to implement the program in conformance with the requirements of the Illinois Administrative Procedure Act.

### **Superintendent's Recommendation**

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

Mentoring Program for New Principals (23 Illinois Administrative Code 35).

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

### **Next Steps**

Notice of the adopted rules will be submitted to the Joint Committee on Administrative Rules to initiate JCAR's review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.

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#### NOTICE OF ADOPTED RULES

##### TITLE 23: EDUCATION AND CULTURAL RESOURCES

##### SUBTITLE A: EDUCATION

##### CHAPTER I: STATE BOARD OF EDUCATION

##### SUBCHAPTER b: PERSONNEL

#### PART 35

#### MENTORING PROGRAM FOR NEW PRINCIPALS

##### Section

35.10	Purpose and Applicability
35.20	Annual Program Planning; Fiscal Provisions
35.30	Requirements of the Program
35.40	Eligibility of Mentors
35.50	Training for Mentors
35.60	Approval and Role of Providers
35.70	Alternate Arrangements

AUTHORITY: Implementing and authorized by Section 2-3.53a of the School Code [105 ILCS 5/2-3.53a].

SOURCE: Emergency rules adopted at 31 Ill. Reg. 7160, effective April 25, 2007, for a maximum of 150 days; adopted at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### **Section 35.10 Purpose and Applicability**

This Part establishes requirements for the selection and training of experienced principals to serve as mentors for new principals and for new principals' participation in the mentoring program designed for them, as required by Section 2-3.53a of the School Code [105 ILCS 5/2-3.53a]. The provisions of this Part shall apply to each Illinois school district, other than a school district organized under Article 34 of the School Code [105 ILCS 5/Art. 34], and to each first-year principal in an affected school district, except as otherwise provided by Section 2-3.53a(f) of the School Code.

#### **Section 35.20 Annual Program Planning; Fiscal Provisions**

- a) No later than May 1 of each year, each district superintendent shall report to the State Superintendent of Education, or to the State Superintendent's designee, the number of first-year principals who are expected to be working in the district in

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the coming school year and required to participate in the mentoring program. No later than June 30, each district superintendent shall update this information with the names, administrative certificate numbers, and assigned schools of the individuals chosen.

- b) Based on the number of first-year principals expected statewide and the level of available funding foreseen, the State Superintendent shall determine whether the appropriation is likely to be sufficient to require operation of the mentoring program in the coming year. This calculation shall be based on a cost figure of \$2,000 for each first-year principal in the program plus the cost of delivering the required training, coordinating the mentors' assignments, and providing the other necessary structure and support for the program. The program shall be implemented in a given year only if sufficient funds are available based on these cost factors.
- c) As soon as possible after the level of the appropriation for a given year has been established, the State Superintendent shall notify the affected districts and the training entities approved under Section 35.60 of this Part regarding whether the program will operate in the coming year.
- d) No later than June 15 prior to a school year during which the program will be in operation, each experienced principal who intends to serve as a mentor shall notify the State Superintendent or designee of his or her availability, supply the required documentation of eligibility (see Section 35.40 of this Part), and, if employed in a school or in a regional office of education, provide verification in a format specified by the State Superintendent of supervisory approval for his or her participation. The State Superintendent or designee shall:
  - 1) publicize the list of approved training entities so that individuals who need to complete the required training can do so and be included in the pool of available mentors; and
  - 2) make the list of those who have expressed intent available to the approved training entities so that these individuals can be given priority in admission to the required training over others who may wish to complete the training simply for its value as professional development.

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- e) When verification is received in accordance with the requirements of Section 35.30(h) of this Part that a mentor has provided the service required under this Part, the State Superintendent of Education or designee shall make a payment in the amount of \$2,000 to the approved provider that facilitated the mentoring relationship for disbursement to the mentor.

#### **Section 35.30 Requirements of the Program**

Each new principal shall complete a mentoring program that complies with the requirements of this Section, provided that there is a sufficient appropriation for the program applicable to the fiscal year that includes the individual's first school year of service as a principal (see Section 2-3.53a of the School Code and Section 35.20 of this Part).

- a) Mentors who meet the requirements of this Part shall be paired with new principals by entities approved under Section 35.60 of this Part, on the basis of the factors identified in Section 2-3.53a(d) of the School Code [105 ILCS 5/2-3.53a(d)]. Each approved entity shall notify the affected district superintendents of the assignments made, and each affected superintendent shall acknowledge the new principals' obligation to participate in the program.
- b) The role of each mentor shall include:
  - 1) forming a supportive professional relationship with the new principal;
  - 2) assisting the new principal in adjusting to his or her new role and in developing skill as an instructional leader;
  - 3) coaching, observing, and providing feedback to the new principal on aspects of organizational management;
  - 4) helping the new principal identify significant problems and issues that act as barriers to school improvement, as well as meaningful solutions to these; and
  - 5) providing structured opportunities for the new principal's reflection on his or her educational practice.

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- c) The mentor and recipient principal shall spend no fewer than 50 contact hours in activities demonstrably involved in the mentoring process, as delineated in subsection (b) of this Section. The mentor and recipient may conduct some or most of their contact using means of telecommunication but shall meet in person at least:
  - 1) near the beginning of the school year, in order to initiate the mentoring relationship;
  - 2) near the middle of the school year, in order to complete the survey of progress required by Section 2-3.53a(e) of the School Code [105 ILCS 5/2-3.53a(e)]; and
  - 3) at the conclusion of the school year, in order to complete the verification form and certify completion of the program as required by that Section.
- d) Each mentor and his or her employer, if any, shall be responsible for reaching a mutually agreeable arrangement regarding the mentor's availability for activities that necessarily occur during paid time, such as observing the first-year principal.
- e) Time spent traveling by the mentor or recipient to meet with the other party shall not be counted as part of the required contact hours. The mentor shall bear the cost of any travel unless otherwise agreed with the mentor's employer.
- f) Each recipient of mentoring under this Part shall maintain a log of his or her work with the assigned mentor that includes at least the date of each contact, the purpose, and the amount of time spent.
- g) At the conclusion of the school year, the recipient shall prepare a summary of the mentoring experience, indicating how selected aspects of his or her practice have been affected by the interaction with the assigned mentor.
- h) The year-end summary shall be included in the verification to be signed by both individuals to signify completion of the program. This document shall be prepared in a format specified by the State Superintendent of Education and shall also be signed by the recipient principal's supervisor and by the mentor's supervisor, if any, to signify completion of the work outlined in the log and the summary. Each mentor shall submit the verification to the provider with which

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he or she is enrolled, and the provider shall compile for the State Superintendent a list of the mentors who have provided the required services under the program and for whom payment is due.

#### **Section 35.40 Eligibility of Mentors**

Pursuant to Section 2-3.53a of the School Code, eligibility for service as mentors under this Part shall be limited to individuals who have served as principals in Illinois for at least three years, who have demonstrated success as instructional leaders, and who have completed the training required pursuant to Section 35.50 of this Part.

- a) For purposes of this Part, “at least three years” means no fewer than three full school years, provided that a principal need not have accrued all three years’ service in the same school or district.
- b) For purposes of this Part, an experienced principal shall be considered to have demonstrated success as an instructional leader if he or she holds an Illinois administrative certificate and submits to the State Superintendent of Education or designee three letters of professional reference in accordance with this subsection (b).
  - 1) Each principal shall submit one letter from a certified staff member who is not an administrator and has served for at least one full school year under the principal’s supervision.
  - 2) Each principal shall submit one letter from another principal who has knowledge of the individual’s work.
  - 3) Each principal shall submit one letter from a district superintendent or assistant superintendent under whose supervision the principal has served for at least one full school year, or from a regional superintendent who has knowledge of the principal’s work.
  - 4) Each required letter of reference shall include:
    - A) the nature of the working relationship between the letter-writer and the principal in question;

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- B) the letter-writer's reasons for believing that the principal in question is of ethical character and possesses strong interpersonal skills; and
- C) one or more specific examples of the principal's accomplishments related to particular aspects of the Illinois Professional School Leader Standards set forth at 23 Ill. Adm. Code 29.100.

c) No individual shall serve as a mentor if more than five years have elapsed since his or her last date of service as a principal in an Illinois school or service in some other educational capacity that routinely requires interaction with principals and familiarity with the issues and challenges they face. Evidence of the latter type of service shall be a contract, job description, or other document generated by the employing entity.

#### **Section 35.50 Training for Mentors**

- a) Prior to beginning his or her first assignment as a mentor under this Part, each experienced principal shall be required to complete a standardized training program prescribed by the State Superintendent of Education. This training program shall be made available at no cost to the participating mentors and shall focus on equipping the participants to perform the functions outlined in Section 35.30 of this Part. The training program shall address areas of expertise including, but not limited to:
  - 1) the Illinois Professional School Leader Standards (see 23 Ill. Adm. Code 29.100);
  - 2) ethics;
  - 3) principles of adult learning;
  - 4) establishing a mentoring relationship; and
  - 5) mentoring skills and techniques.
- b) In admitting individuals to the required training, providers shall give first priority to those who intend to be included in the pool of available mentors for the

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program as described in Section 35.20(d) of this Part. Other individuals may be accommodated if space permits.

- c) Each entity approved under Section 35.60 of this Part shall provide to the State Superintendent or designee a list identifying the individuals who have completed the required training sequence.
- d) Each mentor who intends to continue providing service under this Part shall participate in annual “refresher” training.

#### **Section 35.60 Approval and Role of Providers**

The State Superintendent of Education shall approve one or more organizations representing Illinois principals, institutions of higher education, community colleges, regional offices of education, school districts, or other educational entities to administer and implement the new principal mentoring program according to the requirements stated in Section 35.30 of this Part, including delivering the training program for mentors that is required under Section 35.50 of this Part.

- a) Any entity seeking approval under this Section shall submit to the State Superintendent an application, in a format prescribed by the State Superintendent, outlining the organization’s qualifications for providing professional development to educators, including information specific to the organization’s experience with serving potential mentors and recipients of mentoring.
- b) The State Superintendent shall approve as providers one or more entities whose applications:
  - 1) provide evidence of an overall commitment to professionalizing education and school improvement efforts;
  - 2) demonstrate capacity to meet the needs of an identified geographic area or set of districts; and
  - 3) indicate that the applicants have staff or access to other presenters who:
    - A) have been employed in roles requiring mastery of the Illinois Professional School Leader Standards; and

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#### NOTICE OF ADOPTED RULES

- B) have experience in providing professional development to educators.
- c) Each approved provider shall, with respect to each mentor who enrolls with that provider:
  - 1) provide the initial training required under Section 35.50 of this Part if the individual has not already completed it;
  - 2) to the extent necessitated by the level of demand, facilitate the individual's assignment to one or more new principals based on the factors set forth in Section 2-3.53a of the School Code;
  - 3) provide support and professional resources to the mentor in the course of his or her mentoring relationships;
  - 4) provide quarterly networking sessions to enhance the mentor's skills and provide structured opportunities for problem-solving;
  - 5) guide the mentor in the compilation of information that will contribute to the evaluation of individual mentoring relationships and of the mentoring program as a whole;
  - 6) receive and distribute payments to mentors as delineated in Section 35.20(e) of this Part; and
  - 7) provide annual "refresher" training.
- d) Approval of training entities shall be valid for three years. To request renewal, a provider shall, no later than March 1 of the year of expiration, submit an application in a format specified by the State Superintendent of Education, containing:
  - 1) a description of any significant changes in the material submitted as part of its approved application; or
  - 2) a statement that no significant changes have occurred.

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- e) A provider's approval shall be renewed if the application conforms to the requirements of subsection (d) of this Section, provided that the State Superintendent has received no evidence of the provider's failure to provide the required services under the program.
- f) The State Superintendent of Education may evaluate any approved provider at any time to ensure the consistent quality of the mentoring program. Upon request by the State Superintendent, a provider shall supply information regarding its activities in conjunction with the mentoring program, which the State Superintendent may monitor at any time. In the event an evaluation indicates that a provider is not furnishing services in keeping with subsection (c) of this Section, the State Superintendent may withdraw approval of the provider.

#### **Section 35.70 Alternate Arrangements**

In cases where an assigned mentor becomes unavailable after a mentoring assignment has been initiated, the approved training entity that facilitated the mentor's assignment shall be responsible for identifying a replacement to complete the assignment and for determining the appropriate allocation of the payment to the individuals involved.

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 9, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education  
Darren Reisberg, General Counsel

**Agenda Topic:** Action Item: Rules for Adoption – Part 180 (Health/Life Safety Code for Public Schools)

**Materials:** Recommended Rules

**Staff Contacts:** Deb Vespa, Division Administrator  
Susan Weitekamp  
Lou Ferratier

**Purpose of Agenda Item**

The purpose of this agenda item is to present the proposed amendments to Part 180 for the Board's adoption.

**Expected Outcome of Agenda Item**

The Board will be asked to adopt a motion adopting the proposed amendments.

**Background Information**

This rulemaking responds to Public Act 94-973, which directs ISBE to establish requirements for the qualifications of the individuals who inspect various aspects of school construction projects and those who review construction plans. These qualifications are required to be consistent with recommendations issued by a task force convened for this purpose, which included representatives of the Capital Development Board, the Department of Public Health, the State Fire Marshal, fire chiefs, school administrators, school board members, architects, professional engineers, structural engineers, fire inspectors, plumbing inspectors, regional superintendents, parents and teachers, municipal governments, and ISBE.

The International Building Code and several of its "subcodes" are used as the health/life safety code generally applicable to Illinois schools. Specific expertise is needed with reference to various aspects of construction related to these codes. Consequently definitions are being added to Section 180.30 to delineate the different types of plan reviewers and inspectors for whom qualifications are being established. A general approval procedure is described in new Section 180.100 that will result in the issuance of photographic identification cards to those receiving one or more types of approval. The validity and renewal of approval are established to coincide with the three-year cycle on which the underlying codes are generally updated by the International Code Council. Individuals who are licensed as architects or professional engineers will not be required to seek approval and may serve on the basis of their professional credential alone.

New material in Section 180.110 sets forth several different options by which different types of plan reviewers can receive approval, and Section 180.120 addresses the options for the

different types of inspectors. Other related portions of Part 180 are being revised to reflect the roles of the plan reviewers and inspectors.

The provisions of Section 180.330 regarding safety reference plans, although underlined, are not new. This is existing text that is being moved from its current location in Section 180.120 for organizational reasons.

These rules were presented for the Board's initial review in March of this year and subsequently published in the Illinois Register to elicit public comment. Just over 30 communications were received, and the issues raised are discussed in the Summary and Analysis of Public Comment below.

### **Analysis and Implications for Policy, Budget, Legislative Action and Communications**

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

### **Pros and Cons of Various Actions**

Adoption of these amendments will bring the agency into compliance with its obligation to establish requirements for the individuals who review construction plans and perform inspections, in keeping with P.A. 94-973. Should this rulemaking not be completed, the law's requirements would not be fulfilled.

### **Superintendent's Recommendation**

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

Health/Life Safety Code for Public Schools (23 Illinois Administrative Code 180).

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

### **Next Steps**

Notice of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR's review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.

## **Summary and Analysis of Public Comment**

### **23 III. Adm. Code 180 (Health/Life Safety Code for Public Schools)**

#### **Comment**

Approximately 20 of the items submitted expressed support for the amendments, with specific reference to upgrading the building and fire safety codes to rely upon the 2006 editions of the International Building Code, Fire Code, Mechanical Code, Fuel Gas Code, Property Maintenance Code, and Energy Conservation Code. These commenters also stated support for the establishment of requirements for the qualifications of plan reviewers and inspectors of school construction projects. It was stated that the approval process would enable county and municipal building and fire safety officials to obtain a first-hand view of school construction in their communities. A similar response indicated that the process would increase the available pool of plan reviewers and inspectors and provide another layer of expertise in fire safety for the protection of students, school staff, and others.

#### **Analysis**

These comments did not identify any suggested changes in the proposed rules, and the expressions of support are appreciated.

#### **Recommendation**

No changes are needed in response to these comments.

#### **Comment**

More specific and conflicting comments were also received regarding the rules' proposed reliance on the International Building Code (IBC) and its subcodes (listed above). On the one hand, the International Code Council (ICC), publisher of those codes, commended ISBE for incorporating them, taking the position that these offer state-of-the art building and fire safety and a "familiar platform" with which design and construction professionals are already very conversant. The broad representation within the Council's membership of local, state, and federal public and private-sector interests was noted, and the Council's "robust supporting infrastructure" was referenced.

Support for use of these codes was also expressed by a communication representing the American Architectural Manufacturers Association and its 300 member service providers, testing laboratories, and manufacturers of fenestration and components. Adoption of the ICC codes "without local amendments" was stated to eliminate confusion for builders, architects, and manufacturers.

The opposing point of view was presented by the National Fire Protection Association (NFPA), whose submission stated the belief that incorporation of the IBC and its subcodes would be inappropriate. One of the principal factors underlying this opinion was the position that these codes relate primarily to new construction and have limited relevance to existing buildings. By contrast, it was asserted that NFPA codes provide the highest level of fire safety and that other code development organizations do not match the NFPA in terms of representation from fire safety experts. The ICC codes were stated to cross-reference NFPA documents and to rely upon them for completeness. Further, the ICC codes were stated to impose a heavy burden of proof on anyone who believes safety-related alterations are needed in an existing building.

The NFPA's approach was contrasted to this "philosophy" on the part of the ICC, and it was pointed out that there is leeway for code officials to determine that applying the NFPA requirements to existing buildings might not be practical. It would be permissible not to require changes, provided that a reasonable degree of safety is provided. Additional information was presented regarding the support services offered to users to NFPA codes and the relationship between code updates and lessons learned via the NFPA Fire Investigations Program.

### **Analysis**

The codes proposed for incorporation in this rulemaking are the successor codes to those that have been in use to date. As such, they represent a comprehensive set of interrelated codes that are familiar to those most likely to be involved in school construction. While we would not discount the idea that the retroactive nature of the NFPA codes would, in some instances, achieve a greater degree of safety more quickly, it is regrettably not affordable for school districts to retrofit existing buildings to comply with code updates every several years. We do not believe that mandating upgrades to existing facilities would be likely to survive challenge. We also do not believe it would be advisable to put individual regional superintendents in the position of determining when to insist on the applicability of updated requirements to existing buildings and when that would not be practical, as is apparently permitted by the NFPA codes. We therefore believe that the ICC codes are more useful in this context, in that they make specific provision for existing buildings and do not introduce local variability into the compliance equation.

### **Recommendation**

No change should be made in the rules' reliance on the ICC codes.

### **Comment**

Objections were raised to the exemption afforded to licensed design professionals with respect to approval as plan reviewers and inspectors. It was noted that the other potentially eligible individuals must submit evidence of training or experience in order to qualify, and the rules would require them to pay an application fee for issuance of the approval. The background of the licensed design professionals (i.e., architects and engineers) was stated to be "not remotely" equivalent to the knowledge base and experience required of other individuals with reference to the specifics of building codes, in that most design professionals receive little or no formal training in codes and their application. Along the same lines, it was noted that an individual with a bachelor's degree in a field other than architecture, engineering, or construction would have even less training but would be allowed to perform plan reviews. It was recommended that all plan reviewers and all inspectors be required to pass the relevant examinations identified in the proposed rules.

### **Analysis**

It should be noted that the proposed rules for both plan reviewers and inspectors (see Sections 180.110 and 180.120) would require each individual applying for approval solely on the basis of a bachelor's degree (i.e., without licensure as a design professional) to pass the identified examination. That is, subsections (1) and (2) are connected by "and" in each case. The same will be true for licensed design professionals if they elect to apply for approval as qualified plan reviewers or qualified code inspectors.

As might be expected, consensus on these requirements was not readily achieved by the task force, and it should also be noted that the recommendations on this matter are not clear-cut. Several different references are made in the task force's report, including some that distinguish

licensed design professionals from qualified reviewers. Therefore it is necessary to make a judgment as to whether the approval requirements should apply.

Architects must have at least nine years' education and internship before becoming eligible to take the relevant licensing examination. Testing and continuing professional development are required to cover public health, safety, and welfare. Professional and structural engineers are subject to comparable requirements. Further, the Illinois Architecture Practice Act, the Illinois Professional Engineering Practice Act, and the Structural Engineering Licensing Act all require the regulated professionals to accept only projects for which they believe themselves to be competent. These individuals are subject to the loss of their licenses (and livelihoods) if they operate outside of their competencies.

To ensure that we could achieve a clear understanding of the relationship of these requirements to the plan review and inspection functions under discussion in Part 180, we consulted with legal counsel at the Illinois Department of Financial and Professional Regulation (IDFPR), the agency that regulates these professions. Based on the information gleaned from that consultation, we have concluded that there is no impediment to our relying solely upon the professional licensure of a professional engineer or an architect because of the scope of practice encompassed by their licenses. On that basis, ISBE's separate approval process should not be required for those individuals.

A distinction needs to be made in the case of structural engineers, however, reflecting the more limited scope of their specific practice. It was clarified that the background and training of these individuals, taken alone, are not sufficient to allow us to consider these individuals "competent" for broader plan reviews and inspections. In their case, qualifying through ISBE's approval process by demonstrating code-specific competence should be required. In fact, based on the advice received from IDFPR, the various tasks ascribed to "licensed design professionals" throughout Part 180 are generally not appropriate for structural engineers. Therefore, in addition to refining the approval requirements for plan reviewers and inspectors, we need to remedy the incorrect inclusion of structural engineers overall.

