

Illinois State Board of Education

Ad Hoc Rules Committee of the Whole

October 29, 2009

3:00 p.m.

(This meeting will begin immediately following the previous session.)

All open meetings will be audio cast on the Internet at: www.isbe.net

AGENDA (timeframes are estimated for planning purposes)

1. Roll Call
2. Board Member Participation by Other Means
3. Public Participation 3:00 – 3:15 p.m.
4. Minutes of the September Ad Hoc Rules Committee Meeting (**pp. 2-3**)
- *5. Rules for Initial Review 3:15 – 3:30 p.m.
 - a. Part 1 (Public Schools Evaluation, Recognition and Supervision) (**pp. 4-43**)
(Connie Wise, Joyce Zurkowski, Linda Mitchell, Tim Imler)
 - b. Part 151 (School Construction Program) (Linda Mitchell, Deb Vespa) (**pp. 44-62**)
 - c. Part 228 (Transitional Bilingual Education) (Don Evans, Robin Lisboa) (**pp. 63-98**)
 - d. Part 235 (Early Childhood Block Grant) (Susan Morrison, Kay Henderson) (**pp. 99-109**)
 - e. Part 252 (Driver Education) (Linda Mitchell, Tim Imler) (**pp. 110-116**)
- *6. Rules for Adoption 3:30 – 3:45 p.m.
 - a. Part 25 (Certification) (Linda Tomlinson, Linda Jamali, Patrick Murphy) (**pp. 117-293**)
 - b. Part 100 (Requirements for Accounting, Budgeting, Financial Reporting & Auditing) (**pp. 294-319**)
(Linda Mitchell, Deb Vespa)
 - c. Part 425 (Voluntary Registration and Recognition of Nonpublic Schools) (**pp. 320-341**)
(Linda Tomlinson, Linda Jamali, Patrick Murphy)
7. Committee Agenda Planning/Additional Items
8. Committee Wrap-up – as needed (Superintendent Koch)
9. Adjourn

* Items listed with an asterisk (*) will be discussed in committee and action may be taken in the plenary session.

Ad Hoc Rules Committee of the Whole

Thursday, September 17, 2009

9:00 a.m.

State Board of Education Office
100 North First Street
Springfield, Illinois

Committee Members Present

Jesse Ruiz
Andrea Brown
David Fields
Vinni Hall
Joyce Karon
Lanita Koster

Absent

Chris Ward

Others

Chris Koch
Darren Reisberg
Beth Hanselman
Linda Riley Mitchell
Linda Tomlinson

Chairman Ruiz called the meeting to order at 9:08 a.m. He noted that all but Vice Chair Chris Ward were present. There was no need for Board member participation by other means, and no one had signed up for public participation.

1. **APPROVAL OF MINUTES**

Vinni Hall moved approval of the minutes of the Committee's meeting of June 18, 2009, and David Fields seconded the motion. It was adopted unanimously, and the minutes were approved as presented.

2. **RULES FOR ADOPTION**

The Chairman turned the meeting over to General Counsel Darren Reisberg, who briefly summarized the proposed amendments and recommendations for changes in response to public comment.

- Part 1, an amalgam of many different rules addressing Public Schools Evaluation, Recognition and Supervision that the Board initially reviewed in May, received comments on various aspects of the proposed amendments. A change in response to those comments was made in Section 1.30, relating to students who take the Illinois Alternate Assessment. The proposed change specifically states that students eligible to take the assessment are those who are the most cognitively disabled.
- Part 65, New Teacher Induction and Mentoring, which was considered in April, received comments from several individuals, leading to a change in Section 65.130(d) to reduce the number of face-to-face contact hours that a teacher has with the mentor assigned from 75 to 60.

In connection with the induction and mentoring program, Dr. Hall asked about mentor-teacher assignments and whether mentors are assigned to work with more than one teacher. Assistant Superintendent Linda Tomlinson responded that assignment processes are determined locally and communicated in the grantee's proposal. Dr. Tomlinson indicated that as part of staff's review of current statute, they are considering guidelines for mentor selection, which may include a limit on the number of new teachers to be assigned to each mentor.

Board member Andrea Brown pointed out that teachers whose school district has received a grant for the induction and mentoring program may have access to a program that presents a so-called "Cadillac" compared with others. She suggested that the effects of both grant

programs and other mentoring programs not funded by the state grant be studied (e.g., cost, evaluation) when moving forward with the induction and mentoring programs in the future.