Section 180.30 defines "licensure as a design professional" as being licensure as either an architect or an engineer, and "engineer" is defined to include both professional and structural engineers. Therefore, the most straightforward way to correct both the specific problem of approval and the general problem throughout Part 180 is simply to exclude structural engineers from the definition of "engineer". By this means, architects and professional engineers only would be exempted from the requirement for approval to serve as plan reviewers or inspectors. Although this is artificial, it is a correct approach for a rule, in that it defines a term for a specific, limited set of purposes only. Another change that can help simplify the syntax in several places will be to define "design professional" rather than "licensure as a design professional". This is also advisable because IDFPR uses "licensed design professional" for a larger group of professions.

On the other hand, we believe the education and licensure to which structural engineers are subject should be acknowledged in some way. Although the scope of their training and practice is not as broad as that of professional engineers, they are required to have completed at least 16,000 hours of training and experience in their particular field. It would be reasonable to treat them separately in each portion of these rules and to allow that training to serve as an alternative for the 4,000 hours of code-specific background required in each case where the individual has no bachelor's degree at all. Passage of the relevant test would also be required in each case, yielding a satisfactory basis for code-specific approval.

Consideration of these distinctions in education, training, and experience has also led us to conclude that there should be a requirement for some additional training or experience in architecture, engineering, or construction for those individuals who hold bachelor's degrees in those fields without licensure. This requirement should clearly be less than the 2,000 hours required of individuals with unrelated bachelor's degrees, however.

### **Recommendation**

The definition of "engineer" that appears in Section 180.30 should be revised as shown below.

"Engineer" means an engineer licensed to practice in Illinois under ~~either the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325] or the Structural Engineering Licensing Act of 1989 [225 ILCS 340]~~ and the applicable administrative rules of the Department of Financial and Professional Regulation (68 Ill. Adm. Code 1380 or 68 Ill. Adm. Code 1480, respectively).

A new definition should be added:

"Structural Engineer" means an engineer licensed to practice in Illinois under the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and the applicable administrative rules of the Department of Financial and Professional Regulation (68 Ill. Adm. Code 1480).

Rather than being revised as originally proposed, the existing definition of "licensed design professional" should be struck and the same language should simply be used as a definition for "design professional" instead.

The word "licensed" should be deleted from the introductory statement in Section 180.100.

In Section 180.110, the phrase "or a structural engineer" should be added after "a design professional" in each of subsections (a)(2), (b)(2), (c)(2), (d)(2), and (e)(2).

Finally, Section 180.110(a)(2)(A) should be revised to require, "a bachelor's degree in architecture, engineering, or construction with at least 1,000 hours of training or experience in one of those fields or project management, or". (The remaining subsections within Section 180.110, as well as the various provisions of Section 180.120, cross-reference this language and will not need to be revised.)

Also, our review of this material revealed that several of the cross-references in Section 180.120 were incorrect. Section 180.120(b)(2) should be corrected to refer to Section 180.110(b)(2); Section 180.120(c)(2) should refer to Section 180.110(c)(2); Section 180.120(d)(2) should refer to Section 180.110(d)(2); and Section 180.120(e)(2) should refer to Section 180.110(e)(2).

### **Comment**

Representatives of fire service officials disagreed with the requirements stated in the proposed rules for reviewers of plans for compliance with fire safety requirements and for inspectors of new construction for fire-related compliance with the approved plans. They suggested that, as the certifying body of the Illinois fire service, the Office of the State Fire Marshal (OSFM) should be the entity that determines who is qualified for these functions. They noted that the fire service needed to be included for its members' expertise in fire suppression systems, means of egress, automatic fire alarm and detection systems, fire resistance ratings, fire lane designation,

and other related issues. They also pointed to the ICC's acceptance of many of the standards published by the NFPA.

Both with respect to plan reviewers and with respect to inspectors, these commenters felt it had been the task force's intention to leave the specification of requirements to OSFM. As an alternative, they advocated acknowledging in ISBE's rules the qualifications of individuals certified by OSFM or NFPA.

### **Analysis**

We cannot see that Section 2-3.137 of the School Code, as amended by P.A. 94-973, would permit ISBE's rules to omit the required qualifications of one category of plan reviewers and inspectors in favor of requirements identified by OSFM. However, we certainly recognize the expertise of OSFM and colleagues in the fire service statewide with regard to fire protection. We agree that ISBE's rules should not omit any groups of individuals with demonstrated training specific to this area.

### **Recommendation**

Changes should be made in the proposed versions of Sections 180.110(d) (addressing plan reviewers) and 180.120(d) (addressing inspectors), as shown below:

d) Each individual seeking approval to serve as a qualified fire code plan reviewer shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Fire Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795) or of current certification:
  - A) by the Council as a Fire Code Official or a Master Code Professional; or
  - B) by the Office of the State Fire Marshal as a Fire Inspector II/Plan Examiner; or
  - C) by the National Fire Protection Association as a Certified Fire Plan Examiner; and
- 2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance of commercial buildings for compliance with applicable fire codes, or evidence of licensure as a design professional, or evidence that the individual holds a bachelor's degree as specified in subsection (a)(2) of this Section.

\*\*\*\*\*

d) Each individual seeking approval to serve as a qualified fire code inspector shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Fire Code Building Inspector examination (International Code Council, Inc.,

4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795); or evidence of current certification:

- A) by the Council as a Fire Code Official or a Master Code Professional; or
- B) by the Office of the State Fire Marshal as a Fire Prevention Officer; or
- C) by the National Fire Protection Association as a Fire Inspector I or II; and

2) one of the items of evidence called for in Section 180.110(d)(2) 180.110(a)(2) of this Part.

#### **Comment**

An important concept that had been discussed at length by the task force was stated to be missing from the proposed rules, namely the improvement in current processes that could be accomplished with a “second pair of eyes”. That is, it would be ideal to have plans reviewed by an individual other than the person who had prepared them. It was strongly felt that an independent look should be taken at what has been designed and what is being built.

#### **Analysis**

There is no disagreement as to the desirability of an independent review. During the task force's final meeting, though, it was recognized that such a requirement would impose a significant additional financial burden on school districts. For this reason, the task force ultimately recommended requiring the independent review only if a funding source for that became available. Since that is not the case at this time, that requirement was not incorporated into the proposed rules.

#### **Recommendation**

No change should be made in response to this comment.

#### **Comment**

It was recommended that the definition of “Called Inspection Record” in Section 180.30 be changed so that it would be understood that the “record” is the information on the form rather than the form itself.

#### **Analysis**

We do not see that a record can legitimately be reviewed without attention to the information it contains, and we would view this as a matter of semantics rather than substance.

#### **Recommendation**

No change is needed.

#### **Comment**

The definition of “proper identification” was questioned in that it conveys the idea that a licensed design professional does not need a credential as any type of inspector or plan reviewer.

**Analysis**

As noted above, it is our recommendation that licensed design professionals (now defined to include only architects and professional engineers) not be required to seek separate approval as plan reviewers or inspectors for school construction. With that in mind, we continue to believe it appropriate that evidence of licensure serve as proper identification for those professionals.

**Recommendation**

No change should be made in response to this comment.

**Comment**

Questions were raised in connection with the definition of “variance” along the lines of the State Superintendent’s qualifications for approving these, and inclusion of a rule for the approval process was recommended.

**Analysis**

It may not have been apparent to this commenter that variances are addressed in existing Section 180.70 of the rules, which is not currently being amended. That rule provides the requirements for seeking a variance, which involve the recommendation of a licensed design professional, as well as the process that is involved. The commenter may also not have recognized that the State Superintendent would seek whatever professional advice appeared to be necessary according to the individual circumstances surrounding a request for a variance.

**Recommendation**

No change is needed.

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NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCE

PART 180

HEALTH/LIFE SAFETY CODE FOR PUBLIC SCHOOLS

SUBPART A: GENERAL PROVISIONS

Section

180.10	Purpose and Scope
180.20	Severability
180.30	Definitions
180.40	Responsibilities of Local School Board
180.50	Responsibilities of Regional Superintendent
180.60	Applicability
180.70	Variances and Waivers
180.80	Vehicular Facilities

SUBPART B: REQUIRED QUALIFICATIONS ~~RECORDKEEPING REQUIREMENTS~~

Section

180.100	<u>Approval Procedure</u> <del>District Facility Records Required (Repealed)</del>
180.110	<u>Specific Requirements for Plan Reviewers</u> <del>District Facility Inventory (Repealed)</del>
180.120	<u>Specific Requirements for Inspectors</u> <del>Safety Reference Plans</del>

SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section

180.200	Application for Building Permit
180.210	Issuance of Building Permit
180.220	Inspections <u>During</u> and Upon Completion of Construction
180.225	Application for Certificate of Occupancy
180.230	Certificate of Occupancy
180.240	Demolition or Movement of Buildings or Other Structures
180.250	Sprinkler Systems
180.260	Sprinkler System Requirements and Applicability (Repealed)
180.270	Standards for Sprinkler Systems (Repealed)
180.280	Standards for Sprinkler System Plans and Specifications (Repealed)

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#### SUBPART D: INSPECTIONS

Section	
180.300	<u>Regional Superintendent's Annual Building and Fire Safety Inspections</u>
<b>Inspection</b>	
180.310	Decennial Inspections
180.320	Safety Survey Report
180.330	<u>Safety Reference Plans Local Board Action</u>
180.340	<u>Local Board Action and Approval of Safety Survey Reports</u>

#### SUBPART E: ADDRESSING VIOLATIONS

Section	
180.400	Violations
180.410	Unsafe Conditions
180.420	Temporary Closing and Condemnation

#### SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section	
180.500	Request for Authorization
180.510	Initiation of Work (Repealed)
180.520	Accounting for Fire Prevention and Safety Funds (Repealed)
180.530	Emergencies
180.540	Cost Estimates

AUTHORITY: Implementing and authorized by Sections 2-3.12, 2-3.25, 2-3.137, and 17-2.11 of the School Code [105 ILCS 5/2-3.12, 2-3.25, 2-3.137, and 17-2.11].

SOURCE: Adopted at 19 Ill. Reg. 5004, effective March 24, 1995; amended at 22 Ill. Reg. 12514, effective July 6, 1998; amended at 29 Ill. Reg. 15904, effective October 3, 2005; amended at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### SUBPART A: GENERAL PROVISIONS

##### **Section 180.30 Definitions**

"Annual Inspection" means the inspection conducted annually under the authority of by a regional superintendent, of all the public schools under his or her

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jurisdiction as required by Section 3-14.21 of the School Code [105 ILCS 5/3-14.21].

"Approved Inspection Agency" (also commonly referred to as "Nationally Recognized Testing Laboratory") means any of the following:

American Gas Association Laboratories

Central Experiment Station, Bureau of Mines, U.S. Department of the Interior

Engineering Experiment Station, Ohio State University

Factory Mutual Laboratories (Factory Mutual Engineering Division)

Forest Products Laboratory, U.S. Department of Agriculture

National Bureau of Standards, U.S. Department of Commerce

Southwest Research Institute

Underwriters' Laboratories, Inc.

Underwriters' Laboratories of Canada

"Architect" means an architect licensed to practice in Illinois under the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and the administrative rules of the Department of Professional Regulation which implement that Act (68 Ill. Adm. Code 1150).

"Called Inspection" means a routine visit by a licensed design professional or a qualified inspector to a construction site, as may be required by the codes referred to in Section 180.60 of this Part, to check for compliance with applicable codes during a specific phase of construction and to ensure that the permit holder does not deviate from the approved plans and specifications.

"Called Inspection Record" means a form, used during a called inspection to capture information regarding compliance and noncompliance, that is prepared by a licensed design professional or a qualified inspector and accompanied by a copy of that individual's proper identification.

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"Change in Use" means any change in how an existing facility is operated, or the purpose for which it is used, that requires greater structural strength, changes in provisions for ingress or egress, or changes in the electrical system, plumbing system, heating, ventilating, and air conditioning system, fire protection system, or other system required by this Part.

"Construction Documents" means the written and pictorial documents prepared or assembled by a licensed design professional to describe the design, location, and physical characteristics of a project involving construction or other like activities subject to the requirements of this Part. Such documents include plans, specifications, inspection reports, test reports, maps, educational specifications, enrollment projections, maintenance logs, safety reference plans, and other, similar, descriptive documents.

"Plans" are drawings. They show what a building, system, or component looks like or will look like at a particular stage of construction.

"Specifications" are instructions. They identify materials to be used, methods to be employed, quality of workmanship required, equipment to be installed, details and calculations to be considered, and the relationships among design components.

"Decennial Inspection" means the inspection of all buildings in a school district conducted at least every 10 years as required by Section 2-3.12 of the School Code, which shall be conducted by a licensed design professional and shall result in a safety survey report as defined in this Section.

"Design Professional" means either an architect or an engineer as defined in this Section.

"Engineer" means an engineer licensed to practice in Illinois under either the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325] or the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and the applicable administrative rules of the Department of Professional Regulation (68 Ill. Adm. Code 1380 or 68 Ill. Adm. Code 1480, respectively).

"Facility" means land, buildings, structures and improvements other than buildings, and permanent, fixed equipment attached to or incorporated in any building owned or used for school purposes by a school district subject to this

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Part. This definition excludes facilities owned by a school district but not used for public school purposes, which shall be subject to local building codes.

"Vehicular Facility" means a vehicular structure that is mounted on a chassis and wheels, subject to transportation from place to place along normally traveled streets, roads, and highways, and subject to occupancy and use virtually immediately upon arrival at its destination.

~~"Licensed Design Professional" means either an architect or an engineer as defined in this Section.~~

"Like Activity" means any work involving or similar to construction which is performed with respect to any facility of a school district subject to the requirements of this Part, including but not limited to reconstruction, substantial alteration, repair, remodeling, renovation, or change in use. Repairs that qualify as minor repairs shall not be considered "like activities" subject to the requirements of this Part.

"Minor Repairs" are any repairs to an individual building or structure that are not subject to the bidding requirements of Section 10-20.21 of the School Code, with the following exceptions:

Cutting away of any wall, partition, or portion thereof;

Cutting or removal of a structural beam or load-bearing support;

Removal of or change in a required means of egress;

Rearrangement of parts affecting exit requirements;

Addition to, alteration of, replacement, or relocation of any standpipe, drain leader, or gas, soil, waste, water supply, sewer drainage, vent or similar piping; electrical wiring; or mechanical or other required building system.

"Permanent, Fixed Equipment" means furniture and equipment affixed to the wall of a building or otherwise attached so that it is not readily portable or movable. Examples include wall-mounted cafeteria tables, automated external defibrillators, basketball backboards, fume hoods, and built-in lockers.

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“Plan Review Record” means a written record of the evaluation of construction documents that is used to determine compliance with the codes that apply to a particular project, completed by a licensed design professional or a qualified plan reviewer and accompanied by a copy of that individual’s proper identification.

“Plan Review Statement” means a written statement made by a licensed design professional and accompanied by a copy of that individual’s proper identification, indicating that construction documents have been reviewed based upon any of the codes identified in Section 180.60(b) of this Part that are applicable to the project and have been determined to be in compliance with the relevant requirements.

“Proper Identification” means, as applicable to the function performed:

a credential issued by the State Board of Education (ISBE) identifying the types of plan reviews or inspections an individual is qualified to perform under this Part; or

evidence of licensure as a design professional; or

evidence of compliance with the requirements of Section 180.300(a)(1) of this Part.

“Qualified Inspector” means an individual approved by ISBE under Section 180.120 of this Part to conduct inspections of school facilities.

“Building Code Inspector” means an individual qualified to conduct inspections required by the building code identified in Section 180.60(a) of this Part.

“Electrical Code Inspector” means an individual qualified to conduct inspections required by the electrical code identified in Appendix K to the International Building Code (Section 180.60(a) of this Part).

“Energy Conservation Code Inspector” means an individual qualified to conduct inspections required by the energy conservation code identified in Section 180.60(a)(1) of this Part.

“Fire Code Inspector” means an individual qualified to conduct inspections required by the fire code identified in Section 180.60(a)(3) of this Part.

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“Mechanical Code Inspector” means an individual qualified to conduct inspections required by the mechanical code identified in Section 180.60(a)(5) of this Part.

“Qualified Plan Reviewer” means an individual approved by ISBE under Section 180.110 of this Part to conduct plan reviews and to submit one or more plan review records for codes referenced in Section 180.60 of this Part.

“Building Code Plan Reviewer” means an individual qualified to conduct plan reviews and to submit plan review records of construction documents for projects involving the building code identified in Section 180.60(a) of this Part.

“Electrical Code Plan Reviewer” means an individual qualified to conduct plan reviews and to submit plan review records of construction documents for projects involving the electrical code identified in Appendix K to the International Building Code.

“Energy Conservation Code Plan Reviewer” means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the energy conservation code identified in Section 180.60(a)(1) of this Part.

“Fire Code Plan Reviewer” means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the fire code identified in Section 180.60(a)(3) of this Part.

“Mechanical Code Plan Reviewer” means an individual qualified to conduct plan reviews and submit plan review records of construction documents for projects involving the mechanical code identified in Section 180.60(a)(5) of this Part.

“Safety Survey Report” means a report prepared by a licensed design professional and ensuing from a decennial inspection required pursuant to Section 180.310 of this Part or another inspection conducted by a licensed design professional.

“School Building” or “School” means a building occupied in whole or in part by public school students or intended for occupancy by such students.

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"Structural Engineer" means an engineer licensed to practice in Illinois under the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and the applicable administrative rules of the Department of Financial and Professional Regulation (68 Ill. Adm. Code 1480).

"The School Code" means the School Code [105 ILCS 5].

"Variance" means an alternative to a code requirement that is judged to provide equal or superior performance or protection compared to the code requirement, and is approved by the State Superintendent.

"Waiver" means an exemption from a code requirement that is approved pursuant to Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g] and the State Board's rules at 23 Ill. Adm. Code 1.100.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 180.50 Responsibilities of Regional Superintendent**

- a) The regional superintendent shall enforce the provisions of this Part and shall act on any question relative to the installation, alteration, repair, maintenance or operation of facilities owned, operated, or used by school districts within or subject to his or her jurisdiction.
- b) The regional superintendent shall receive applications and issue permits for the occupancy, construction, substantial alteration, repair, remodeling, renovation, demolition, movement, or change in use of facilities owned, operated, or used by school districts as required by this Part, including applications for authority to raise or use fire prevention and safety funds.
- c) The regional superintendent shall issue all necessary notices and orders to ensure compliance with this Part.
- d) The regional superintendent shall ensure completion of ~~make or cause to be made~~ all inspections required by Sections 3-14.20, 3-14.21 and 3-14.22 of the School Code. All reports of such inspections and any test results shall be in writing. The regional superintendent is authorized, if he or she deems necessary, to engage expert opinion.

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- e) Whenever inspections are necessary by any other department or agency, the regional superintendent shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other responsible departments or agencies for the purpose of eliminating conflicting orders before any are issued.
- f) The regional superintendent shall keep official records of applications received, permits and certificates issued, reports of inspections, and notices and orders issued. Such records shall be retained as long as the facilities to which they relate remain in existence.
- g) The regional superintendent shall report annually to the State Board of Education on or before October 1, summarizing all of the transactions relating to the administration and enforcement of this Part for the fiscal year ended on the preceding June 30. This report shall be prepared on forms supplied by the State Board of Education.
- h) The regional superintendent and his or her designees shall carry proper identification when inspecting structures or premises in the performance of duties required by this Part.
- i) The regional superintendent and his or her designees are authorized to enter the structure or premises of any facility owned, operated or used by a school district in order to conduct the inspections necessary to ensure compliance with this Part. Prior to entering a space not otherwise open to the public, the regional superintendent shall make a reasonable effort to locate a responsible party, present proper identification, and request entry.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 180.60 Applicability**

- a) Except as provided in subsection (b) of this Section, every facility other than a vehicular facility shall conform to the standards identified in this subsection (a) and published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795, unless a variance or waiver is obtained pursuant to Section 180.70 of this Part or use of a temporary facility is authorized pursuant to Section 180.230 of this Part. No later amendments to or editions of these standards are incorporated by this Section. The effective date called for in Section 3410.2 of the International Building Code (IBC) shall be the effective

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date shown for this Section 180.60. Except for the “minimum conditions” presented in the International Property Maintenance Code and the International Fire Code, the The IBC permits a facility constructed prior to its effective date to be maintained in compliance with the building code that previously applied to the facility, and provides separate provisions governing the alteration, repair, change of occupancy, replacement of component parts or systems, and enlargement of an existing facility. (IBC, Section 102.6; Chapter 34, and the International Existing Building Code) The applicable standards shall be the 2006 2003 International Building Code (IBC) and its subcodes as follows:

- 1) the 2006 2003 International Energy Conservation Code (IECC);
- 2) the 2006 International Existing Building Code (IEBC);
- 3) 2) the 2006 2003 International Fire Code (IFC), excluding Chapter 4;
- 4) 3) the 2006 2003 International Fuel Gas Code (IFGC);
- 5) 4) the 2006 2003 International Mechanical Code (IMC); and
- 6) 5) the 2006 2003 International Property Maintenance Code (IPMC).

b) The applicability of the codes listed in subsection (a) of this Section shall be limited as set forth in this subsection (b).

- 1) The provisions of 29 Ill. Adm. Code 1500 (Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education: School Emergency and Crisis Response Plans) shall apply instead of Chapter 4 of the International Fire Code.
- 2) The administrative provisions of this Part shall apply instead of the administrative provisions contained in Sections 101.4.4, 103-108, 110-113, and 115 of Chapter 1 of the International Building Code.
- 3) 2) instead The Illinois Accessibility Code (71 Ill. Adm. Code 400) shall apply of the accessibility provisions set forth in Chapter 11 of the International Building Code.
- 4) 3) The requirements set forth in the Illinois Plumbing Code (77 Ill. Adm.