- Part 120, Pupil Transportation Reimbursement, considered by the Board in June, received a single letter of public comment arguing that the State did not have the authority to make the amendment proposed. Mr. Reisberg responded that the agency is “comfortable and confident” with the amendment proposed. He reminded the Board that the change addresses the transportation reimbursement districts receive when they drop off and/or pick up students from a location other than their place of residence, such as a daycare facility or a relative’s home. He noted that the rule would require school districts doing so to adopt a policy to address procedures for transporting students from places other than their homes that would be consistently applied to all locations along established or new bus routes.

- Several other parts of rules, all of which were considered by the Board in June, received no public comment, and the versions presented to the Board were identical to those initially reviewed. These included:
 - Part 180 (Health/Life Safety Code for Public Schools; technical changes only);
 - Part 252 (Driver Education, concerning contracting services for students with special needs);
 - Part 401 (Special Education Facilities Under Section 14-7.02 of the School Code; technical changes only); and
 - 675 (Providers of Supplemental Education Services; technical changes only).

3. COMMITTEE AGENDA PLANNING/ADDITIONAL ITEMS

Mr. Reisberg noted that several sets of amendments will be presented to the Board at its October meeting, most notably changes to Part 228 (Transitional Bilingual Education) regarding bilingual education services for preschool students identified as English language learners. Part 25 (Certification) will be presented for adoption. This proposal received numerous letters of public comment, particularly addressing alternative certification and the assignment of candidates in nonpublic schools. Other proposals to be presented for the Board’s initial review will address changes necessitated by recently enacted legislation from the 2009 legislative session.

4. ADJOURNMENT

Dr. Hall moved that the meeting be adjourned. Dr. Fields seconded the motion, and the meeting adjourned at 9:25 a.m.

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 29-30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education *CAK*
Linda Tomlinson, Assistant Superintendent *LT*
Linda Riley Mitchell, Chief Financial Officer *LRM*
Connie Wise, Assistant Superintendent *CW*
Darren Reisberg, General Counsel *DR*

Agenda Topic: Action Item: Proposed Amendments for Initial Review: Part 1 (Public Schools Evaluation, Recognition and Supervision)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Tim Imler, and Joyce Zurkowski, Division Administrators

Purpose of Agenda Item

The purpose of the agenda item is to present the proposed amendments for the Board's initial review.

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

This item of rulemaking consists of unrelated updates and clarifications, primarily stemming from recently enacted legislation, and none relates directly to the State Board's goals.

Expected Outcome of Agenda Item

The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendments.

Background Information

These amendments encompass numerous aspects of these rules, each of which is summarized under "Policy Implications" below.

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

Policy Implications: Each of the proposed changes is summarized below by topic in the order in which they appear in the rulemaking.

- **Accountability (Subpart A):** Due to direction from the U.S. Department of Education (USDE), the agency will be returning state test scores to districts sooner than it has in the past, particularly on the Prairie State Achievement Examination (PSAE), which is administered in April of each year. In order to do this, it is proposed that the time allowed for districts to make corrections to its data be reduced from 10 days to five days. As an alternative to shortening the correction window, agency staff also considered moving the PSAE test administration date to earlier in the spring, but rejected that option since it would reduce the amount of instructional time students would receive before taking the test. Under the proposed changes, districts still will be allowed to make changes to their demographic data throughout the year.

The racial categories listed in Section 1.60(a)(2) are being amended to conform to the categories used by USDE for reporting purposes. These categories will be used starting

with the 2010-11 school year. The change in agency rules is necessary since the State's accountability system mirrors the federal system under the No Child Left Behind Act of 2001.

Clarifications proposed in Section 1.60(c) match a change in Section 1.30 that the Board adopted in September in that they specify that students with the "most" significant cognitive disabilities take the alternate assessment.

- School Fee Waivers (Section 1.245): P.A. 96-360, effective September 1, 2009, amends Sections 10-20.13 and 34-21.6 (specific to Chicago) to allow school districts to verify a family's eligibility for waivers of school fees separate from the verification process used for free meals received under the federal National School Lunch program. This independent verification can occur, provided that a school district employs a separate process for a student to apply for fee waivers and a student's eligibility for free meals under the federal program is not jeopardized by the results of a fee waiver verification.

According to state law, students are eligible to have their fees waived if they qualify for free meals under the National School Lunch program. This has meant that any student receiving approval for free meals also received a waiver of school fees. A change in federal regulations several years ago, however, limited a district's ability to verify applications initially approved to 3 percent (except for cause) rather than 100 percent. This, by extension, meant that a district could not independently verify eligibility for fee waivers since eligibility was dependent upon the meal determination.

Under the proposed amendments, when a school district using a separate application process for fee waivers makes a determination that a student no longer is eligible to receive a waiver due to a change in the family's income or circumstances, it must prorate the amount of fees charged to the student based on the length of time remaining in the school year. How that proration is to be calculated must be set forth in the district's fee waiver policy.

- General State Aid (Section 1.420(f)): Three public acts allow school districts to collect general state aid (GSA) under certain circumstances for which reimbursement was not allowed in the past. Language is proposed in the rules to set forth the process to be used to claim GSA reimbursement for those circumstances, each of which is briefly described below.
 - Section 18-12 of the School Code allows school districts to claim GSA when one or more school buildings, but not all of the district's buildings, are closed prior to instruction being provided due to a condition beyond the control of the district. Up to two full days of attendance may be claimed. (P.A. 95-811, effective August 13, 2008)
 - Section 18-12.5 of the School Code allows school districts to claim GSA when one or more school buildings, but not all of the district's buildings, are closed for a full or partial day due to a health emergency, provided that the buildings were scheduled to be in operation on those days. There is no limit on the number of days that may be claimed. (P.A. 96-689, effective August 25, 2009)
 - Section 10-29 of the School Code allows school districts to claim GSA for students' participation in remote learning programs conducted outside of the school building and/or school day, subject to the provisions of Section 18-8.05 of the School Code. The proposed rules require school districts to maintain documentation of the students' participation and to make such documentation available to agency staff upon request.

- **Curricular Mandates:** References are being added for new curricular mandates in Section 1.420, as listed below.
 - P.A. 96-629, effective January 1, 2010, adds to Section 27-21 of the School Code the study of the deportation of Mexican-Americans during the Depression (subsection (r))
 - P.A. 96-99, effective July 1, 2009, adds Section 2-3.5 to the School Code, which requires students in grade 7 and any high school student enrolled in a U.S. history or a U.S. history/U.S. government course to view the Congressional Medal of Honor film, provided that there is no charge to school districts for the film (subsection (t)).
 - P.A. 96-191, effective January 1, 2010, adds Section 27-23.8 to the School Code, which requires that instruction regarding disability history and awareness be provided (subsection (t)).

The proposal also removes references to the Sex Education Act (1.420(n)) and “Motor Vehicle Code” (1.440(a)), both of which were repealed by P.A. 96-734, effective August 25, 2009.

- **Supervisor and Administrative Staff (Section 1.705):** A change is being made to a cross-reference to Part 228 (Transitional Bilingual Education) to match a proposed amendment to those rules that the Board also is considering this month.

Budget Implications: None.

Legislative Action: None needed.

Communication: Please see “Next Steps” below.

Pros and Cons of Various Actions

Promulgation of this group of changes will improve the expression of several requirements, as outlined above, and respond to recent statutory changes. Not making the changes in several sections pertaining to accountability, waivers of school fees and general state aid would result in agency policy not being set forth in rule, as required by the Illinois Administrative Procedure Act. Also, the changes made in response to recently enacted statutes will update the rules and allow those regulated by them to more fully understand the requirements that apply.

Superintendent’s Recommendation

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

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for Public School Evaluation, Recognition and Supervision (23 Illinois Administrative Code 1), including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the *Superintendent’s Weekly Message* and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1
PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section

- 1.10 Public School Accountability Framework
- 1.20 Operational Requirements
- 1.30 State Assessment
- 1.40 Adequate Yearly Progress
- 1.50 Calculation of Participation Rate
- 1.60 Subgroups of Students; Inclusion of Relevant Scores
- 1.70 Additional Indicators for Adequate Yearly Progress
- 1.75 Student Information System
- 1.77 Educator Certification System
- 1.80 Academic Early Warning and Watch Status
- 1.85 School and District Improvement Plans; Restructuring Plans
- 1.88 Additional Accountability Requirements for Districts Serving Students of Limited English Proficiency Under Title III
- 1.90 System of Rewards and Recognition – The Illinois Honor Roll
- 1.95 Appeals Procedure
- 1.100 Waiver and Modification of State Board Rules and School Code Mandates

SUBPART B: SCHOOL GOVERNANCE

Section

- 1.210 Powers and Duties (Repealed)
- 1.220 Duties of Superintendent (Repealed)
- 1.230 Board of Education and the School Code (Repealed)
- 1.240 Equal Opportunities for all Students
- 1.242 Temporary Exclusion for Failure to Meet Minimum Academic or Attendance Standards
- 1.245 Waiver of School Fees
- 1.250 District to Comply with 23 Ill. Adm. Code 180 (Repealed)
- 1.260 Commemorative Holidays to be Observed by Public Schools (Repealed)