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Code 890) shall apply instead of those expressed in Section 101.4.4 of Chapter 1 and incorporated in Chapter 35 of the International Building Code.

5) 4) The requirements set forth in the Illinois State Fire Marshal's rules titled Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120) shall apply instead of those expressed in the Boiler and Pressure Vessel Safety Code (ASME 98) published by the American Society of Mechanical Engineers and incorporated in Chapter 35 of the International Building Code.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

**SUBPART B: REQUIRED QUALIFICATIONS ~~RECORDKEEPING REQUIREMENTS~~**

**Section 180.100 Approval Procedure ~~District Facility Records Required (Repealed)~~**

The provisions of subsection (a) of this Section notwithstanding, a design professional may perform any of the roles discussed in Sections 180.110 and 180.120 of this Part without securing the specific approvals discussed in those Sections.

a) Each individual seeking approval for any of the roles discussed in Sections 180.110 and 180.120 of this Part shall submit to the State Superintendent of Education:

- 1) an application for the specific approvals sought, completed on a form prescribed by the State Superintendent; and
- 2) for each approval sought, a copy of a recent 1" x 1" color photograph of the applicant (head and shoulders only), with the applicant's name printed on the back;
- 3) an application fee of \$25 for one approval or \$50 for two or more approvals; and
- 4) the relevant additional information called for in Section 180.110 or 180.120 of this Part, as applicable.

b) Validity and Renewal of Approval

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- 1) When an individual has received approval based upon successful completion of the most recent version of the relevant examination, the approval shall be valid for the period that ends one year after the next version of that examination is made available, or for a period of three years, whichever ends later. In order to renew the approval at that time, the individual shall present evidence of either successful completion of the updated examination or current, relevant certification by the International Code Council.
- 2) When an individual has received approval based upon current, relevant certification by the International Code Council, the approval shall be valid for the same period as the Council's certification. In order to renew the approval at the end of that time, the individual shall present evidence of either renewed certification by the Council or successful completion of the then-current version of the relevant examination.
- 3) Subsequent renewals of approval shall be available as stated in subsections (b)(1) and (2) of this Section.

c) Renewal of approval shall be accomplished by means of the procedure stated in subsection (a) of this Section, except that an individual who relied on training or experience or on a bachelor's degree to fulfill a portion of the requirements for original approval, as specified in the applicable provision of Section 180.110 or 180.120 of this Part, shall not be required to resubmit the evidence of meeting that requirement.

d) Denial and Revocation of Approval

- 1) The State Superintendent of Education shall deny or revoke the approval of any individual whose payment for an application fee is returned for insufficient funds or who is determined to have:
  - A) falsified information on his or her application;
  - B) submitted fraudulent documentation to a regional superintendent, a building owner, a licensed design professional, or a contractor;
  - C) performed duties outside the areas for which approval has been given;

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- D) performed duties under this Part in a manner hazardous to school personnel or students, or otherwise behaved in a manner unsuitable to a school environment; or
- E) permitted the use or duplication of his or her proper identification by another person.

- 2) The State Superintendent shall provide written notification to any individual who is denied approval or whose approval is revoked, stating the basis for the action taken.
- 3) An individual who believes that his or her approval has been unduly denied or revoked shall submit a written request for a review no later than 10 days after receipt of the Superintendent's notification. Grounds for a review shall be limited to incorrectness of the specific basis given for the Superintendent's action.
- 4) The State Superintendent shall consider the information presented in the individual's response and render a final administrative decision.

(Source: Old Section repealed at 29 Ill. Reg. 15904, effective October 3, 2005; new Section adopted at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.110 Specific Requirements for Plan Reviewers District Facility Inventory ~~(Repealed)~~**

- a) Each individual seeking approval to serve as a qualified building code plan reviewer shall submit to the State Superintendent of Education:
  - 1) evidence of successful completion of the most recent version of the Commercial Building Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), or of current certification by the Council as a Combination Plans Examiner, a Building Code Official, or a Master Code Professional; and
  - 2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance of commercial buildings for compliance with applicable commercial

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building codes, or evidence of licensure as a design professional or a structural engineer, or evidence that the individual holds:

- A) a bachelor's degree in architecture, engineering, or construction with at least 1,000 hours of training or experience in one of those fields or project management, or
- B) a bachelor's degree in a field other than architecture, engineering, or construction with at least 2,000 hours of training or experience in architecture, engineering, construction, or project management.

- b) Each individual seeking approval to serve as a qualified electrical code plan reviewer shall submit to the State Superintendent of Education:
  - 1) evidence of successful completion of the most recent version of the Commercial Electrical Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), or current certification by the Council as an Electrical Code Official, Combination Plans Examiner, or Master Code Professional; and
  - 2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance of commercial buildings for compliance with applicable electrical codes, or evidence of successful completion of an electrical apprenticeship program registered by the U.S. Department of Labor or by a State Apprenticeship Program pursuant to 29 CFR 29 (Labor Standards for the Regulation of Apprenticeship Programs), or evidence of licensure as a design professional or a structural engineer, or evidence that the individual holds a bachelor's degree as specified in subsection (a)(2) of this Section.
- c) Each individual seeking approval to serve as a qualified energy conservation plan reviewer shall submit to the State Superintendent of Education:
  - 1) evidence of successful completion of the most recent version of the Commercial Energy Conservation Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795); and
  - 2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance

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of commercial buildings for compliance with applicable energy conservation codes, or evidence of licensure as a design professional or a structural engineer, or evidence that the individual holds a bachelor's degree as specified in subsection (a)(2) of this Section.

d) Each individual seeking approval to serve as a qualified fire code plan reviewer shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Fire Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795) or of current certification:
  - A) by the Council as a Fire Code Official or a Master Code Professional; or
  - B) by the Office of the State Fire Marshal as a Fire Inspector II/Plan Examiner; or
  - C) by the National Fire Protection Association as a Certified Fire Plan Examiner; and
- 2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance of commercial buildings for compliance with applicable fire codes, or evidence of licensure as a design professional or a structural engineer, or evidence that the individual holds a bachelor's degree as specified in subsection (a)(2) of this Section.

e) Each individual seeking approval to serve as a qualified mechanical code plan reviewer shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Mechanical Code Plans Examiner examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795) or of current certification by the Council as a Mechanical Code Official, a Combination Plans Examiner, or a Master Code Professional; and

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2) written certification of at least 4,000 hours of training or experience involving plan reviews, inspection, design, construction, or maintenance of commercial buildings for compliance with applicable mechanical codes, or evidence of licensure as a design professional or a structural engineer, or evidence that the individual holds a bachelor's degree as specified in subsection (a)(2) of this Section.

(Source: Old Section repealed at 29 Ill Reg. 15904, effective October 3, 2005; new Section adopted at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 180.120 Specific Requirements for Inspectors Safety Reference Plans**

a) Each individual seeking approval to serve as a qualified building code inspector shall submit to the State Superintendent of Education:

1) evidence of successful completion of the most recent version of the Commercial Building Inspector examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), or evidence of current certification by the Council as a Building Inspector, Commercial Combination Inspector, Combination Inspector, Building Code Official, or Master Code Professional; and

2) one of the items of evidence called for in Section 180.110(a)(2) of this Part.

b) Each individual seeking approval to serve as a qualified electrical code inspector shall submit to the State Superintendent of Education:

1) evidence of successful completion of the most recent version of the Commercial Electrical Inspector examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), or of current certification by the Council as an Electrical Inspector, Commercial Combination Inspector, Combination Inspector, Building Code Official, Electrical Code Official, or Master Code Professional; and

2) one of the items of evidence called for in Section 180.110(b)(2) of this Part.

c) Each individual seeking approval to serve as a qualified energy conservation code inspector shall submit to the State Superintendent of Education:

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- 1) evidence of successful completion of the most recent version of the Commercial Energy Inspector examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795); and
- 2) one of the items of evidence called for in Section 180.110(c)(2) of this Part.

d) Each individual seeking approval to serve as a qualified fire code inspector shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Fire Code Building Inspector examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795) or evidence of current certification:
  - A) by the Council as a Fire Code Official or a Master Code Professional; or
  - B) by the Office of the State Fire Marshal as a Fire Prevention Officer; or
  - C) by the National Fire Protection Association as a Fire Inspector I or II; and
- 2) one of the items of evidence called for in Section 180.110(d)(2) of this Part.

e) Each individual seeking approval to serve as a qualified mechanical code inspector shall submit to the State Superintendent of Education:

- 1) evidence of successful completion of the most recent version of the Commercial Mechanical Code Inspector examination (International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), or evidence of current certification by the Council as a Mechanical Code Official, a Commercial Combination Inspector, or a Master Code Professional; and

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2) one of the items of evidence called for in Section 180.110(e)(2) of this Part.

~~Safety reference plans are the drawings of a facility, updated after each construction project to include the applicable items required under this Section. These plans shall be updated to reflect all additions, alterations, and other changes to these facilities that affect the arrangement, use, rated capacity, student capacity, or other information required to be shown thereon. They shall serve as a means of indicating the safety related conditions of a facility, as an aid in developing emergency exit plans, and in other circumstances where reference to overall layouts is necessary.~~

- a) ~~Each local school board shall maintain up to date safety reference plans for all facilities owned or used by the district for any school purpose. However, replacement of lost or destroyed safety reference plans will not be required if the regional superintendent determines that such replacement would be overly expensive or burdensome. Each set of safety reference plans shall include:~~
  - 1) ~~A site plan meeting the requirements of subsection (e) of this Section;~~
  - 2) ~~Schematic floor plans as described in subsection (f) of this Section;~~
  - 3) ~~An attic plan meeting the requirements of subsection (h) of this Section, if required pursuant to subsection (g) of this Section; and~~
  - 4) ~~Such additional drawings and/or schedules as may be necessary to effectively describe the nature and operational characteristics of the facility in question.~~
- b) ~~Safety reference plans shall be drawn to scale, using a medium suitable for reproduction and revision. Each safety reference plan and any revision thereto shall be titled, dated, signed, and certified by the architect or engineer responsible for its preparation.~~
- c) ~~Two complete sets of safety reference plans shall be provided for each facility, one to be kept by the board of education in a safe place and one to be kept on the site to which it applies.~~
- d) ~~Whenever safety reference plans are completed or updated, they shall be submitted to the regional superintendent for review and approval.~~

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④ Each site plan shall be drawn to a scale sufficient to show the required information clearly and legibly, and shall include a legend. The site plan shall include the location and identification of:

- ④ Highways, boulevards, avenues, or streets bordering the site;
- ④ Each building or other structure on the site;
- ④ Each building located on adjacent property less than 75 feet away from a school building;
- ④ Public fire hydrants and municipal fire alarm boxes adjacent to or on the site;
- ④ Utility supply services (water, gas, electricity, etc.) leading into the site and into each building or other structure, their size, and the location of shut-offs for each such service;
- ④ Primary walkways, fire lanes, and bus loading and unloading zones;
- ④ Play areas and automobile parking areas, and the surfacing material of each;
- ④ Landscaping or other materials or areas on the site that might impede ingress or egress;
- ④ Fences and gates, and their respective heights;
- ④ Elevation with respect to sea level and location with respect to floodways and floodplains; and
- ④ Unusual terrain.

④ Each schematic floor plan shall be drawn for one floor of a building, to a scale sufficient to show the required information clearly and legibly, and shall include a legend. Each floor plan shall include the following information.

- ④ Identification of each fire area shown on the Plan, and a statement establishing the height in stories, construction type, protection classification and Plan classification of each such fire area.

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- 2) The elevation of each floor level with respect to the floor level of the lowest street floor. The street floor plan shall show the difference in elevation between its floor level and the grade level outside at each point of ingress egress from the building to a point 12 feet from the building line.
- 3) The location of all existing or proposed partitions and walls, the identification of those partitions and walls required to have a fire resistance rating, and the rating so required.
- 4) The identification of each room and space as to its occupancy and use.
- 5) The designation of the rated population capacity and student enrollment capacity for each floor and each occupied room or space thereon.
- 6) The identification of the areas protected or proposed to be protected by a sprinkler and/or fire detection system.
- 7) The location, arrangement and width of each stairway, ramp, fire resistive passageway, fire escape and slide escape which serves as a required means of exit, and of each corridor, passageway, primary egress aisle or balcony which provides the required path of travel to each such exit.
- 8) The location, direction of swing, width, type, and, where required, fire rating of each door located in the path of travel to a required exit or serving as part of a required exit.
- 9) The locations of vertical openings and the existing or proposed protection for such openings.
- 10) The existing or proposed locations of fire alarm boxes, fire alarm horns and lights, exit lights, emergency lighting, and fire alarm control panel.
- 11) The location of primary air distributing or recirculating fans and designation of the areas served by each such fan.
- 12) Location and identification of fuel burning equipment (both permanent and moveable).

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13) ~~On the basement plan, or lowest street floor plan if no basement exists, the location and height of service tunnels and under floor crawl spaces along with the existing or proposed method of separating such tunnel and spaces from adjacent occupied spaces.~~

g) ~~A plan shall be included for each attic:~~

- 1) ~~That is used, or can be used, for storage purposes; or~~
- 2) ~~That is of combustible construction and used as an open plenum chamber; or~~
- 3) ~~That has an average clear height from the top of the ceiling below to the underside of the roof joists or slab (if no joists exist) of more than 42 inches.~~

h) ~~Each attic plan shall show:~~

- 1) ~~The construction of the roof and ceiling;~~
- 2) ~~The slope of the roof and such other details as necessary to illustrate the size and arrangement of the attic;~~
- 3) ~~Access doors, ducts and other openings into the attic and existing or proposed protection for such openings;~~
- 4) ~~Existing or proposed fire stopping for subdividing attics;~~
- 5) ~~The existing or proposed automatic protection (sprinkler or fire detection) and the area to be protected.~~

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

**Section 180.200 Application for Building Permit**

No construction or other, like activity as defined in Section 180.30 of this Part shall begin until a building permit has been obtained pursuant to the following provisions.

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- a) The school board shall file an Application for a Building Permit ("application") with the regional superintendent having jurisdiction over the board of education in question, on a form prescribed by the regional superintendent. If the board is not the owner, the board shall attach an affidavit from the owner indicating the owner's consent for the proposed work.
- b) The completed application shall be accompanied by two copies of all relevant construction documents.
  - 1) Plans and specifications submitted as part of an application shall be prepared by or under the supervision of an architect or engineer. They shall bear the stamp of, and the following certification signed by, the responsible architect or engineer:

"I hereby certify that these plans and specifications were prepared under my supervision and to the best of my knowledge comply with (here insert the code or codes, including the edition, upon which the plans and specifications were drawn), as well as the applicable requirements of 23 Ill. Adm. Code 180.

These plans and specifications consist of the following:

(here list the plates or sheets constituting the plans & specifications)

(Seal) by \_\_\_\_\_  
(Architect/Engineer Signature)

\_\_\_\_\_  
(Date Signed) (Lic. # and Exp. Date)"

- 2) Whenever reference is made in plans or specifications to this Part or the codes incorporated by Section 180.60, such reference shall identify the specific edition, section and subsection(s) applicable to the subject in question.
- c) Upon receipt of an application, the regional superintendent shall record the date of submission by the school board and assign a unique identification number to

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said application. This identification number shall be used on all building permits issued pursuant to the application.

- d) The regional superintendent shall not issue a building permit until he or she has reviewed:
  - 1) signed and dated Plan Review Statements for the International Property Maintenance Code, the Illinois Accessibility Code, the Illinois Boiler and Pressure Vessel Safety Code, and the Illinois Plumbing Code, as applicable to the project;
  - 2) signed and dated Plan Review Records for the International Building Code, the International Energy Conservation Code, the International Fire Code, the International Mechanical Code and the International Fuel Gas Code, as applicable to the project;
  - 3) signed and dated Plan Review Records for any required sprinkler systems, or fire flow tests and preliminary hydraulic calculations showing estimated fire flow availability and indicating whether a pump will be needed, provided that a Sprinkler Plan Review Record shall be submitted before construction or other, like activity begins; and
  - 4) if the proposed work involves the installation of a closed, prefabricated mechanical system (e.g., a window air conditioner or heating, ventilating, air conditioning (HVAC) unit), the regional superintendent shall not issue a building permit until he or she has reviewed an evaluation report on that system from an approved inspection agency and verified that the report supports the use of the mechanical system in question as proposed.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 180.220 Inspections During and Upon Completion of Construction**

- a) During and upon completion of construction or any like activity, the regional superintendent shall ensure that called inspections required by the codes applicable to the project are conducted by individuals who are qualified in accordance with Section 180.120 of this Part.
- b) The regional superintendent shall not issue a certificate of occupancy until he or she has reviewed Called Inspection Records for the International Building Code,

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the International Energy Conservation Code, the International Fire Code, the International Fuel Gas Code, and the International Mechanical Code, as applicable to the project, showing a qualified inspector's signed authorization to proceed after each phase of construction.

- c) Upon completion of construction or any like activity, and before issuance of a certificate of occupancy, the regional superintendent or designee shall make an inspection or cause such an inspection to be made. Any violations of the approved construction documents and building permit(s) shall be noted, and the holder of the permit shall be notified of the discrepancies. No certificate of occupancy shall be issued until such discrepancies have been remedied.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 180.250 Sprinkler Systems**

This Section sets forth the requirements and standards for sprinkler systems installed in school buildings pursuant to the provisions of Section 22-23 of the School Code. *The requirements set forth in this Section shall apply to the school board, board of education, board of school directors, board of school inspectors, or other governing body of each school district in this State, including special charter districts and districts organized under Article 34.* (Section 22-23 of the School Code)

- a) Applicability
  - 1) In determining whether there will be "construction of a new school building, or addition to an existing building, within any period of 30 months, having 7,200 or more square feet", and in determining whether school construction affects "*one or more areas of a school building that cumulatively are equal to 50% or more of the square footage of the school building*" (Section 22-23 of the School Code), each separate "fire area" as defined in the building code incorporated by Section 180.60 of this Part shall be considered as a separate building.
  - 2) "School construction" means any of the activities enumerated in Section 22-23 of the School Code, when the affected building is occupied in whole or part by public school students or is intended for occupancy by such students.
- b) Standards for Sprinkler Systems

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Sprinkler systems shall conform to the requirements set forth in the International Building Code (see Section 180.60).

(Source: Amended at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### SUBPART D: INSPECTIONS

##### **Section 180.300 Regional Superintendent's Annual Building and Fire Safety Inspections**

~~In complying with the requirement for annual inspections set forth in Section 3-14.21 of the School Code, the regional superintendent shall record the results of annual inspections on forms provided by the State Board of Education. The requirements of this Section 180.300 shall also apply to all other facilities owned or used for school purposes by a school district subject to this Part.~~

a) Regional Superintendent's Annual Building Inspection

The requirements of this subsection (a) shall apply not only to school buildings but also to all other facilities owned or used for school purposes by a school district subject to this Part.

- 1) Each regional superintendent who conducts annual building inspections and each designee of a regional superintendent who conducts annual building inspections shall complete a course on this topic conducted by the Illinois Association of Regional Superintendents of Schools. Only employees of regional offices of education and individuals employed on contract by regional offices shall serve as designees of regional superintendents for this purpose.
- a) 2) The regional superintendent or designee shall visit each facility and shall issue any necessary notices of violations within 10 calendar days and specify the corrective actions to be taken, as provided in Section 180.400(b) of this Part.
- b) 3) Following each inspection, the regional superintendent shall prepare for the local board of education a written report of the results within the time allotted under Section 3-14.21 of the School Code on a form supplied by the State Superintendent Board of Education. The report shall also be

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submitted to the State Superintendent of Education, in writing or by such electronic means as the State Superintendent may authorize, ~~and shall include the regional superintendent's approval or disapproval of any extension of time requested by the local board pursuant to Section 2-3.12 of the School Code. The recommendations of the regional superintendent shall be considered approved by the State Superintendent unless the regional superintendent receives notification to the contrary within 60 calendar days after submission of his or her report.~~

⇒ 4) ~~Upon submission of the regional superintendent's first annual report after the effective date of this Part, each school board shall will be required to have a certificate of occupancy for each of its facilities and to maintain these certificates in the district's administrative office.~~

b) Annual Fire Safety Inspections

An annual fire safety inspection of each school building shall be conducted and coordinated with the inspection of the responsible regional superintendent of schools in accordance with the requirements of Section 3-14.21(c) of the School Code.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

**Section 180.330 Safety Reference Plans Local Board Action**

Safety reference plans are the drawings of a facility, updated after each construction project to include the applicable items required under this Section. These plans shall be updated to reflect all additions, alterations, and other changes to these facilities that affect the arrangement, use, rated capacity, student capacity, or other information required to be shown. They shall serve as a means of indicating the safety-related conditions of a facility, as an aid in developing emergency exit plans, and in other circumstances where reference to overall layouts is necessary.

a) Each local school board shall maintain up-to-date safety reference plans for all facilities owned or used by the district for any school purpose. However, replacement of lost or destroyed safety reference plans will not be required if the regional superintendent determines that their replacement would be overly expensive or burdensome. Each set of safety reference plans shall include:

1) A site plan meeting the requirements of subsection (e) of this Section;

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- 2) Schematic floor plans as described in subsection (f) of this Section;
- 3) An attic plan meeting the requirements of subsection (h) of this Section, if required pursuant to subsection (g) of this Section; and
- 4) Any additional drawings and/or schedules that may be necessary to effectively describe the nature and operational characteristics of the facility in question.

b) Safety reference plans shall be drawn to scale, using a medium suitable for reproduction and revision. Each safety reference plan and revision shall be titled, dated, signed, and certified by the architect or engineer responsible for its preparation.

c) Two complete sets of safety reference plans shall be provided for each facility, one to be kept by the board of education in a safe place and one to be kept on the site to which it applies.

d) Whenever safety reference plans are completed or updated, they shall be submitted to the regional superintendent for review and approval.

e) Each site plan shall be drawn to a scale sufficient to show the required information clearly and legibly, and shall include a legend. The site plan shall include the location and identification of:

- 1) Highways, boulevards, avenues, or streets bordering the site;
- 2) Each building or other structure on the site;
- 3) Each building located on adjacent property less than 75 feet away from a school building;
- 4) Public fire hydrants and municipal fire alarm boxes adjacent to or on the site;
- 5) Utility supply services (water, gas, electricity, etc.) leading into the site and into each building or other structure, their size, and the location of shut-offs for each service;
- 6) Primary walkways, fire lanes, and bus loading and unloading zones;

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- 7) Play areas and automobile parking areas, and the surfacing material of each;
- 8) Landscaping or other materials or areas on the site that might impede ingress or egress;
- 9) Fences and gates, and their respective heights;
- 10) Elevation with respect to sea level and location with respect to floodways and floodplains; and
- 11) Unusual terrain.

f) Each schematic floor plan shall be drawn for one floor of a building, to a scale sufficient to show the required information clearly and legibly, and shall include a legend. Each floor plan shall include the following information.

- 1) The identification of each fire area shown on the plan, and a statement establishing the height in stories, construction type, protection classification, and plan classification of each fire area.
- 2) The elevation of each floor level with respect to the floor level of the lowest street floor. The street-floor plan shall show the difference in elevation between its floor level and the grade level outside at each point of ingress-egress from the building to a point 12 feet from the building line.
- 3) The location of all existing or proposed partitions and walls, the identification of those partitions and walls required to have a fire resistance rating, and the rating that is required.
- 4) The identification of each room and space as to its occupancy and use.
- 5) The designation of the rated population capacity and student enrollment capacity for each floor and each occupied room or space on that floor.
- 6) The identification of the areas protected or proposed to be protected by a sprinkler or fire detection system.

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- 7) The location, arrangement, and width of each stairway, ramp, fire-resistive passageway, fire escape, and slide escape that serves as a required means of exit, and of each corridor, passageway, primary egress aisle, or balcony that provides the required path of travel to each of these exits.
- 8) The location, direction of swing, width, type, and, where required, fire rating of each door located in the path of travel to a required exit or serving as part of a required exit.
- 9) The locations of vertical openings and the existing or proposed protection for them.
- 10) The existing or proposed locations of fire alarm boxes, fire alarm horns and lights, exit lights, emergency lighting, and fire alarm control panel.
- 11) The location of primary air distributing or recirculating fans and designation of the areas served by each one.
- 12) The location and identification of fuel burning equipment (both permanent and moveable).
- 13) On the basement plan, or lowest street floor plan if no basement exists, the location and height of service tunnels and under-floor crawl spaces along with the existing or proposed method of separating these tunnels and spaces from adjacent occupied spaces.

g) A plan shall be included for each attic that:

- 1) Is used, or can be used, for storage purposes; or
- 2) Is of combustible construction and used as an open-plenum chamber; or
- 3) Has an average clear height from the top of the ceiling below to the underside of the roof joists or slab (if no joists exist) of more than 42 inches.

h) Each attic plan shall show:

- 1) The construction of the roof and ceiling;

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- 2) The slope of the roof and other details as necessary to illustrate the size and arrangement of the attic;
- 3) Access doors, ducts, and other openings into the attic and existing or proposed protection for these openings;
- 4) Existing or proposed fire-stopping for subdividing attics; and
- 5) The existing or proposed automatic protection (sprinkler or fire detection) and the area to be protected.

- a) The board of education shall complete an Application for Approval of Safety Survey Report on a form supplied by the State Board of Education and, if the board determines that fire prevention and safety financing will be required, a Statement of Facts and Assurances and a Summary of Financing, both on forms provided by the State Board of Education.
- b) The board of education shall submit the application for approval of the report, along with a copy of the report and schematic floor plans for areas where violations were noted and work was recommended, to the regional superintendent.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

**Section 180.340 Local Board Action and Approval of Safety Survey Reports**

- a) The board of education shall complete an application for approval of the safety survey report on a form supplied by the State Superintendent of Education and, if the board determines that fire prevention and safety financing will be required, a Statement of Facts and Assurance and a Summary of Financing, both on forms provided by the State Superintendent.
- b) The board of education shall submit the application for approval to the regional superintendent of schools, along with a copy of the report and schematic floor plans for areas where violations were noted and work was recommended.
- c) If the regional superintendent finds that the Safety Survey Report and relevant floor plans are complete and correct, he or she shall approve the report; if the regional superintendent finds that the report and floor plans are incomplete or contain errors, he or she shall so notify the board of education in writing. If the

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district fails to correct the errors or omissions, the regional superintendent shall disapprove the report. In either case, the regional superintendent shall forward the report and any floor plans to the State Superintendent for approval or disapproval.

- d) b) If the State Superintendent finds that the safety survey report is incomplete or contains errors, he or she shall so notify the board of education in writing. If the district fails to correct the errors or omissions, the State Superintendent shall disapprove the report and return the material to the regional superintendent for return to the board of education.
- e) e) The State Superintendent shall approve or disapprove the report within 90 days after its submission by the regional superintendent. If he or she approves the report, he or she shall issue a Certificate of Approval.
- f) d) Upon receipt of the State Superintendent's certificate, the regional superintendent shall issue such orders as are necessary to effect any recommendations contained in the safety survey report.
- g) e) Submission of Other Survey Reports
  - 1) If, after having received approval of a safety survey report from the State Superintendent and before submission of the next required safety survey report, a board of education is ordered to have a complete or partial resurvey of its facilities conducted pursuant to Section 180.400 of this Part, it shall submit an updated report reflecting the results of said resurvey.
  - 2) The report shall be submitted to the regional superintendent and the State Superintendent for approval or disapproval in the same manner as for a safety survey report resulting from a decennial inspection.

(Source: Amended at 31 Ill. Reg. \_\_\_, effective \_\_\_\_\_)

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education   
Darren Reisberg, General Counsel 

**Agenda Topic:** Action Item: Rules for Adoption – Part 401 (Special Education Facilities Under Section 14-7.02 of the School Code)

**Materials:** Recommended Rules

**Staff Contacts:** Beth Hanselman  
Connie Wise

**Purpose of Agenda Item**

The purpose of this agenda item is to present the proposed amendments to Part 401 for the Board's adoption.

**Expected Outcome of Agenda Item**

The Board will be asked to adopt a motion adopting the proposed amendments.

**Background Information**

These amendments will make it possible for the facilities that are approved under Part 401 to have a more direct role in the administration of the state assessment to the students who are served there. The security of test materials and the reliability of test results are important concerns in this context, making it necessary for the facilities to receive and follow technical guidance as applicable to the specific examinations their students take if they are going to serve in this role. One of the chief goals of this rulemaking is to establish both the basic requirements and the understanding that more detailed specifics will also apply, depending upon which examinations and testing contractors are involved. New Section 401.145 is being added for this purpose, and the rulemaking is being presented for adoption at this time so as to be in place when activities begin in preparation for the 2008 test administration.

Most of the proposed changes in the other portions of Part 401 are generally intended to place added emphasis on the quality of programs in terms of services to students that reflect their Individualized Education Programs and the outcomes achieved by the students. In addition, certain practices in some out-of-state facilities have come to our attention that we strongly believe should not be used as strategies for modifying behavior, and a statement to this effect has been added to Section 401.140 (Provision of Educational Program).

In addition, an existing cross reference to Part 226 is being eliminated from Section 401.140 in favor of an explicit statement on the subject of class size limits. Since this rule will no longer rely on the relevant portion of Part 226, the recently accomplished changes in Part 226 will have no bearing on class size in the facilities under Part 401, as has been discussed previously.

Finally, Section 401.260 (Staff Records) is being updated to reflect recent legislative developments yielding greater access for these facilities to the results of background investigations.

These amendments were presented for the Board's initial review in April of this year and subsequently published in the Illinois Register to elicit public comment. Two communications were received, and the issues raised are discussed in the Summary and Analysis of Public Comment below.

#### **Analysis and Implications for Policy, Budget, Legislative Action and Communications**

Policy Implications: Please see above.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

#### **Pros and Cons of Various Actions**

Adoption of these amendments will enable the affected facilities to participate in the necessary training and preparations for ordering testing materials directly from the various testing contractors. The ability to establish this relationship will mean, for example, that some facilities previously unable to administer the Prairie State Achievement Examination (PSAE) will be able to do so beginning in 2008. The rulemaking will also bring needed uniformity to the handling of materials and the administration of tests throughout the participating facilities. Should this rulemaking not be adopted, the *status quo* would be maintained instead.

#### **Superintendent's Recommendation**

The Superintendent recommends that the State Board of Education adopt the following motion:

The State Board of Education hereby adopts the proposed rulemaking for:

Special Education Facilities Under Section 14-7.02 of the School Code (23 Illinois Administrative Code 401).

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

#### **Next Steps**

Notice of the adopted amendments will be submitted to the Joint Committee on Administrative Rules to initiate JCAR's review. When that process is complete, the rules will be filed with the Secretary of State and disseminated as appropriate.

## **Summary and Analysis of Public Comment**

### **Part 401**

#### **(Special Education Facilities Under Section 14-7.02 of the School Code)**

#### **Comment**

ISBE was urged to strengthen Section 401.10(a)(1) even further by specifying that the data to be collected on the outcomes achieved by the students served must be derived from the students' Individualized Education Programs (IEPs).

#### **Analysis**

We agree that the most critical measure of a program's success is the degree to which the students served achieve the goals set forth in their IEPs. We therefore agree that this added emphasis is appropriate.

#### **Recommendation**

Section 401.10(a)(1) should be revised to state:

- 1) An accurate, written description of each program for which approval is requested, which shall indicate the categories and ages of students with disabilities for whom it is specifically intended, the data that will be collected on the outcomes achieved by those students, which must reflect the students' learning goals as described in their respective IEPs, and the maximum number of students the program is intended to accommodate.

#### **Comment**

Both commenters disagreed with the proposed change in Sections 401.10(a)(3) and 401.130, which would decrease the required number of hours for a summer ("Extended School Year" or "ESY") session from 120 to 60. They advocated that ISBE maintain the requirement at 120 hours and develop a "waiver process" to provide flexibility.

#### **Analysis**

This change was proposed because the inability to approve any session shorter than 120 hours meant that some students placed in out-of-state programs that operate shorter ESY sessions could not receive any services at all during an extended school year. Staff research had not revealed any specific basis for the 120-hour requirement, and it was thought reasonable to bring this provision in line with Section 18-4.3 of the School Code, which establishes 60 hours of instruction as the basis for calculating summer school reimbursement generally. However, there are other points that warrant consideration, and particularly the need for a level of service that will be sufficient to prevent regression or to foster recoupment of skills between regular school terms. The severity of the disabilities of the students served in facilities under Part 401 makes it likely that a higher number of hours of instruction will be needed in most cases.

If we are to introduce some flexibility into the rules so that a shorter summer session is permissible in some instances, rulemaking requirements dictate that we state the basis on which it would be available. Since it was the differing lengths of out-of-state programs that led to the proposed amendment in the first place, a straightforward way to address this is simply to accept what is approved by their respective state authorities. There would be no need for a waiver or approval process to implement this approach.

### **Recommendation**

Section 401.130 should be revised by introducing an alternative, lower number of required hours for a summer session in an out-of-state facility, as shown below:

Each facility's operating schedule shall ensure that 176 school days and, if a summer program is operated, 60 hours of instruction, are provided for each program. If a summer program is operated at a facility located within Illinois, it shall consist of at least 120 hours of instruction. A summer program operated at a facility in another state may consist of fewer than 120 hours of instruction if approved by the responsible authority in that state.

Section 401.10(a)(3) should also be changed to correspond with Section 401.130, as follows:

- 3) The provider's proposed calendar for the program for which approval is sought, setting forth an operating schedule reflecting at least 176 days of operation, for at least five hours per school day during the regular school year and, with respect to a summer session, if any is to be offered, at least 120 hours of operation if the facility is located in Illinois or, if the facility is located in another state, the number of hours approved by the responsible authority in that state.

### **Comment**

A concern was raised regarding an apparent discrepancy between the introductory provision in Section 401.145 and subsection (d) of that Section. It was noted that the former makes becoming a testing site voluntary on the part of facilities, while subsection (d) indicates that school districts retain the responsibility for determining the testing site for their students. The commenter indicated opposition to the idea that a school district could mandate that a special education facility serve as a testing site for a student, particularly if the facility were unable to provide some of the required testing accommodations.

### **Analysis**

There is an understandable point of confusion that arises from the need to use the artificial term "testing site" in these rules because that is the term used in the assessment field. A "testing site" is not, as one might expect, the *location* where a test is administered. Rather, as the introduction to Section 401.145 states, a "testing site" is a facility at which staff is permitted to order and receive test materials directly from testing contractors. Thus it has already been possible, for at least some of the state assessments, for students to be tested at these facilities without their being true "testing sites". That possibility will continue to exist, because for most of the state assessments districts can order materials for use at special education facilities and have them transported to those locations.

The statement in subsection (d) is that the responsible district determines *where* a student will be tested. That is not the same as mandating that a facility be a testing site, i.e., have a direct relationship with a testing contractor as described in these rules. However, we should also acknowledge two areas of further complexity inherent in these two statements.

- In the case of the PSAE, transporting test materials from the location to which they are delivered to another location is not permitted, so district personnel cannot take or send test materials to a facility for use. Therefore, a student will only be able to take the PSAE at the facility where he or she is served if that facility *is* a testing site (i.e., orders the materials directly). Clearly this matter will call for some negotiations and careful

attention between school districts and facilities, and facilities will wish to consider whether it is in their interest to be testing sites if not doing so would mean certain students would need to be placed elsewhere in order for their IEPs to be fulfilled with respect to the state assessment.

- In order to avoid duplicate ordering of testing materials and ensure appropriate controls, there needs to be clear communication between the school district and staff at the facility where a student is served in cases where the facility is a testing site. The district must let facility staff know what the expectation is regarding ordering and handling of testing materials. Section 401.145(d) as proposed does not make this evident and should be amplified to cover this matter.

### **Recommendation**

Section 401.145(d) should be revised as shown below:

- d) The school district that has placed a student with a disability into a program approved under this Part remains responsible for determining, in accordance with the student's IEP, where the student will take the appropriate State assessment and whether the test materials for that student are to be ordered and handled by district or facility personnel, even if regardless of whether the facility where the student is placed serves as will be serving as a testing site for that assessment these assessments.

### **Comment**

The commenters also expressed support for several aspects of the proposed amendments, including:

- the proposed changes with respect to data collection and evidence-based practices ;
- the proposed new requirement for describing providers' approaches to the use of behavioral interventions;
- the specific statement retaining the current requirements for class size and student-staff ratio; and
- the enhanced staff training requirements being introduced in Section 401.250.

### **Analysis**

No change is called for by these comments.

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##### TITLE 23: EDUCATION AND CULTURAL RESOURCES

###### SUBTITLE A: EDUCATION

###### CHAPTER I: STATE BOARD OF EDUCATION

###### SUBCHAPTER I: NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

###### PART 401

###### SPECIAL EDUCATION FACILITIES UNDER SECTION 14-7.02 OF THE SCHOOL CODE

###### SUBPART A: APPROVAL OF PROGRAMS

###### Section

401.5	Definitions
401.10	Application for Eligibility
401.20	Notification Requirements
401.30	Changes in Approval Status

###### SUBPART B: PLACEMENT AND EDUCATION OF STUDENTS

###### Section

401.110	Use by School Districts
401.120	Placement Procedures
401.130	Operating Schedule
401.140	Provision of <u>Educational Instructional</u> Program
<u>401.145</u>	<u>Administration of State Assessment</u>
401.150	Classroom Records

###### SUBPART C: OPERATIONAL REQUIREMENTS

###### Section

401.210	General Requirements
401.220	Health and Safety Requirements
401.230	Student Progress Reports and Reviews
401.240	Staffing Requirements
401.250	Staff Training
401.260	Staff Records
401.270	Student Records
401.280	Fiscal Provisions

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AUTHORITY: Implementing and authorized by Sections 14-7.02 and 14-8.01 of the School Code [105 ILCS 5/14-7.02 and 14-8.01].

SOURCE: Adopted July 25, 1973; emergency amendment at 4 Ill. Reg. 39, p. 323, effective September 15, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 4576, effective April 9, 1981; codified at 7 Ill. Reg. 14966; Part repealed, new Part adopted at 19 Ill. Reg. 7185, effective May 10, 1995; amended at 30 Ill. Reg. 8818, effective April 25, 2006; amended at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### SUBPART A: APPROVAL OF PROGRAMS

##### **Section 401.10 Application for Eligibility**

Each provider seeking to become eligible to contract with Illinois public school districts to serve students with disabilities under Section 14-7.02 of the School Code [105 ILCS 5/14-7.02] shall be subject to the program approval process described in this Section. Approval shall be specific to individual programs offered by a provider, and the same type of program conducted at two separate facilities shall be treated as two separate programs for purposes of approval. A program not approved in accordance with the requirements of this Part shall not be used by school districts to serve students with disabilities under Section 14-7.02 of the School Code.

- a) An application for initial approval of educational programs and/or residential programs, presented on forms supplied by the State Superintendent Board of Education and containing all the items enumerated in this subsection (a), shall be submitted to the State Superintendent Board. Each application shall include:
  - 1) An accurate, written description of each program for which approval is requested, which shall indicate the categories and ages of students with disabilities for whom it is specifically intended, the data that will be collected on the outcomes achieved by those students, which must reflect the students' learning goals as described in their respective IEPs, and the maximum number of students the program is intended to accommodate.
  - 2) A written plan for the administration and organization of the programs, including but not limited to:
    - A) The stated purpose and scope of the facility and its programs;

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- B) A plan for the allocation of space solely for program purposes; and
- C) An organizational chart that reflects the provider's governance, administrative, and educational structures.

3) The provider's proposed calendar for the program for which approval is sought, setting forth an operating schedule reflecting at least 176 days of operation, for at least five hours per school day during the regular school year and, with respect to a summer session, if any is to be offered, at least 120 hours of operation if the facility is located in Illinois or, if the facility is located in another state, the number of hours approved by the responsible authority in that state.

4) A copy of the State Fire Marshal's most recent inspection report for the facility, which shall be no more than 24 months old at the time of application and shall indicate no violations, or, as applicable:

- A) for an Illinois facility that is subject to the provisions of 23 Ill. Adm. Code 180 (Health/Life Safety Code for Public Schools), the report of the regional superintendent's most recent inspection conducted pursuant to Section 3-14.21 of the School Code [105 ILCS 5/3-14.21]; or
- B) for an out-of-state facility, equivalent, current documentation of compliance with applicable state fire codes, or if there is no state fire code the applicable local fire code, clearly identifying the issuing authority.

5) Assurances, signed by the facility's chief administrator, conveying such information as the State Superintendent Board of Education may require regarding the facility's compliance with other applicable federal, state, and local laws, ordinances, and regulations (such as public health and safety codes, building codes, and licensure requirements).

6) If the facility is located in Illinois and offers a residential component, evidence of the facility's current licensure or approval by the responsible agency of Illinois government, if applicable.

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- 7) If the facility is located outside Illinois, evidence of the facility's current licensure, certification, or approval to operate its educational and/or residential programs in the state where it is located, including a copy of the standards or criteria used by the responsible agency in that state.
- 8) For instructional programs, summary information about all professional staff positions, and copies of the relevant credentials of persons employed in those positions, which demonstrate that the facility has sufficient staff available who are qualified pursuant to the requirements of Section 401.240 of this Part in order to operate the program.
- 9) For instructional programs, summaries of related services provided by the facility's professional staff or available to the provider under contract, demonstrating that the provider has sufficient related services available to operate the program.
- 10) For programs serving students for whom behavioral interventions may be appropriate, a description of the provider's formalized approach to the use of these interventions, subject to the limitation stated in Section 401.140(a) of this Part.

b) If the application is complete and the facility is located in Illinois or within 50 miles of Illinois, State Board staff shall conduct an on-site review and evaluate the facility and the programs offered for the purpose of verifying the accuracy of the application, evaluating their conformance with the other requirements of this Part, and recommending approval or disapproval of the programs.

- 1) An out-of-state program conducted more than 50 miles outside of Illinois shall be approved without a site visit from an Illinois representative if:
  - A) the educational program is an approved special education program in the state where the facility is located and this approval was granted in light of the information gathered during a site visit by a representative of the responsible agency;
  - B) the residential component, if any, is licensed by the responsible agency in the state where the facility is located; and

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- C) the application provides evidence that the requirements of Section 410.140 of this Part will be met.
- 2) An out-of-state program conducted more than 50 miles outside of Illinois that was approved in the state where the facility is located without a site visit by the responsible agency shall be visited by a representative of the Illinois State Board of Education in order to verify the accuracy of the application and determine whether the requirements of this Part have been met so that Illinois approval can be granted.
- c) A program determined to comply with the requirements of this Part shall be designated as "Approved" and shall be available to Illinois public school districts to serve students with disabilities under Section 14-7.02 of the School Code beginning on the day the application is approved, provided that the other requirements of Section 401.110 of this Part have also been met. The provider operating the facility shall be notified in writing of the date of program approval.
  - 1) Initial approval shall end on the last day of the program's approved calendar for the school year in question, unless approval is changed pursuant to Section 401.30 of this Part.
  - 2) A program shall serve only the specific student populations described in the approved application.
- d) The nonapproval of an initial application shall include a notice of the specific deficiencies that caused the nonapproval and the opportunity for the provider to request a hearing pursuant to the Illinois Administrative Procedure Act [5 ILCS 100] and the State Board's rules for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475).
- e) An application for renewal of approval, consisting of all the components set forth in subsection (a) of this Section, must be submitted for any subsequent period in which a provider seeks to contract with Illinois public school districts to serve students with disabilities in the facility under Section 14-7.02 of the School Code. The submission deadline shall be the April 15 prior to the beginning of the school year in question. If April 15 is not a business day, the deadline shall fall on the next business day. The approval process for any such subsequent period may also

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involve on-site reviews, at the sole discretion of the State Superintendent Board of Education.

- 1) The denial of an application for renewal of approval shall cause the program approval status to change to "nonapproved" subject to the procedures set forth in Section 401.30(c) of this Part.
- 2) Renewed approval granted for the 2006-2007 school year or later shall generally be valid for two school years, ending on the last day of the program's approved calendar for the second school year, unless approval is changed pursuant to Section 401.30 of this Part. However, the State Superintendent Board of Education shall approve approximately half the renewal applicants for the 2006-2007 school year for one year only, in order to stagger the two-year renewal process for subsequent periods.
  - A) Applications shall be selected at random, provided that, once one program offered by a particular provider has been selected, all that provider's programs will be placed on the same renewal schedule.
  - B) The first renewal of approval for a new program offered by a provider that already operates other approved programs shall be granted for the number of years that will place it on the cycle already established for that provider.
- 3) A program shall not be eligible for two-year renewed approval if it was not approved for the immediately preceding year, or if it was approved "pending further review" at any time during the immediately preceding period of approval. Applications for approval of such programs shall be treated as for initial approval.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 401.20 Notification Requirements**

- a) A provider that operates a facility subject to the requirements of this Part and intends to cease operations, to move to a new location, or to discontinue any of the facility's approved programs shall ensure that the State Superintendent Board of Education and each school district with which it has entered into contracts for

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services receive no less than 60 calendar days' written notice of such an intention. A provider shall also notify the State Superintendent Board of Education in writing, so that such notification is reasonably calculated to be received at the State Board's office at 100 North First Street, Springfield, Illinois 62777, within 60 calendar days, after:

- 1) Any change in a special education program described in its approved application;
- 2) Any change in its educational administration and organization, as described in its approved application; and
- 3) Any change in the number, type or duties of the professional positions identified as part of the application for approval or in the licensure status or credentials of any individual employed in such a position, provided that the change does not affect the program's or facility's compliance with the requirements of this Part.

b) A provider shall notify the State Superintendent Board of Education in writing, so that such notification is reasonably calculated to be received at the State Board's office at 100 North First Street, Springfield, Illinois 62777, within five calendar days after:

- 1) Any change in the facility's compliance with applicable fire prevention regulations or other federal, state, and local laws, ordinances, or regulations, as described in its approved application pursuant to Section 401.10(a)(5) of this Part, or in the physical facilities used;
- 2) Any change in the facility's approval or licensure to provide a residential program as described in its approved application, if applicable;
- 3) Any change in the facility's approval or licensure to operate in a state other than Illinois as described in its approved application, if applicable;
- 4) Any change in the number, type or duties of the professional or paraprofessional positions identified as part of the application for approval of an educational program or the education component of a combination program, or in the licensure status/credentials of any individual employed

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in such a position, if the change will affect the program's compliance with the requirements of this Part.

- A) If any professional position subject to the notification requirements of this subsection (b)(4) remains vacant, the provider must provide written notification to the State Superintendent Board and to the placing school districts after 30 calendar days and again after 60 calendar days of its attempts to permanently fill such positions and of other efforts, including the use of substitutes, undertaken in order to provide necessary instruction and related services to the students enrolled.
- B) If the State Superintendent Board determines that the provider has not reported staffing changes in a program as required, the State Superintendent Board shall change the approval status of the program accordingly, pursuant to the provisions of Section 401.30 of this Part.
- c) Should a provider elect to terminate a student's placement in a facility under this Part, the provider shall give written notice to this effect to the placing school district at least 30 calendar days prior to the date of termination, unless the health and safety of any student are endangered. The notice shall include the reasons for the termination.
- d) Notification to the State Superintendent regarding any breaches of test security or other testing irregularities in connection with the State assessment shall conform to the requirements of Section 401.145 of this Part.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### SUBPART B: PLACEMENT AND EDUCATION OF STUDENTS

##### **Section 401.130 Operating Schedule**

Each facility's operating schedule shall ensure that 176 school days and, if a summer program is operated, 120 hours of instruction, are provided for each program. If a summer program is operated at a facility located within Illinois, it shall consist of at least 120 hours of instruction. A

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summer program operated at a facility in another state may consist of fewer than 120 hours of instruction if approved by the responsible authority in that state.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 401.140 Provision of Educational Program**

- a) Each provider shall ensure that each student receives special education and related services in accordance with his or her IEP, provided that the use of behavioral intervention strategies that would jeopardize the safety or security of students or would rely upon pain as an intentional method of control shall not be permitted.
- b) Each educational program shall be conducted in accordance with the requirements of 23 Ill. Adm. Code 226.720 and 226.730. ~~All students placed in facilities that are subject to this Part are considered to require a student staff ratio that is no greater than the ratio specified in 23 Ill. Adm. Code 226.730(a)(2), regardless of age or primary disability, subject also to the provisions of Section 226.730(a)(7).~~
- c) Each class offered in a program subject to this Part shall have a maximum enrollment of five students, except that enrollment may be increased by a maximum of two students in response to unique circumstances that occur during the school year so long as the educational needs of all students in the class can be adequately and appropriately met. Alternatively, the enrollment in a class may be increased by a maximum of five students when a full-time paraprofessional is provided.
- d) Deviations from the allowable class size this ratio or from the age range requirements of Section 226.720 may be requested in writing. A rationale for the request and plan for evaluation of the deviations shall be submitted with the request. Initial denial of a request for deviation may be appealed to the State Superintendent of Education.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### **Section 401.145 Administration of State Assessment**

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A facility approved under this Part and located in Illinois may serve as a testing site for the State assessments required pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64] in accordance with the provisions of this Section. For purposes of this Section, a “testing site” is a facility at which responsible staff is permitted to order and receive test materials directly from the testing contractor according to the contractor’s arrangement with the State Board of Education. A provider seeking designation of a facility as a testing site under this Section shall follow the specific communication procedures established by the State Superintendent of Education for making the request, supplying the necessary information, and receiving the designation, as applicable to the examinations to be administered. The provider and responsible staff shall abide by all technical specifications established by the State Superintendent of Education and test contractors to implement the requirements set forth at 23 Ill. Adm. Code 1.30 (State Assessment).

a) Required Conditions

If a provider operating an Illinois facility under this Part wishes to have the facility serve as a testing site for one or more State assessments, certain required conditions must exist at the facility that will ensure the security and confidentiality of test materials and the validity of the resulting scores. The specifics of these requirements will vary according to which of the State assessments will be involved (the Illinois Standards Achievement Tests (ISAT), the Prairie State Achievement Examination (PSAE), the Illinois Alternate Assessment (IAA), or the accommodated State assessment for students of limited English proficiency).

- 1) Locked facilities and storage for secure test materials must exist, and access to these must be limited to authorized individuals.
- 2) There must be an adequate amount of space for the number of examinees, and each must have an appropriate space in which to work. The facility must provide an environment that will meet technical requirements for particular types of test administration, including accommodations for students with disabilities or limited English proficiency.
- 3) The facility must afford lighting, temperature, and quiet such that the test environment will be free from interruptions and distractions.

b) Required Personnel Assignments and Qualifications

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1) Each individual appointed to a role under this subsection (b) shall be an employee of the provider or facility. No volunteers or parents may serve in these positions.

A) ISAT, IAA, and Accommodated Assessment

The provider or chief administrator shall designate a testing coordinator for each assessment to be administered at a facility. An individual may serve as coordinator for more than one of the assessments. The responsibilities of the testing coordinator shall include:

- i) ordering, distributing, collecting, and returning test materials;
- ii) training test administrators and proctors regarding their responsibilities;
- iii) arranging for the accommodations called for in individual students' IEPs;
- iv) ensuring that neither test security nor the purpose of testing is compromised by any accommodations afforded to students; and
- v) overall monitoring of testing activities to ensure that required procedures are followed.

B) PSAE

The provider or chief administrator shall appoint a test supervisor, a back-up test supervisor, and a test accommodations coordinator. Each of these three individuals, when initially appointed, shall be required to participate in specific training made available by the State Superintendent of Education.

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- i) The responsibilities of the test supervisor (or back-up test supervisor, if the test supervisor becomes unavailable) shall include those delineated in subsections (b)(1)(A)(i), (ii), and (v) of this Section with respect to “standard time testing” only.
  - ii) The responsibilities of the test accommodations coordinator shall be all those delineated in subsection (b)(1)(A) of this Section with respect to testing that is administered with accommodations.
- 2) The ISAT, IAA, and accommodated assessment may be administered only by:
  - A) administrators holding certification appropriate to their positions (e.g., assistant principals, principals, chief administrators);
  - B) teachers holding certification appropriate to their positions (including holders of substitute and provisional certificates) and employed by the provider as teachers at the facility;
  - C) school psychologists, school social workers, and school counselors holding certification appropriate to their positions and employed by the provider at the facility in their respective professional capacities; and
  - D) paraprofessionals, provided that constant, line-of-sight supervision by a certificated teacher employed by the provider as a teacher at the facility shall be required (including supervision for individuals employed as paraprofessionals who are also certified teachers).
- c) Required Procedures

Following procedures announced annually by the State Superintendent of Education and using the materials provided, the responsible individual at each testing site shall communicate with the testing contractors for the examinations to be administered at that site. The State Superintendent shall furnish to staff at each testing site the same technical guidance as is provided to the public schools

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regarding details of the test administration, and responsible staff at each testing site shall ensure that these technical specifications are followed, including, but not limited to:

- 1) the dates established as the testing window;
- 2) the handling of test documents and other secure materials;
- 3) permissible and impermissible objects in the testing environment;
- 4) permissible and impermissible behavior on the part of test-takers;
- 5) required, permissible, and impermissible actions on the part of staff at the testing site.

d) The school district that has placed a student with a disability into a program approved under this Part remains responsible for determining, in accordance with the student's IEP, where the student will take the appropriate State assessment and whether the test materials for that student are to be ordered and handled by district or facility personnel, even if the facility where the student is placed serves as a testing site for that assessment.

e) No State assessment shall be administered to any student who is not required to participate in the State assessment pursuant to Section 2-3.64 of the School Code and 23 Ill. Adm. Code 1 (see Sections 1.30 (State Assessment) and 1.50 (Calculation of Participation Rate)).

f) Any breach of test security or other testing irregularity shall be reported to the State Superintendent of Education or designee in accordance with instructions applicable to particular types of problems, using one of the methods identified by the State Superintendent. Responsible staff at the affected facility shall then follow the instructions provided by the State Superintendent or the relevant test contractor regarding the next steps to be taken in investigating the source of the problem, its implications, and its potential resolution.

(Source: Added at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

#### SUBPART C: OPERATIONAL REQUIREMENTS

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#### **Section 401.230 Student Progress Reports and Reviews**

- a) Responsible staff at each facility shall maintain attendance records for each student served pursuant to Section 14-7.02 of the School Code.
  - 1) Each student's attendance shall be reported in writing or electronically to the public school district of residence by the 15th of each month for the preceding month.
  - 2) A student's public school district of residence shall be notified immediately in writing or electronically after five consecutive days of unexcused absence, unless the district requires a more frequent reporting schedule.
  - 3) Attendance records shall be retained as long as the student is placed at the facility.
- b) Each student's progress shall be reviewed with his or her parent or guardian and school district of residence as set forth in the child's IEP and in accordance with 34 CFR 300.320 ~~23 Ill. Adm. Code 226.230~~.

(Source: Amended at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### **Section 401.250 Staff Training**

Each provider subject to this Part shall develop and implement ongoing inservice training programs related to the duties of all staff.

- a) Each provider shall prepare and keep on file an annual plan for inservice training in areas where improvement is desirable. The provider shall identify these areas based upon an analysis of each program's implementation in relation to the approved application and based upon data illustrating the achievement of the students served in relation to the goals and objectives stated in their IEPs and on the State assessments in which they participate. Training sessions shall be planned and designed to assist staff members in improving their ability to fulfill their duties as defined in their job descriptions, as necessary to educate the

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student population served and with specific reference to areas of need identified in the annual plan.

- b) As appropriate to the student population served, each provider shall provide specific training to all personnel, including but not limited to:
  - 1) the policy and procedures regarding the maintenance of student privacy and dignity;
  - 2) disposal of hazardous waste materials;
  - 3) procedures for preventing the transmission of blood-borne pathogens;
  - 4) the use of isolated time out or physical restraint, if any, subject to the requirements of 23 Ill. Adm. Code 1.280 and 1.285;
  - 5) behavioral intervention strategies behavior management procedures; and
  - 6) the administration of medication.
- c) Each provider shall provide training to all assistants and aides before they assume their duties.
- d) Each provider shall maintain accurate, written and dated records of all training provided, as described in Section 401.260 of this Part.

(Source: Amended at 31 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### **Section 401.260 Staff Records**

- a) A separate, current record shall be maintained for each staff member employed either full-time or part-time who provides direct services or who is directly involved in the development and implementation of instructional and related services for students enrolled under Section 14-7.02 of the School Code. All staff files shall be available on site for inspection by representatives of the State Board of Education and placing public school districts and shall include the following:

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- 1) Individual job descriptions that reflect the duties to be performed and the qualifications required and that are updated as this information changes;
- 2) Reports of initial physical examinations, records indicating freedom from tuberculosis, and reports of such subsequent medical examinations as may be required by the facility;
- 3) Copies of high school, college, or university transcripts indicating graduation, degrees, or special training or education completed, and/or copies of state certificates, approvals, licenses, or registrations, as applicable to the individual staff member and position;
- 4) Copies of: ~~the criminal background investigation reports completed for all personnel pursuant to Section 10-21.9 of the School Code [105 ILCS 5/10-21.9]~~;
  - A) the results of fingerprint-based criminal history records checks performed pursuant to the Uniform Conviction Information Act [20 ILCS 2635] or, for a facility located in another state, pursuant to that state's uniform conviction information act, and pursuant to the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-240); and
  - B) the results of checks of the Statewide Sex Offender Database maintained in accordance with Section 115 of the Sex Offender Community Notification Law [730 ILCS 152/115] or, for a facility located in another state, checks of that state's sex offender database.
- 5) Records of the transmission of all criminal background investigation reports to each public school district currently contracting with the provider.

b) Responsible staff at each facility shall maintain a separate file containing a record of all inservice training. This file shall be available for inspection and shall include at least the following:

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- 1) Records of initial orientation and training for new staff members, showing that each received training appropriate to the position held at the site;
- 2) The agenda of each formal staff training session conducted at the facility, showing the dates and amount of time used;
- 3) Records of seminars, conferences, lectures, and other training events attended by staff members off the facility's premises;
- 4) Records of ongoing training offered as a part of the assignment of professional support personnel; and
- 5) The signatures of the staff members who attended each session or event referred to in subsections (b)(1) through (4) of this Section.

c) The training file referred to in subsection (b) of this Section may also contain such similar records as may be required by other state or federal agencies.

(Source: Amended at 31 Ill. Reg. \_\_\_\_, effective \_\_\_\_\_)

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education 

**Agenda Topic:** Illinois Mathematics and Science Partnerships (IMSP), Title II, Part B

**Materials:** Itemized listing of projects with requested funding

**Staff Contacts:** Marica Cullen and Gwen Pollock

**Purpose of Agenda Item**

To seek Board approval for FY 2008 continuing grant funding

**Relationship to/Implications for the State Board's Strategic Plan**

**GOAL 2 Improving Educator Quality for All Children:** The IMSP grants provide extensive professional development, including endorsement credentials, for K-12 teachers of mathematics and science.

**Expected Outcome(s) of Agenda Item**

It is expected that the Board will approve the continuation of funding for thirty-four grants for activities occurring through August 31, 2008.

**Background Information**

The Title II, Part B funding for Mathematics and Science Partnerships (MSP) allows state-level flexibility for the design of its partnerships for improving the content expertise of mathematics and science teachers. There are two categories of MSP projects underway at this time in Illinois. The established program Category I (see attached chart), which allows for diverse professional development opportunities through a series of summer institutes and school-year follow-up activities, is now active for nineteen partnerships. This category generally allowed for three-year project cycles for K-12 teachers. The newer Category II (see attached chart) begun officially in June 2007, will encompass the creation of new or revitalization of existing graduate degree programs that incorporate the specific requirements necessary for endorsements in secondary mathematics and science areas and special credentials for elementary teachers of mathematics and science. The new category is now active in 15 partnerships. The Category II projects have a five-year commitment that includes planning, implementation and sustainability refinements phases. Rigorous annual evaluation reports to the U. S. Department of Education will provide substantial information about the quality of science and mathematics teaching and learning settings in Illinois for ISBE with analyses from the anticipated Evaluation and Research Coordination contract. The program has provided strong intra-agency collaborative opportunities between Curriculum & Instruction, Career Development and Preparation, Certification, and Federal Grants & Programs for the benefit of our common audiences and goals. Interagency collaboration between the Board of Higher Education and Department of Commerce and Economic Opportunity has also been enhanced through this program.

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**

Policy Implications: none

Budget Implications: All funds are federal. The total commitment for the requested continuation funding is \$5,406,859\*. (Final negotiations will be completed within the month; the final obligations for funding will be approximately \$5,500,000.) Additional funding will be obligated for up to 15 additional partnerships, after September 1, 2007.

Legislative Action: none

Communication: none

**Pros and Cons of Various Actions**

Approval will allow for September 1, 2007 start dates for the seamless continuation of activities for all 34 grant programs. This will allow for early fall activities for the Category I grant projects and continued planning phase activities within the Category II projects.

**Superintendent's Recommendation**

I recommend that the following motion be adopted:

I move that ISBE enter into grant agreements with the fiscal agents noted within the individual continuing grant agreements for the Illinois Mathematics and Science Partnerships program.

**Next Steps**

Negotiations with the individual partnerships will proceed immediately, with subsequent procedural grant agreement processing and approvals.

**FY 2008 PROJECTED OBLIGATIONSTITLE II, PART B:  
ILLINOIS MATHEMATICS AND SCIENCE PARTNERSHIPS PROGRAM**

\* Amounts reflect requests only; negotiations will be completed by August 31, 2007

<b>#</b>	<b>Administrative agents for Category I MSP projects, begun by July 1, 2006 and continuing through August 31, 2008</b>	<b>Initial Requests for FY 08 Funding*</b>
I-1	Belleville, St. Clair Regional Office of Education #50	\$120,045
I-2	Carlinville, Calhoun/Greene/Jersey/Macoupin ROE #40	\$ 61,409
I-3	Champaign School District #4	\$250,000
I-4	Champaign, University of Illinois	\$247,333
I-5	Charleston, Eastern Illinois University	\$ 65,700
I-6	Chicago, Chicago Academy of Science/Nature Museum	\$ 90,383
I-7	Chicago, Chicago Public Schools #299	\$249,166
I-8	Chicago, DePaul University	\$240,651
I-9	Chicago, Loyola University (middle school endorsements)	\$178,387
I-10	Chicago, Loyola University (physics endorsements)	\$244,835
I-11	Chicago, University of Chicago, Yerkes Observatory	\$126,848
I-12	Des Plaines, Community Consolidated SD #62	\$ 41,699
I-13	Dixon, Lee-Ogle ROE #47	\$255,595
I-14	Edwardsville, SIU and Madison ROE #41	\$250,000
I-15	Maywood, Proviso Township High School District #209	\$ 92,444
I-16	Moline, Rock Island ROE # 49	\$245,000
I-17	Peoria, Peoria ROE #48 (state-wide)	\$250,000
I-18	Olney, East Richland CUSD #1	\$259,791
I-19	Ullin, Alexander, Johnson/Massac/Pulaski/Union ROE #2	\$126,848
<b>CATEGORY I TOTAL</b>		<b>\$3,396,134*</b>

<b>#</b>	<b>Administrative agents for Category II MSP projects, begun by June 13, 2007 and continuing through August 31, 2008</b>	<b>Initial Requests for FY08 funding*</b>
II-1	Bradley University	\$121,210
II-2	Aurora University	\$ 97,643
II-3	University of Illinois-Urbana	\$143,582
II-4	Loyola University, Chicago	\$148,120
II-5	Illinois State University	\$106,414
II-6	Southern Illinois University-Edwardsville	\$168,167
II-7	Aurora University	\$ 99,095
II-8	Northern Illinois University	\$ 92,703
II-9	DePaul University	\$109,977
II-10	Loyola University	\$134,369
II-11	Illinois State University	\$153,600
II-12	Illinois Institute of Technology	\$179,384
II-13	University of Illinois-Urbana	\$171,871
II-14	Northern Illinois University	\$128,872
II-15	Illinois State University	\$155,718
<b>CATEGORY II TOTAL</b>		<b>\$2,010,725*</b>

<b>CATEGORIES I AND II TOTALS</b>	<b>\$5,406,859*</b>
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**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education  
**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education

**Agenda Topic:** Illinois Migrant Council Migrant Education Contract

*Materials:* None

*Staff Contact(s):* Robin Lisboa, English Language Learning

**Purpose of Agenda Item**

To seek Board approval for renewal of the contract with the Illinois Migrant Council through August 31, 2008 to coordinate migrant education activities in Illinois. With this renewal, the contract amount would total \$1.25 million over a three year period.

**Relationship to/Implications for the State Board's Strategic Plan**

**GOAL 1 Enhancing Literacy**

**Expected Outcome(s) of Agenda Item**

It is expected that the Board will approve renewal of the Illinois Migrant Council contract.

**Background Information**

The Migrant Education Program (Title I, Part C of NCLB) requires extensive support and technical assistance to local projects in the areas of identification of eligible students; data collection; inter- and intra-state coordination of services and curriculum and instruction.

The Illinois Migrant Council (IMC) has unique expertise and experience in migrant education. For the past two years the Illinois State Board of Education has contracted with IMC to coordinate migrant recruitment, professional development, curriculum development, student information exchange and interstate coordination. IMC has met all contract deliverables and performance reporting requirements.

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**

**Policy Implications:** Approving the renewal of the Illinois Migrant Council contract will help to ensure that the Illinois Migrant Education Program is reaching all migrant children and implementing services in accordance with federal guidelines.

**Budget Implications:** The Illinois Migrant Council contract will continue to be funded with federal Migrant Education Program funds. The amount for the renewal period (September 1, 2007 – August 31, 2008) will be \$425,000 (which is the same amount as in the previous year of the contract).

**Legislative Action:** None

Communication: None

**Pros and Cons of Various Actions**

Renewal of the Illinois Migrant Council contract at the August 9 meeting will allow the state to maintain the level of coordination of migrant education without gaps in service.

**Superintendent's Recommendation**

I recommend that the following motion be adopted:

The State Board hereby authorizes the State Superintendent to enter into an amendment to the existing agreement with the Illinois Migrant Council, renewing such agreement through August 31, 2008 and including a cumulative maximum amount of \$1.25 million.

**Next Steps**

Once Board approval is obtained, the Agency must amend the IMC contract for the new contract period.

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** **Illinois State Board of Education**

**FROM:** **Dr. Christopher A. Koch, State Superintendent of Education** 

**Agenda Topic:** Update List of Supplemental Educational Service Providers

**Materials:** Attachment 1 (Summary Information on Recommended Supplemental Educational Service providers)

**Staff Contact(s):** Mr. Randy Niles, Division Administrator  
Dr. Gary Greene, Principal Consultant  
Mr. Patrick M. Lee, Principal Consultant

**Purpose of Agenda Item**

The purpose of this agenda item is to inform the Board of the results of the review of applications from entities seeking to be approved Supplemental Educational Service (SES) providers.

**Relationship to/Implications for the State Board's Strategic Plan**

A relationship to the Strategic Plan can be found in Goal 1: Enhancing Literacy. Strategic Objective 1 under Goal 1 is to establish literacy as the top educational priority and assist schools in delivering high-quality reading skills and literacy instruction beginning in early childhood and continuing through the high school grades.

Since SES, by definition, are services to enhance a child's academic achievement, and since such services typically work in the areas of reading/literacy and mathematics, the approval of SES providers assists schools in delivering high-quality reading and mathematics instruction.

**Expected Outcome(s) of Agenda Item**

The expected outcome of this agenda item is to approve these entities as SES providers as required by Section 1116(e) of the *No Child Left Behind Act of 2001*.

**Background Information**

The Agency has solicited from the general public applications from entities seeking approval as SES providers as required by Section 1116(e) of the *No Child Left Behind Act of 2001*. For 2006-07, the Agency scheduled two application periods for new SES providers seeking approval; one closing on October 31, 2006 and the other closing on February 28, 2007. These application periods have been made known to the general public via information on the Agency website and in response to telephone and email queries. A team of readers has been examining these applications, reviewing them against criteria previously identified by the Board. Part of the approval process also has involved soliciting comments from school districts in which these entities variously wish to provide services and soliciting additional information or clarification from the applicants as needed. Currently, the list of providers approved by the Agency to provide SES contains 116 entities. The list last was modified following approval by the Board at its June 2007 meeting. Keeping an updated and comprehensive list of SES providers who meet the state criteria is beneficial to parents and school districts. The Agency received 16 applications for approval to provide SES during the October 2006 application window and 22 applications for approval to provide SES during the February 2007 application

window. Five provider applicants are being recommended at this time as a result of this solicitation (see Attachment #1); the remaining applicants have either withdrawn their applications or their applications have been declared inactive pursuant to 23 IL. Admin Code 675.60(b)

### **Analysis and Implications for Policy, Budget, Legislative Action and Communications**

Policy Implications: Board approval will update the *Approved List of Supplemental Educational Service Providers*.

Communication: The updated *Approved List of Supplemental Educational Service Providers* will be posted on the Agency website for use by districts and parents of eligible children.

### **Pros and Cons of Various Actions**

Pros: Approval of these entities will provide parents with additional choices among SES providers.

Cons: None.

### **Superintendent's Recommendation**

I recommend that the following motion be adopted:

Whereas the *No Child Left Behind Act of 2001* requires that the State Board of Education promote maximum participation of Supplemental Educational Service providers and maintain an updated list of approved providers, I move that the applicants indicated on Attachment 1 be approved for addition to the Illinois *Approved List of Supplemental Educational Service Providers*.

### **Next Steps**

The Agency will update the *Approved List of Supplemental Educational Service Providers* and post it on the Agency website.

**Summary Information on Recommended Supplemental Educational Service Provider**

Entity	Location of Principal Office	Type	Grade Level	Subject(s)	Total Program hours per Student, Per Subject	Serve ELL Students	Serve Special Education Students	Service Location	Total cost per Student	Districts Requested for Initial Service Approval
Franklin Neighborhood Community Association	308 North 2 <sup>nd</sup> Street Belleville, IL 62220	Profit	1-8	Reading Mathematics	40-80	No	Yes	On-site Off-site	578	Belleville SD 118
Applied Scholastics International	11755 Riverview Drive St. Louis, MO 63138	Non-profit	3-8	Reading Mathematics	47	No	No	Off-site	1927	Belleville SD 118, Alton CUSD 11, Bloomington SD 87, Cahokia CUSD 187, City of Chicago SD 299, Collinsville CUSD 10, Decatur SD 61, East Alton SD 13, East St. Louis SD 189, Edwardsville CUSD 7, Granite City CUSD 9, Jacksonville SD 117, Maywood-Melrose Park-Broadview SD 89, Peoria SD 150, Quincy SD 172, Rockford SD 205, Springfield SD 186

Entity	Location of Principal Office	Type	Grade Level	Subject(s)	Total Program hours per Student, Per Subject	Serve ELL Students	Serve Special Education Students	Service Location	Total cost per Student	Districts Requested for Initial Service Approval
Spanish Learning Center	4047 West 58 <sup>th</sup> Place Chicago, IL 60629	Profit	1-5	Reading	60	Spanish	No	On-site	1315	All eligible districts in DuPage, Cook, and Will Counties
BSG Training & Consulting Group	2416 South Michigan Avenue, Suite 200 Chicago, IL 60616	Profit	6-8	Reading Mathematics	76	No	No	On-site	1650	All eligible districts in Cook County
Sankofa Safe Child Initiative	1500 South Keeler Avenue Chicago, IL 60623	Non-Profit	3-5	Reading	40-55	No	No	On-site Off-site	1400	City of Chicago SD 299

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed.D., State Superintendent of Education   
Darren Reisberg, General Counsel 

***Informational Item:*** **Monthly Report on Status of Agency Rulemaking**

**Materials:** Monthly Status Report

**Staff Contact:** Sally Vogl

**Purpose of Informational Item**

The purpose of this report is to keep the Board members informed of the progress of rulemaking items that have been initiated and the projected dates for initiation of rulemaking items that are under development now.

**Background Information**

None; background information on each item of rulemaking, including the reasons for the rulemaking and a discussion of any policy issues involved, will be presented at the time of the Board's initial review.

**Superintendent's Recommendation**

None needed.

**Monthly Status Report on Rulemaking**  
**August 2007**

<b>Title and Part Number of Rules</b>	<b>Current Status</b>	<b>Action Needed This Month</b>	<b>Description/Comments</b>
<u>Special Education</u> (Part 226)	Rulemaking is complete; effective June 28, 2007	None	Comprehensive updating and streamlining
<u>Public Schools Evaluation, Recognition and Supervision</u> (Part 1)	Rulemaking is complete; effective June 26, 2007	None	Elimination of contradictory accountability provisions reflecting USDE's formal disapproval of aspects of P.A. 94-666
<u>Contested Cases and Other Formal Hearings</u> (Part 475)	Rulemaking is complete; effective June 26, 2007	None	Technical amendment regarding right to hearing
<u>Appeal Proceedings Before the State Teacher Certification Board</u> (Part 485)	Rulemaking is complete; effective June 26, 2007	None	New rules to implement Section 21-23 of the School Code
<u>Certification</u> (Part 25)	Rulemaking is complete; effective July 16, 2007	None	Teacher leader endorsement and alternative route to administrative certification under P.A. 94-1039; payment for student teaching under P.A. 94-979 and P.A. 94-1034; thumb-printing requirement for certification testing; technical updates
<u>Health/Life Safety Code for Public Schools</u> (Part 180)	Presented for adoption in this Board packet	Adoption	Qualifications to be required of persons performing inspections and plan reviews pursuant to P.A. 94-973
<u>Secular Textbook Loan</u> (Part 350)	Rulemaking is complete; effective July 16, 2007	None	Technical amendment in response to P.A. 94-927 (bonding not required)

Title and Part Number of Rules	Current Status	Action Needed This Month	Description/Comments
<u>Children's Mental Health Initiative Grants</u> (Part 555)	Rulemaking is complete; effective July 16, 2007	None	New rules to provide for two types of competitive grants under the Children's Mental Health Act of 2003
<u>Mentoring Program for New Principals</u> (New Part 35)	Emergency rules in effect; ordinary rules presented for adoption in this Board packet	Adoption	Requirements for new principal mentoring program (P.A. 94-1039)
<u>Special Education Facilities Under Section 14-7.02 of the School Code</u> (Part 401)	Presented for adoption in this Board packet	Adoption	Participation of facilities as testing sites for state assessment; class size provisions; various additional revisions
<u>Requirements for Accounting, Budgeting, Financial Reporting, and Auditing</u> (New Part 100)	Public comment period ended July 16; expect adoption in September	None	New rules to replace Part 110 (Program Accounting Manual) beginning with Fiscal Year 2009
<u>Program Accounting Manual</u> (Part 110)	Public comment period ended July 16; expect adoption in September	None	Amendment to state the end of this Part's effectiveness after Fiscal Year 2008
<u>Student Activity Funds and Convenience Accounts</u> (Part 125)	Public comment period ended July 16; expect adoption in September	None	Amendment to state the end of this Part's effectiveness after Fiscal Year 2008
<u>Certification</u> (Part 25)	Expect initial review in September	None	Master principal designation (P.A. 94-1039)
<u>Summer Bridges Program</u> (Part 232)	Expect initial review in September	None	Limitation on number of days absent
<u>Grants for Arts Education and Foreign Language Education</u> (Part 265)	Expect initial review in September	None	Various improvements based on experience with implementation
<u>Special Education Facilities Under Section 14-7.02 of the School Code</u> (Part 401)	Expect initial review in September	None	Clarification regarding "retroactive" reimbursement

<u>Providers of Supplemental Educational Services</u> (Part 675)	Expect initial review in September	None	Various improvements based on experience with implementation
<u>Public Schools Evaluation, Recognition and Supervision</u> (Part 1)	Expect initial review in October	None	New specificity regarding “program of media services”
<u>Charter Schools</u> (Part 650)	Expect initial review later in 2007	None	Provisions for issues that arise when a charter school closes
<u>Vocational Education</u> (Part 254)	Under development	None	Comprehensive updating and streamlining

**ILLINOIS STATE BOARD OF EDUCATION MEETING**  
**August 8, 2007**

**TO:** Illinois State Board of Education

**FROM:** Christopher A. Koch, Ed. D, State Superintendent *CK*  
Linda Riley Mitchell, Chief Financial Officer *LJM*  
Donald W. Evans, Director of Human Resources, Professional *DWE*  
Development and Conference Planning *DP*

**Agenda Topic:** **Information Item: SBE Fiscal & Administrative Monthly Reports**

**Materials:** \$1M Contracts  
Appropriations and Spending by Program  
Financial Status Report (contract & grant detail)  
Monthly Headcount Graph, Staff Detail, Personnel Transactions

**Purpose of Agenda Item**

To provide the Board standard reports with key information on fiscal and administrative activities of the state Agency.

**Background Information**

In June 2002, the State Board adopted bylaws outlining a new committee structure under which fiscal, audit and operations issues will be handled by the Fiscal and Audit Committee. The Superintendent requested that the Agency organize and standardize the financial and headcount data provided to the Board for their future policy work and decision making.

Currently the following Reports are provided or are being developed.

1. Budget/Annual Report (annually in January)
2. Condition of Public Education (December)
3. Comptroller SEA Report (annually in February)
4. Appropriation and Expenditure (monthly)
5. Financial Status Report – Contract/Grant Detail (monthly)
6. Headcount Reports (monthly)

Personnel Transactions, Staff Detail by Division, & Monthly Headcount Graph

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**

The Monthly or Quarterly Fiscal and Headcount Reports were first provided to the Board in August 2002. These provide information regarding staffing and funding as well as details of contracts over \$50 thousand and grants the Agency is processing.

The Board specifically approves all proposed contracts over \$1M prior to the issuance of an RFP. Agency staff provides the Board with a list of all contracts over \$1 million which will include the initiating division, the contractor name, the amount of the contract, the date the contract has been approved internally by Expenditure Review, the date of Board committee approval, and the date of final Board approval.

Additionally, the Board approves all non-formula grants to grantees over \$1 million. This month there is a FY08 Mathematics and Science Partnership Grants (Title II, Part B).

**Superintendent's Recommendation**

None needed.

**Next Steps**

Continue to provide these reports pursuant to the schedule above.

## **\$1 Million Contracts**

<b>Division</b>	<b>Request</b>	<b>Amount</b>	<b>Date of ER Approval</b>	<b>Date of Committee Approval</b>	<b>Date of Board Approval</b>
English Language Learning	IL Migrant Council	\$ 1,250,000.00	7/19/2007		

# Illinois State Board of Education

**FY 2007 Appropriation & Spending by Program 07/01/2006 thru 07/30/2007**

(Dollars in Thousands)

Initiatives	Appropriation			YTD Expenditures		
	Total	Grants	Admin	Total	Grants	Admin
<b>STATE</b>						
<b>Distributive Grants</b>	<b>\$5,775,514.6</b>	<b>\$5,775,514.6</b>	<b>\$0.0</b>	<b>\$5,680,104.9</b>	<b>\$5,680,104.9</b>	<b>\$0.0</b>
General State Aid	\$4,146,118.2	\$4,146,118.2	\$0.0	\$4,127,106.4	\$4,127,106.4	\$0.0
General State Aid/Hold Harmless	\$20,211.5	\$20,211.5	\$0.0	\$19,594.6	\$19,594.6	\$0.0
Transition Assistance	\$11,800.0	\$11,800.0	\$0.0	\$11,800.0	\$11,800.0	\$0.0
School Safety & Education Block Grant (ADA)	\$74,841.0	\$74,841.0	\$0.0	\$74,841.0	\$74,841.0	\$0.0
Illinois Charter Schools	\$3,421.5	\$3,421.5	\$0.0	\$3,421.5	\$3,421.5	\$0.0
District Consolidation Cost	\$7,850.0	\$7,850.0	\$0.0	\$7,336.7	\$7,336.7	\$0.0
School Breakfast Incentive Program	\$723.5	\$723.5	\$0.0	\$487.1	\$487.1	\$0.0
Textbook Loan Program	\$29,126.5	\$29,126.5	\$0.0	\$6,517.2	\$6,517.2	\$0.0
<b>Mandated Categoricals</b>	<b>\$1,481,422.4</b>	<b>\$1,481,422.4</b>	<b>\$0.0</b>	<b>\$1,429,000.4</b>	<b>\$1,429,000.4</b>	<b>\$0.0</b>
Illinois Free Lunch/Breakfast	\$21,000.0	\$21,000.0	\$0.0	\$20,316.6	\$20,316.6	\$0.0
Orphanage Tuition 18-3 (Reg Ed)	\$13,130.0	\$13,130.0	\$0.0	\$7,513.2	\$7,513.2	\$0.0
Sp-Ed - Extraordinary Services	\$268,892.6	\$268,892.6	\$0.0	\$257,952.9	\$257,952.9	\$0.0
Sp-Ed - Orphanage Tuition 14-7.03	\$79,400.0	\$79,400.0	\$0.0	\$50,984.5	\$50,984.5	\$0.0
Sp-Ed - Personnel Reimbursement	\$368,500.0	\$368,500.0	\$0.0	\$364,493.1	\$364,493.1	\$0.0
Sp-Ed - Private Tuition	\$109,080.0	\$109,080.0	\$0.0	\$109,080.0	\$109,080.0	\$0.0
Sp-Ed - Summer School	\$8,694.0	\$8,694.0	\$0.0	\$8,694.0	\$8,694.0	\$0.0
Sp-Ed - Transportation	\$326,607.8	\$326,607.8	\$0.0	\$323,958.3	\$323,958.3	\$0.0
Transportation - Regular/Vocational	\$286,118.0	\$286,118.0	\$0.0	\$286,007.8	\$286,007.8	\$0.0
<b>Standards - Assessment &amp; Accountability</b>	<b>\$20,224.7</b>	<b>\$3,042.7</b>	<b>\$17,182.0</b>	<b>\$14,184.4</b>	<b>\$2,769.3</b>	<b>\$11,415.1</b>
Assessments	\$12,382.0	\$0.0	\$12,382.0	\$9,909.4	\$0.0	\$9,909.4
Bilingual Assessments	\$4,500.0	\$0.0	\$4,500.0	\$1,452.9	\$0.0	\$1,452.9
System of Support	\$3,342.7	\$3,042.7	\$300.0	\$2,822.2	\$2,769.3	\$52.9
<b>Ensuring Quality Ed Personnel</b>	<b>\$15,990.0</b>	<b>\$15,034.0</b>	<b>\$956.0</b>	<b>\$13,156.2</b>	<b>\$12,626.2</b>	<b>\$530.0</b>
Grow Your Own Teachers	\$3,000.0	\$3,000.0	\$0.0	\$2,759.3	\$2,759.3	\$0.0
Principal Mentoring Pilot Project	\$800.0	\$44.0	\$756.0	\$355.0	\$0.0	\$355.0
Teach for America	\$450.0	\$450.0	\$0.0	\$450.0	\$450.0	\$0.0
Teacher of the Year	\$135.0	\$135.0	\$0.0	\$135.0	\$135.0	\$0.0
Teacher Education & National Board Cert.	\$9,605.0	\$9,605.0	\$0.0	\$7,948.5	\$7,948.5	\$0.0
Teacher Mentoring Pilot Project	\$2,000.0	\$1,800.0	\$200.0	\$1,508.4	\$1,333.4	\$175.0

Initiatives	Appropriation			YTD Expenditures		
	Total	Grants	Admin	Total	Grants	Admin
<b>Reading Improvement Block Grant</b>	<b><u>\$76,139.8</u></b>	<b><u>\$76,139.8</u></b>	<b><u>\$0.0</u></b>	<b><u>\$75,984.4</u></b>	<b><u>\$75,984.4</u></b>	<b><u>\$0.0</u></b>
<b>Early Childhood</b>	<b><u>\$318,254.5</u></b>	<b><u>\$318,254.5</u></b>	<b><u>\$0.0</u></b>	<b><u>\$304,088.8</u></b>	<b><u>\$304,088.8</u></b>	<b><u>\$0.0</u></b>
<b>Academic Difficulty</b>	<b><u>\$125,403.7</u></b>	<b><u>\$125,403.7</u></b>	<b><u>\$0.0</u></b>	<b><u>\$117,003.4</u></b>	<b><u>\$117,003.4</u></b>	<b><u>\$0.0</u></b>
Alternative Learning/Regional Safe Schools	\$18,535.5	\$18,535.5	\$0.0	\$18,535.5	\$18,535.5	\$0.0
Bilingual Education	\$66,552.0	\$66,552.0	\$0.0	\$58,383.0	\$58,383.0	\$0.0
Bridge/Classroom/Extended Days Program	\$22,238.1	\$22,238.1	\$0.0	\$22,006.9	\$22,006.9	\$0.0
Truant Alternative Optional Education	\$18,078.1	\$18,078.1	\$0.0	\$18,078.0	\$18,078.0	\$0.0
<b>Learning Technologies (Tech for Success)</b>	<b><u>\$6,169.7</u></b>	<b><u>\$6,169.7</u></b>	<b><u>\$0.0</u></b>	<b><u>\$5,633.0</u></b>	<b><u>\$5,633.0</u></b>	<b><u>\$0.0</u></b>
Technology for Success	\$6,169.7	\$6,169.7	\$0.0	\$5,633.0	\$5,633.0	\$0.0
<b>School Infrastructure</b>	<b><u>\$1,000.0</u></b>	<b><u>\$0.0</u></b>	<b><u>\$1,000.0</u></b>	<b><u>\$1,000.0</u></b>	<b><u>\$0.0</u></b>	<b><u>\$1,000.0</u></b>
Temporary Relocation Program	\$1,000.0	\$0.0	\$1,000.0	\$1,000.0	\$0.0	\$1,000.0
<b>Career Preparation</b>	<b><u>\$45,573.2</u></b>	<b><u>\$45,573.2</u></b>	<b><u>\$0.0</u></b>	<b><u>\$45,555.9</u></b>	<b><u>\$45,555.9</u></b>	<b><u>\$0.0</u></b>
Agricultural Education	\$2,881.2	\$2,881.2	\$0.0	\$2,881.2	\$2,881.2	\$0.0
Career and Technical Education	\$38,562.1	\$38,562.1	\$0.0	\$38,562.1	\$38,562.1	\$0.0
Jobs for Illinois Graduates	\$4,000.0	\$4,000.0	\$0.0	\$4,000.0	\$4,000.0	\$0.0
Illinois Governmental Internship Program	\$129.9	\$129.9	\$0.0	\$112.6	\$112.6	\$0.0
<b>Regional Services</b>	<b><u>\$15,420.0</u></b>	<b><u>\$15,420.0</u></b>	<b><u>\$0.0</u></b>	<b><u>\$14,977.6</u></b>	<b><u>\$14,977.6</u></b>	<b><u>\$0.0</u></b>
ISC - South Cook	\$300.0	\$300.0	\$0.0	\$250.0	\$250.0	\$0.0
Regional Superintendent Initiatives	\$500.0	\$500.0	\$0.0	\$495.0	\$495.0	\$0.0
ROE - Salaries	\$8,150.0	\$8,150.0	\$0.0	\$7,809.9	\$7,809.9	\$0.0
ROE - School Service	\$6,470.0	\$6,470.0	\$0.0	\$6,422.7	\$6,422.7	\$0.0
<b>Strategic Plan</b>	<b><u>\$500.0</u></b>	<b><u>\$25.0</u></b>	<b><u>\$475.0</u></b>	<b><u>\$361.6</u></b>	<b><u>\$25.0</u></b>	<b><u>\$336.6</u></b>
Strategic Plan	\$500.0	\$25.0	\$475.0	\$361.6	\$25.0	\$336.6
<b>School Security and Bullying Prevention</b>	<b><u>\$6,000.0</u></b>	<b><u>\$6,000.0</u></b>	<b><u>\$0.0</u></b>	<b><u>\$4,919.8</u></b>	<b><u>\$4,919.8</u></b>	<b><u>\$0.0</u></b>
Bullying Prevention	\$1,000.0	\$1,000.0	\$0.0	\$967.2	\$967.2	\$0.0
Security for Schools	\$5,000.0	\$5,000.0	\$0.0	\$3,952.6	\$3,952.6	\$0.0
<b>Administration</b>	<b><u>\$22,774.6</u></b>	<b><u>\$0.0</u></b>	<b><u>\$22,774.6</u></b>	<b><u>\$21,055.6</u></b>	<b><u>\$0.0</u></b>	<b><u>\$21,055.6</u></b>
<b>Targeted Initiatives</b>	<b><u>\$73,816.9</u></b>	<b><u>\$73,191.9</u></b>	<b><u>\$625.0</u></b>	<b><u>\$64,007.7</u></b>	<b><u>\$63,476.9</u></b>	<b><u>\$530.8</u></b>
Advanced Placement Classes	\$1,500.0	\$1,500.0	\$0.0	\$1,417.1	\$1,417.1	\$0.0
Aerospace Education Initiative - Chicago	\$920.0	\$920.0	\$0.0	\$920.0	\$920.0	\$0.0

Initiatives	Appropriation			YTD Expenditures		
	Total	Grants	Admin	Total	Grants	Admin
After School Matters Mentoring/Support	\$24,128.4	\$24,128.4	\$0.0	\$19,677.5	\$19,677.5	\$0.0
Arts & Foreign Language	\$4,000.0	\$4,000.0	\$0.0	\$3,129.3	\$3,129.3	\$0.0
Autism Project	\$100.0	\$100.0	\$0.0	\$100.0	\$100.0	\$0.0
Blind & Dyslexic	\$518.8	\$518.8	\$0.0	\$518.0	\$518.0	\$0.0
Building with Books	\$500.0	\$500.0	\$0.0	\$500.0	\$500.0	\$0.0
Children's Mental Health Partnership	\$3,000.0	\$2,900.0	\$100.0	\$2,897.2	\$2,850.0	\$47.2
Class Size Reduction Pilot Project	\$10,000.0	\$10,000.0	\$0.0	\$7,991.9	\$7,991.9	\$0.0
Community Organization Programs	\$3,260.0	\$3,260.0	\$0.0	\$1,344.1	\$1,344.1	\$0.0
Community Residential Services Authority	\$525.0	\$0.0	\$525.0	\$483.5	\$0.0	\$483.5
Healthy Kids/Healthy Minds/Expanded Vision	\$3,000.0	\$3,000.0	\$0.0	\$3,000.0	\$3,000.0	\$0.0
Illinois Economic Education	\$250.0	\$250.0	\$0.0	\$250.0	\$250.0	\$0.0
Materials Center for the Visually Impaired	\$2,121.0	\$2,121.0	\$0.0	\$2,121.0	\$2,121.0	\$0.0
Metro East Consortium for Child Advocacy	\$217.1	\$217.1	\$0.0	\$190.8	\$190.8	\$0.0
Minority Transition Program	\$578.8	\$578.8	\$0.0	\$482.6	\$482.6	\$0.0
Parental Participation Pilot Project	\$100.0	\$100.0	\$0.0	\$100.0	\$100.0	\$0.0
Philip J. Rock Center & School	\$3,220.5	\$3,220.5	\$0.0	\$3,033.3	\$3,033.3	\$0.0
School Transportation	\$1,200.0	\$1,200.0	\$0.0	\$1,200.0	\$1,200.0	\$0.0
Tax Equivalent Grants	\$222.6	\$222.6	\$0.0	\$222.6	\$222.6	\$0.0
Transportation Reimbursement to Parents	\$14,454.7	\$14,454.7	\$0.0	\$14,428.7	\$14,428.7	\$0.0
<b>Textbook Loan Reappropriation</b>	<b>\$28,215.6</b>	<b>\$28,172.8</b>	<b>\$42.8</b>	<b>\$28,169.5</b>	<b>\$28,128.8</b>	<b>\$40.8</b>
<b>TOTAL GENERAL FUNDS</b>	<b>\$6,530,997.3</b>	<b>\$6,487,941.9</b>	<b>\$43,055.4</b>	<b>\$6,390,202.9</b>	<b>\$6,355,294.1</b>	<b>\$34,908.8</b>
<b>NON STATE</b>						
<b>School Infrastructure Fund</b>	<b>\$5,105.0</b>	<b>\$5,000.0</b>	<b>\$105.0</b>	<b>\$3,057.7</b>	<b>\$2,955.6</b>	<b>\$102.2</b>
School Infrastructure (Debt Admin)	\$105.0	\$0.0	\$105.0	\$102.2	\$0.0	\$102.2
School Technology Revolving Loan	\$5,000.0	\$5,000.0	\$0.0	\$2,955.6	\$2,955.6	\$0.0
<b>Driver Education</b>	<b>\$18,000.0</b>	<b>\$17,929.6</b>	<b>\$70.4</b>	<b>\$17,993.7</b>	<b>\$17,929.5</b>	<b>\$64.2</b>
<b>Other Funds</b>	<b>\$21,411.8</b>	<b>\$3,305.8</b>	<b>\$18,106.0</b>	<b>\$8,433.6</b>	<b>\$1,469.1</b>	<b>\$6,964.5</b>
Charter Schools Revolving Loan Fund	\$20.0	\$20.0	\$0.0	\$0.0	\$0.0	\$0.0
Emergency Financial Assistance Fund	\$1,000.0	\$1,000.0	\$0.0	\$0.0	\$0.0	\$0.0
ISBE Special Purpose Trust Fund	\$10,500.0	\$150.3	\$10,349.7	\$149.8	\$149.8	\$0.0
ISBE Spec. Purpose/Technology Immersion	\$5,000.0	\$234.0	\$4,766.0	\$4,781.3	\$108.8	\$4,672.6
ISBE Teacher Certificate Institute Fund	\$1,008.9	\$500.0	\$508.9	\$233.4	\$0.0	\$233.4
Teacher Certification Fee Revolving Fund	\$2,482.9	\$1.5	\$2,481.4	\$2,059.4	\$0.9	\$2,058.5

Initiatives	Appropriation			YTD Expenditures		
	Total	Grants	Admin	Total	Grants	Admin
Temporary Relocation Revolving Fund	\$1,400.0	\$1,400.0	\$0.0	\$1,209.6	\$1,209.6	\$0.0
<b>FEDERAL</b>						
<b>Federal Funds</b>	<b>\$2,173,537.2</b>	<b>\$2,108,649.3</b>	<b>\$64,887.9</b>	<b>\$1,587,693.5</b>	<b>\$1,548,049.1</b>	<b>\$39,644.3</b>
Advanced Placement Fee Payment	\$2,619.7	\$2,000.0	\$619.7	\$1,055.2	\$827.8	\$227.4
Career & Technical Education	\$51,229.6	\$50,000.0	\$1,229.6	\$44,718.9	\$43,826.2	\$892.6
Career & Technical Education - Technical Prep	\$5,196.9	\$5,000.0	\$196.9	\$3,988.3	\$3,849.9	\$138.4
Charter Schools	\$2,518.5	\$2,500.0	\$18.5	\$0.0	\$0.0	\$0.0
Child Nutrition	\$481,856.2	\$475,000.0	\$6,856.2	\$455,383.1	\$449,932.9	\$5,450.2
Illinois Purchase Care Review Board	\$248.3	\$0.0	\$248.3	\$226.9	\$0.0	\$226.9
Individuals with Disabilities Educ. Act, Pt. B	\$562,236.5	\$550,000.0	\$12,236.5	\$430,712.7	\$421,233.6	\$9,479.1
IDEA - Deaf Blind, Part C	\$380.0	\$380.0	\$0.0	\$282.0	\$282.0	\$0.0
IDEA - Improvement Plan	\$2,728.6	\$2,500.0	\$228.6	\$1,163.5	\$1,097.0	\$66.6
IDEA - Model Outreach	\$400.0	\$400.0	\$0.0	\$61.6	\$61.6	\$0.0
IDEA - Pre-School	\$25,989.5	\$25,000.0	\$989.5	\$17,438.3	\$16,917.8	\$520.5
Learn and Serve America	\$2,586.6	\$2,500.0	\$86.6	\$547.5	\$522.7	\$24.9
Math & Science Partnerships	\$9,312.7	\$9,000.0	\$312.7	\$3,637.7	\$3,410.7	\$227.0
Mental Health of Children	\$296.1	\$135.4	\$160.7	\$55.3	\$29.0	\$26.3
National Center for Education Statistics	\$182.7	\$0.0	\$182.7	\$129.7	\$0.0	\$129.7
Refugee	\$2,091.7	\$2,000.0	\$91.7	\$0.0	\$0.0	\$0.0
School Health Programs	\$303.5	\$0.0	\$303.5	\$183.6	\$0.0	\$183.6
Title I - Basic Programs	\$587,518.8	\$583,480.0	\$4,038.8	\$375,497.1	\$372,645.9	\$2,851.2
Title I - Comprehensive School Reform	\$10,306.9	\$10,000.0	\$306.9	\$2,198.8	\$1,985.4	\$213.4
Title I - Education of Migratory Children	\$4,696.3	\$4,620.0	\$76.3	\$1,738.0	\$1,703.6	\$34.4
Title I - Even Start Family Literacy Programs	\$10,321.2	\$10,000.0	\$321.2	\$4,102.2	\$3,894.2	\$208.0
Title I - Neglected and Delinquent	\$3,019.8	\$3,000.0	\$19.8	\$1,507.6	\$1,496.6	\$11.1
Title I - Reading First	\$52,493.0	\$50,000.0	\$2,493.0	\$22,435.9	\$21,330.3	\$1,105.6
Title I - School Improvement	\$31,702.6	\$30,900.0	\$802.6	\$22,933.0	\$22,493.7	\$439.2
Title II - Enhance Ed through Technology	\$31,220.2	\$30,000.0	\$1,220.2	\$8,755.0	\$7,974.3	\$780.7
Title II - Quality Teachers	\$136,876.8	\$134,830.0	\$2,046.8	\$92,238.9	\$90,958.8	\$1,280.0
Title III - English Language Acquisition	\$41,411.4	\$40,000.0	\$1,411.4	\$24,862.4	\$24,341.7	\$520.7
Title IV - 21st Century Schools	\$45,817.5	\$45,000.0	\$817.5	\$38,823.4	\$38,250.2	\$573.1
Title IV - Safe & Drug Free Schools	\$20,417.3	\$20,000.0	\$417.3	\$8,421.5	\$8,169.3	\$252.2
Title V - Innovative Programs	\$10,561.7	\$10,000.0	\$561.7	\$5,190.6	\$5,016.5	\$174.1
Title VI - Rural & Low Income Programs	\$1,557.9	\$1,500.0	\$57.9	\$359.7	\$336.1	\$23.7
Title VI - State Assessment	\$19,297.0	\$0.0	\$19,297.0	\$9,831.3	\$0.0	\$9,831.3
Title X - McKinney Homeless Assistance	\$3,405.8	\$3,250.0	\$155.8	\$2,553.6	\$2,506.2	\$47.4

Initiatives	Appropriation			YTD Expenditures		
	Total	Grants	Admin	Total	Grants	Admin
Transition to Teaching	\$1,213.0	\$1,000.0	\$213.0	\$308.4	\$259.6	\$48.8
Troops to Teachers	\$9.0	\$0.0	\$9.0	\$0.0	\$0.0	\$0.0
Special Congressional Initiatives	\$4,703.9	\$4,653.9	\$50.0	\$2,695.5	\$2,695.5	\$0.0
Federal Indirect Appropriation	\$6,810.1	\$0.0	\$6,810.1	\$3,656.2	\$0.0	\$3,656.2
<b>TOTAL - ALL FUNDS:</b>	<b>\$8,749,051.3</b>	<b>\$8,622,826.5</b>	<b>\$126,224.8</b>	<b>\$8,007,381.4</b>	<b>\$7,925,697.4</b>	<b>\$81,684.0</b>

**ILLINOIS STATE BOARD OF EDUCATION**  
**FINANCIAL STATUS REPORT - 07/01/06 THROUGH 6/30/07**

	<u>Approp Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
Personal Services and Related	42,085.9	38,151.7	90.7%	3,151.6	Salaries & Benefits
Contractual Services	68,029.0	39,440.9	58.0%	3,857.1	Agency Contracts (see below); Non-Employee Travel; Conferences; Registration Fees
Travel	2,097.9	1,232.4	58.7%	109.2	Staff Travel
Commodities	491.5	171.2	34.8%	6.3	Supplies; Books
Printing	503.5	121.7	24.2%	10.7	Agency Printing
Equipment	657.5	384.7	58.5%	45.2	Computers; Printers; Furniture
Telecommunications	945.4	410.3	43.4%	51.2	Telecommunications Expenses
Auto Operations	21.5	14.4	67.1%	1.9	Operation of Agency Autos
Prompt Payment Act	42.8	40.8	95.2%	0.0	Prompt Payment
Refunds	150.3	149.8	99.7%	1.6	Refunds
Temp. Relocation Revolving Fund	1,000.0	1,000.0	100.0%	0.0	Interfund Cash Transfer
Grants	8,633,026.0	7,864,961.2	91.1%	1,023,607.0	See Detail Below

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
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**Agency Contracts Breakdown:**

State Superintendent

Gail Lieberman					Coordinate NCLB and other initiatives
Federal	19.2	14.3	74.5%	0.0	
Gail Lieberman					Monitoring and administration of grants for Curriculum & Instruction
Federal	10.0	0.0	0.0%	0.0	
John Perkins					School District Liaison
GRF	53.0	42.0	79.2%	0.0	

Board Services

Hazard, Young, Attea & Assoc. Inc.					Superintendent Search
GRF	44.0	44.0	100.0%	0.0	

Human Resources

Bell, Boyd and Lloyd					Arbitration matters
GRF	72.5	51.0	70.3%	17.2	

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
<u>Administrative Services</u>					
Xerox Corp					Copier Maintenance Repairs
GRF	90.1	47.3	52.5%	3.0	
Federal	92.4	81.5	88.2%	0.0	
Alzina					Building lease in Springfield
GRF	1,527.8	1,527.8	100.0%	0.0	
Other State	70.0	70.0	100.0%	0.0	
Federal	886.1	886.1	100.0%	0.0	
<u>General Counsel/Legal</u>					
46 Impartial Hearing Officers					Teacher Dismissal Hearing Officers
GRF	191.9	30.9	16.1%	0.3	
Franczek, Sullivan PC					Attorney General's Office appointed Res Vazquez to continue as Legal Counsel
GRF	120.0	111.1	92.6%	10.0	for the ongoing implementation and monitoring of the Corey H. consent decree
Holland & Knight LLC					Negotiation settlement with Harcourt Assessment, Inc. and
GRF	30.0	29.9	99.7%	0.0	oversight of operations at Calumet School District
<u>Data Systems</u>					
IBM					Development of Statewide Student Information System
GRF	1,660.0	1,480.0	89.2%	0.0	
Federal	1,429.5	1,429.5	100.0%	0.0	
Utilistar					Data analysis and reporting for Supplemental Education Services
Federal	138.9	94.9	68.3%	0.0	
Ashbaugh & Associates					Programmer for CERTS System
Other State	138.9	115.9	83.4%	10.9	
Ashbaugh & Associates					Two programmers for CNS System
Federal	268.7	215.2	80.1%	19.5	
MTW Solutions LLC					Develop web eGrant System
GRF	35.0	0.0	0.0%	0.0	
Federal	105.0	66.1	63.0%	0.0	
Capitol Strategies					Programmer for Child Nutrition System
Federal	148.4	47.7	32.1%	12.5	
Capitol Strategies					Programmer for Entity System
GRF	97.2	48.1	49.5%	12.8	
<u>Data Analysis &amp; Progress Reporting</u>					
Northern Illinois University					A "live data" website for an Illinois Interactive Report Card
GRF	151.5	151.5	100.0%	0.0	
Federal	400.0	216.8	54.2%	0.0	
<u>Curriculum &amp; Instruction</u>					
IL Caucus for Adolescent Health					HIV Prevention Education
Federal	80.0	50.0	62.5%	0.0	
Western Illinois University					Professional Development Modules for Reading First Program
Federal	269.7	189.9	70.4%	40.8	
University of Illinois					Evaluation of a four-year study of resources and district efforts for the
GRF	200.0	176.6	88.3%	30.6	IL Learning Standards
Wireless Generation					Training/hardware/software for hand-held Personal Reading

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
Federal Evaluation Solutions (Oyer)	232.9	0.0	0.0%	0.0	Assistant for Reading First Program Oversee Advanced Placement Incentive Program (APIP)
Federal International Society for Tech Ed.	90.0	60.0	66.7%	0.0	Integration of technology in student learning
Federal Linda Rakers	350.0	262.5	75.0%	87.5	Budget manager for four federal programs
Federal MGT of America, Inc.	60.0	24.8	41.3%	5.2	Reading First Statewide Evaluation
Federal Apple Computer	344.0	192.2	55.9%	95.1	Wireless laptop computers (Macbook)
Other State Gateway Companies	1,771.0	1,768.3	99.8%	0.0	Illinois Technology Immersion Program
Other State IL Math & Science Academy	2,279.3	2,279.3	100.0%	0.0	Wireless laptop computers (M285 Tablet)
Other State The Center: Resources for Teaching and Learning	714.8	625.0	87.4%	500.0	Illinois Technology Immersion Program Act as fiscal agent for ISBE for the Illinois Virtual High School (IVHS) Program
Federal	175.0	0.0	0.0%	0.0	Learn and Serve America Program

#### English Language Learning

Illinois Migrant Council					Support and technical assistance to the Migrant Education Program
Federal	551.9	321.0	58.2%	68.7	
IL Department of Human Services					Oversite, development and implementation of piloting Immigrant Welcoming Centers in Illinois
Federal	50.0	0.0	0.0%	0.0	

#### Special Education Compliance

19 Hearing Officers					Impartial Hearing Officers in the local-level due process hearing/Section 14-8.02 of the School Code
Federal	516.0	346.1	67.1%	35.5	IDEA mandates ISBE to offer mediation services
10 Mediation Agreements					
Federal	86.0	64.8	75.3%	3.5	ISBE's Illinois Continuous Improvement Plan per grant specifications
Marucco, Stoddard, Ferenbach & Walsh					
Federal	92.0	91.5	99.5%	3.6	
Hupp Information Technology					Customize the Special Ed Data Systems and add critical indicators for the mediation process
Federal	273.3	242.2	88.6%	0.0	
Joyce Eckrem					Hearing Officer Evaluation and Training
Federal	168.2	134.1	79.7%	12.1	
ROE # 20					Harrisburg Project - Manage software by special education districts and co-ops
Federal	667.0	667.0	100.0%	53.0	
10 Corey H. Monitors					Monitoring CPS for Corey H. Settlement
Federal	124.5	44.6	35.8%	8.9	

#### Federal Grants & Programs

Northern Illinois University					Comprehensive external evaluation of the 21st Century Program
Federal	203.7	95.8	47.0%	6.7	

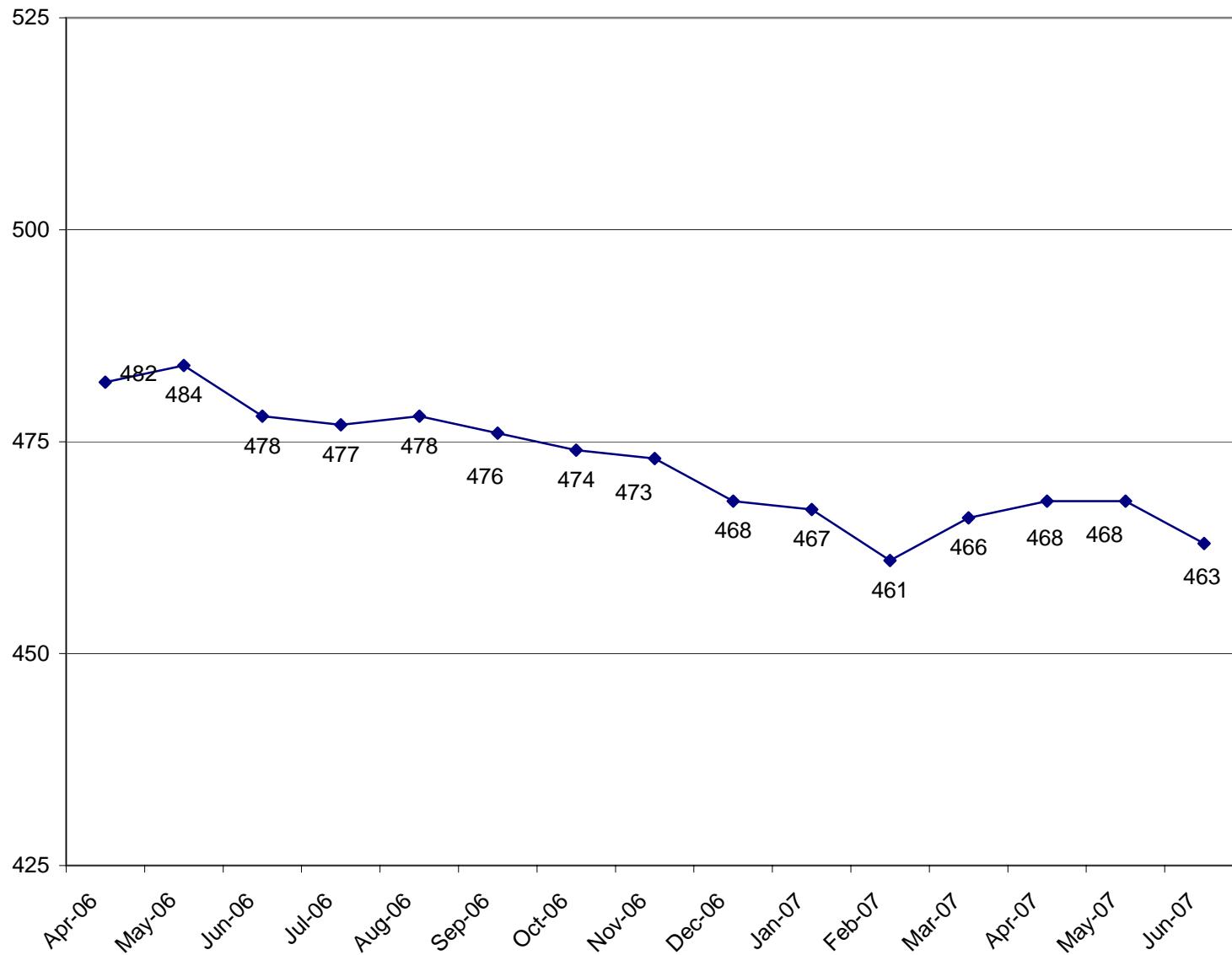
	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
<b><u>Student Assessment</u></b>					
Metri Tech, Inc.					Develop, administer, retrieve, analyze, and score the Consumer Ed Proficiency Test
GRF	113.0	94.2	83.4%	0.0	Component 12 - MY017412
Measurement Incorporated					ISAT Writing
GRF	2,095.6	1,763.5	84.2%	419.1	
Measurement Incorporated					Scoring of bilingual students' writing essays
Federal	222.6	204.1	91.7%	18.6	Component 9 - MY99749
Harcourt Assessment, Inc.					Enhanced Statewide Student Assessment System
GRF	1,282.1	1,282.1	100.0%	0.0	
Federal	2,381.1	1,748.9	73.4%	0.0	
Measured Progress, Inc.					Assessment data collection/reporting, training, and conducting on-going evaluations
Federal	2,272.7	1,893.9	83.3%	0.0	and make recommendations for modification - continuation of multi-year MY00612
Metri Tech, Inc.					Development of the IMAGE test
GRF	119.7	0.0	0.0%	0.0	Component 10 - MY997410
Federal	322.8	269.0	83.3%	0.0	
Metri Tech, Inc.					Technical and statistical services such as equating, item analysis and technical reports
Federal	93.0	77.5	83.3%	0.0	Component 8 - MY99748
Wisconsin, Illinois, Delaware, Arkansas					New requirements for the ACCESS Test (Bilingual Assessment)
GRF	4,442.3	1,420.5	32.0%	1,014.6	
Questar Educational Systems					IMAGE Test
Federal	1,718.2	116.1	6.8%	0.0	
NCS Pearson, Inc.					IAA Test
Federal	1,100.0	986.4	89.7%	0.0	
American College Testing					ACT Test - College Entrance Exam
GRF	3,711.5	2,665.3	71.8%	0.0	
Federal	5,567.2	1,375.0	24.7%	0.0	
Norman Webb					Conduct ISAT alignment study
Federal	60.0	60.0	100.0%	0.0	
Harte-Hanks					Third Party Oversight
GRF	67.3	63.8	94.8%	0.0	
Federal	67.3	32.3	48.0%	0.0	
NCS Pearson, Inc.					ISAT
GRF	3,572.0	3,421.9	95.8%	0.0	
Federal	5,350.7	4,505.1	84.2%	990.9	
Sam Krug					Psychometric Analysis for Assessments
GRF	46.2	34.2	74.0%	0.0	
Federal	6.6	0.0	0.0%	0.0	
<b><u>Certification</u></b>					
Target Area Development Corp					Grow Your Own Initiative
GRF	350.0	253.1	72.3%	0.0	
University of Illinois					New Illinois Teacher Collaborative
GRF	200.0	150.0	75.0%	0.0	
Iroquois-Kankakee County ROE					Illinois National Board Professional Preparation Support System
Federal	500.0	62.4	12.5%	0.0	to serve schools outside of Chicago
Illinois Principals Association					Master Principals Program
GRF	431.0	150.0	34.8%	50.0	

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
Illinois Principals Association GRF	325.0	205.0	63.1%	135.0	Principal Mentoring Program
<u>Fiscal Services</u>					
Translation Smart, Inc. GRF	10.0	1.8	18.0%	0.0	Translation of documents from English to other languages
Federal	75.0	0.7	0.9%	0.0	
<u>Nutrition Programs</u>					
Fidelis Corporation Federal	139.7	42.2	30.2%	0.0	Convert, maintain and enhance the USDA Commodity Distribution System; conversion from current computer program to a program that ISBE can support
Southern Illinois University Federal	205.5	196.7	95.7%	48.6	Evaluation and reviews for SMI (School Meals Initiative)
Legal Resolve, Inc. Federal	81.0	14.3	17.7%	0.0	Administrative Hearing Officer for Child Care Food Program
<u>School Business and Support Services</u>					
Catalyst Consulting Services GRF	168.9	0.0	0.0%	0.0	Electronic Health/Life Safety System
<u>External Assurance</u>					
Education Innovations Federal	60.1	60.1	100.0%	0.0	Develop education model for Supplemental Education Services (SES)
<b>Grants Breakdown:</b>					
General State Aid	4,166,329.7	4,146,701.0	99.5%	512,698.5	Formula
Title I - Low Income	642,000.0	362,451.0	56.5%	53,487.6	Formula
IDEA	550,000.0	421,221.7	76.6%	43,211.9	Formula
Child Nutrition	475,000.0	443,901.2	93.5%	47,643.5	Formula - Reimbursement
Spec Ed Personnel	368,500.0	364,493.1	98.9%	73,633.6	Formula
Transportation Spec Ed	326,607.8	323,968.7	99.2%	72,972.1	Formula
Early Childhood Block	317,254.5	302,426.0	95.3%	20,380.4	Block grant for Pre-K, parent training and prevention initiative
Transportation Reg/Voc	286,118.0	286,007.8	100.0%	68,629.6	Formula
Spec Ed Extraordinary	268,892.6	257,952.9	95.9%	47,594.0	Mandated Categorical
Title II - Quality Teachers	134,830.0	86,854.3	64.4%	7,411.4	Formula
Spec Ed Private Facility Tuition	109,080.0	109,080.0	100.0%	14,067.5	Formula
Spec Ed Orphanage	79,400.0	50,984.5	64.2%	0.0	Formula
Reading Imp. Block Grant	76,139.8	75,668.9	99.4%	1,213.6	Formula
ADA Sch. Safety and Ed. Bl.	74,841.0	74,841.0	100.0%	0.0	Formula
Title I - Reading First	50,000.0	21,243.1	42.5%	4,037.6	Competitive and formula grants
Voc Ed - Federal	50,000.0	42,676.6	85.4%	374.4	Formula and Competitive - to improve student academic and career skills
Title IV - 21st Century	44,992.8	38,043.1	84.6%	3,336.9	Competitive
Title III - English Language Acq	40,000.0	24,341.7	60.9%	9,699.3	Grant
Vocational Education - State	38,562.1	38,269.2	99.2%	14.9	Formula
Bilingual Education - Chicago	36,896.6	36,896.6	100.0%	0.0	Chicago Block Grant
Technology Literacy	30,000.0	7,981.9	26.6%	1,296.0	Competitive and non-competitive grants to school districts
Bilingual Education - Downstate	29,655.4	21,486.4	72.5%	0.0	Mandated Categorical
Textbook Program	29,126.5	6,517.2	22.4%	3,532.7	Payment for textbooks purchased during year

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
Textbook Loan - Reappropriation	28,172.8	28,128.8	99.8%	0.0	Payment for textbooks purchased during previous year
Preschool - Spec Ed	25,000.0	16,917.8	67.7%	1,550.4	Formula - special education, 3-5 year-olds
After School Matters Mentoring	24,128.4	19,675.9	81.5%	294.2	Grants
Summer Bridges	22,238.1	22,006.9	99.0%	30.0	Grants to districts (based on ISAT reading scores)
State Free Lunch and Breakfast	21,000.0	20,186.2	96.1%	1,179.2	Mandated Categorical - Reimbursement
Title IV - Safe and Drug Free	20,000.0	7,413.2	37.1%	1,144.9	Formula
Alternative Ed/Reg Safe Schools	18,535.5	18,535.5	100.0%	2.5	Formula
Truant/Dropout/Optional Education	18,078.1	18,078.0	100.0%	0.0	Competitive -- at-risk students/dropout prevention
Driver Education	17,929.6	17,929.5	100.0%	4,474.6	Reimbursement
Parent/Guardian Transportation	14,454.7	14,428.7	99.8%	32.0	Formula based on appropriation level divided by eligible students
Orphanage Tuition	13,130.0	7,513.2	57.2%	0.0	Reimbursement to school districts for children residing in orphanages
Transition Assistance	11,800.0	11,800.0	100.0%	11,800.0	Formula
Special Purpose Trust Fund	10,349.7	0.0	0.0%	0.0	Grants
Class Size Reduction Pilot	10,000.0	7,258.4	72.6%	3,513.9	Grants for K-3
Title V - Innovative Programs	10,000.0	4,998.0	50.0%	344.7	Formula
Teacher Education	9,605.0	7,800.0	81.2%	7,235.0	Reimbursement for Nat'l Bd Certification costs; grant for Teacher of the Year
Title II Math/Science Partnerships	9,000.0	2,686.2	29.8%	370.8	Formula
Spec Ed Summer School	8,694.0	8,694.0	100.0%	0.0	Formula - Special ed students enrolled in summer sessions
ROE Salaries	8,150.0	7,804.8	95.8%	634.3	Salaries for ROE's
Reorganization Incentive	7,850.0	7,317.2	93.2%	13.0	Grants to districts to encourage reorganization through consolidation/annexation
ROE School Services	6,470.0	6,422.7	99.3%	0.0	Formula - ROE Operations
Technology for Success	6,169.7	5,633.0	91.3%	213.2	Northwestern Univ. (Collaboratory Project); IL Math and Science Academy (IVHS)
Security For Schools Grants	5,000.0	3,952.6	79.1%	19.5	Grants
Voc Ed - Federal Tech Prep	5,000.0	3,849.9	77.0%	0.0	Grants - assists students in achieving learning/occupational skills standards
School Tech. Rev. Loan	5,000.0	2,955.6	59.1%	175.0	Loans to schools to implement technology
Jobs for IL Graduates	4,000.0	3,964.1	99.1%	0.0	Grants to formula reimbursement, work-based learning, jobs for IL graduates
Arts Education	4,000.0	2,989.0	74.7%	2755.3	Grants
State Charter Schools	3,421.5	2,566.1	75.0%	0.0	Grants - Start-up funds
Community Org Not for profit	3,260.0	1,344.1	41.2%	88.0	Grants
McKinney Homeless Ed	3,250.0	2,506.2	77.1%	0.0	Competitive grants to school districts
Philip Rock Center	3,220.5	3,033.3	94.2%	0.0	Targeted Initiative
Standards Assessment & Acct	3,042.7	2,769.3	91.0%	303.0	Grants for K-6 Arts, Learn Improve, Learning Standards, Student/Teacher Assessment
Healthy Kids/Minds/Exp Vision	3,000.0	3,000.0	100.0%	0.0	Grants
Grow Your Own Teachers	3,000.0	2,673.4	89.1%	1076.5	Grants
Children's Mental Health Partner	2,900.0	2,850.0	98.3%	0.0	Grants
Agriculture Education	2,881.2	2,881.2	100.0%	3.7	Grants to school districts
Spec. Congressional Initiatives	2,551.4	606.6	23.8%	42.6	Grants
Learn & Serve America	2,500.0	522.7	20.9%	14.7	Competitive grants
Charter Schools - Federal	2,500.0	0.0	0.0%	0.0	Competitive
IDEA Part D	2,500.0	1,097.0	43.9%	146.5	Reimbursement
Mat'l's for the Visually Impaired	2,121.0	2,121.0	100.0%	0.0	Targeted Init. - with The Chicago Lighthouse for People who are Blind or Visually Impaired
Hurricane Ed Recovery Act	2,102.5	1,975.5	94.0%	0.0	Grants to aid school districts with Katrina and Rita hurricane victims attending school in IL
Refugee Children	2,000.0	0.0	0.0%	0.0	Grants
Advanced Placement Fee	2,000.0	389.0	19.5%	219.3	Fee reimbursement for Adv Placement Exam and Int'l Baccalaureate exam
Teacher Mentoring Pilot	1,800.0	1,333.4	74.1%	14.4	Grants
Advanced Place Classes/State	1,500.0	750.2	50.0%	645.2	Grants
Title VI-Flex. & Acct Rural Education	1,500.0	336.1	22.4%	9.2	Grants to school districts
Temporary Relocation	1,400.0	1,209.6	86.4%	0.0	Formula grants for school emergency relocation

	<u>Funded Amount</u>	<u>Expended Year to Date</u>	<u>% Spent Year to Date</u>	<u>June Expenditures</u>	<u>Description</u>
School Transportation	1,200.0	1,200.0	100.0%	0.0	Grants
Bullying Prevention	1,000.0	967.2	96.7%	0.0	Grants
Emergency Financial Assistance	1,000.0	0.0	0.0%	0.0	Formula and loans to school districts
Transition to Teaching	1,000.0	259.6	26.0%	0.0	Grant to Illinois Resource Center
Teach America/Building w/Books	950.0	950.0	100.0%	0.0	Grant for Teach for America and Building with Books, Inc.
Aerospace Ed Initiative	920.0	920.0	100.0%	0.0	Grants
Illinois Breakfast Incentive	723.5	388.7	53.7%	14.0	Reimbursement and grant to public and private schools and child-care institutions
Minority Transition	578.8	482.6	83.4%	0.0	Grants - serves disadvantage students from selected Chicago HS and elem. schools
Recording - Blind and Dyslexic	518.8	518.0	99.8%	0.0	Grant to increase achievement of students with visual impairments
Regional Supt. Initiatives	500.0	495.0	99.0%	0.0	Targeted Initiatives - to St. Clair and Madison ROE's
Teach Institutes/workshops	500.0	0.0	0.0%	0.0	Other
IDEA Model Outreach	400.0	61.6	15.4%	0.0	Competitive
Deaf/Blind	380.0	282.0	74.2%	32.6	Grant to Philip J. Rock Center
South Cook ISC - Supplemental	300.0	250.0	83.3%	0.0	Grant to South Cook ISC
IL Economic Education	250.0	250.0	100.0%	0.0	Grant to IL Council on Economic Education
Technology Immersion	234.0	108.8	46.5%	0.0	Grants
Tax Equivalent Grants	222.6	222.6	100.0%	0.0	Grant to Chaney-Monge School District
Metro East Consortium	217.1	190.8	87.9%	0.0	Grant to provide staff development to increase student achievement in MECCA
Mental Health-Federal Grants	135.4	29.0	21.4%	0.0	Grants
IL Teach Excellence-Teach of year	135.0	135.0	100.0%	0.0	Grants for Teacher of the Year
IL Gov't Internship	129.9	112.6	86.7%	0.0	Targeted Initiative - Springfield School Dist. 186
Parental Participation Pilot	100.0	100.0	100.0%	0.0	Grants
Autism Training & Tech Assist.	100.0	100.0	100.0%	0.0	Grants to the IL Autism Training and Tech Assistance Program
Ed Strategic Plan	25.0	25.0	100.0%	0.0	Grant
Charter Schools-Rev Loan Fund	20.0	0.0	0.0%	0.0	Other/Repayment of loans
Principal Mentoring Prgm Grants	15.0	0.0	0.0%	0.0	Grants
Teacher Cert Tech Fund	1.5	0.9	60.0%	0.0	Other

ILLINOIS STATE BOARD OF EDUCATION  
HEADCOUNT AS OF JUNE 2007



\*March '06 headcount revised in April.  
April '07 headcount revised in May.

**ILLINOIS STATE BOARD OF EDUCATION  
AGENCY STAFF DETAIL AS OF JUNE 2007**

	<b>Mgmt.</b>	<b>Prof. Support</b>	<b>GRF</b>	<b>Non-GRF</b>	<b>Total</b>
<b>SUPERINTENDENT'S OFFICE</b>					
State Superintendent	1	0	2	3	3
Board Services	0	1	1	2	2
Advisory	0	0	0	0	0
General Counsel & Legal	1	8	3	12	12
Governmental Relations	0	2	0	2	2
Internal Audit	1	1	1	3	3
Operations	0	0	0	0	0
ROE Services - Chicago	1	1	4	2	6
Sub-Total	4	13	11	24	28
<b>HUMAN RESOURCES &amp; PROFESSIONAL DEVELOPMENT</b>					
Human Resources & Prof Development	3	6	7	15	16
Sub-Total	3	6	7	15	16
<b>PUBLIC INFORMATION</b>					
Public Information	1	5	1	7	7
Sub-Total	1	5	1	7	7
<b>SPECIAL EDUCATION SERVICES</b>					
Special Education Admin.	1	0	1	1	2
Special Education Services - Spfld.	2	24	6	7	32
Special Education Services - Chgo.	2	16	1	0	19
Sub-Total	5	40	8	8	53
<b>TEACHING AND LEARNING SERVICES</b>					
Teaching and Learning Admin.	1	1	1	1	3
Data Analysis & Progress Reporting	1	9	3	7	13
Career Development & Preparation	1	6	3	4	10
Curriculum & Instruction	1	11	3	6	15
Early Childhood Education	1	8	1	8	10
English Language Learning	1	7	1	4	9
Accountability	1	14	5	16	4
Federal Grants and Programs	1	14	3	3	18
Student Assessment	0	11	2	12	13
Certification	1	18	13	4	32
Sub-Total	9	99	35	65	143

	Mgmt.	Prof. Support	GRF	Non-GRF	Total
<b>FINANCIAL SERVICES</b>					
Fiscal/School Administration	1	0	0	1	0 1
Budget & Financial Management	1	10	1	10	2 12
Data Systems	3	29	2	21	13 34
Technology Support	1	18	3	19	3 22
Fiscal Services	2	14	7	15	8 23
Administrative Services	1	3	13	11	6 17
Funding and Disbursements	2	19	10	15	16 31
Nutrition Programs	2	34	5	3	38 41
School Business & Support Services	2	11	2	14	1 15
External Assurance	<u>2</u>	<u>16</u>	<u>2</u>	<u>7</u>	<u>13</u> <u>20</u>
Sub-Total	17	154	45	116	100 216
<b>GRAND TOTAL, ALL CENTERS</b>		39	317	107	235 228 463
		8%	68%	23%	51% 49% 100%

\* Includes one Leave of Absence

**ILLINOIS STATE BOARD OF EDUCATION**  
**Personnel Transactions As of June 2007**

**Transaction Data:**

	<b>FY01</b>	<b>FY02</b>	<b>FY03</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>
<b>Begin Year</b>	787	739	650	522	471	487	478
<b>Hire Externally</b>	27	5	29	20	77	37	44
<b>Recall</b>	0	0	11	19	4	4	0
<b>Retire</b>	-35	-37	-128	-34	-30	-25	-20
<b>Resign</b>	-35	-21	-13	-24	-31	-17	-33
<b>Discharge</b>	-2	-9	-2	-2	-4	-7	-5
<b>Layoff</b>	0	-25	-22	-30	0	0	0
<b>Death</b>	-3	-2	-3	0	0	-1	-1
<b>End Year</b>	739	650	522	471	487	478	463