- 1.270 Book and Material Selection (Repealed)
- 1.280 Discipline
- 1.285 Requirements for the Use of Isolated Time Out and Physical Restraint
- 1.290 Absenteeism and Truancy Policies

SUBPART C: SCHOOL DISTRICT ADMINISTRATION

Section

- 1.310 Administrative Qualifications and Responsibilities
- 1.320 Evaluation of Certified Staff in Contractual Continued Service
- 1.330 Hazardous Materials Training

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

- 1.410 Determination of the Instructional Program
- 1.420 Basic Standards
- 1.430 Additional Criteria for Elementary Schools
- 1.440 Additional Criteria for High Schools
- 1.445 Required Course Substitute
- 1.450 Special Programs (Repealed)
- 1.460 Credit Earned Through Proficiency Examinations
- 1.462 Uniform Annual Consumer Education Proficiency Test
- 1.465 Ethnic School Foreign Language Credit and Program Approval
- 1.470 Adult and Continuing Education
- 1.480 Correctional Institution Educational Programs

SUBPART E: SUPPORT SERVICES

Section

- 1.510 Transportation
- 1.515 Training of School Bus Driver Instructors
- 1.520 School Food Services (Repealed)
- 1.530 Health Services
- 1.540 Pupil Personnel Services (Repealed)

SUBPART F: STAFF CERTIFICATION REQUIREMENTS

Section

- 1.610 Personnel Required to be Qualified

- 1.620 Accreditation of Staff (Repealed)
- 1.630 Noncertificated Personnel
- 1.640 Requirements for Different Certificates (Repealed)
- 1.650 Transcripts of Credits
- 1.660 Records of Professional Personnel

SUBPART G: STAFF QUALIFICATIONS

Section

- 1.705 Requirements for Supervisory and Administrative Staff
- 1.710 Requirements for Elementary Teachers
- 1.720 Requirements for Teachers of Middle Grades
- 1.730 Minimum Requirements for Secondary Teachers and Specified Subject Area Teachers in Grades Six (6) and Above through June 30, 2004
- 1.735 Requirements to Take Effect from July 1, 1991, through June 30, 2004
- 1.736 Requirements to Take Effect from July 1, 1994, through June 30, 2004
- 1.737 Minimum Requirements for the Assignment of Teachers in Grades 9 through 12 Beginning July 1, 2004
- 1.740 Standards for Reading through June 30, 2004
- 1.745 Requirements for Reading Teachers and Reading Specialists at all Levels as of July 1, 2004
- 1.750 Standards for Media Services through June 30, 2004
- 1.755 Requirements for Library Information Specialists Beginning July 1, 2004
- 1.760 Standards for Pupil Personnel Services
- 1.762 Supervision of Speech-Language Pathology Assistants
- 1.770 Standards for Special Education Personnel
- 1.780 Standards for Teachers in Bilingual Education Programs
- 1.781 Requirements for Bilingual Education Teachers in Grades K-12
- 1.782 Requirements for Teachers of English as a Second Language in Grades K-12
- 1.790 Substitute Teacher

- 1.APPENDIX A Professional Staff Certification
- 1.APPENDIX B Certification Quick Reference Chart (Repealed)
- 1.APPENDIX C Glossary of Terms (Repealed)
- 1.APPENDIX D State Goals for Learning
- 1.APPENDIX E Evaluation Criteria - Student Performance and School Improvement Determination (Repealed)
- 1.APPENDIX F Criteria for Determination - Student Performance and School Improvement (Repealed)
- 1.APPENDIX G Criteria for Determination - State Assessment (Repealed)

AUTHORITY: Implementing Sections 2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 26-13, 27-3.5, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, 27-23.3, and 27-23.8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.25, 2-3.25g, 2-3.43, 2-3.44, 2-3.96, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21-0.01, 26-13, 27-3.5, 27-12.1, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-22, 27-23.3, 27-23.8, and 2-3.6].

SOURCE: Adopted September 21, 1977; codified at 7 Ill. Reg. 16022; amended at 9 Ill. Reg. 8608, effective May 28, 1985; amended at 9 Ill. Reg. 17766, effective November 5, 1985; emergency amendment at 10 Ill. Reg. 14314, effective August 18, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 3073, effective February 2, 1987; amended at 12 Ill. Reg. 4800, effective February 26, 1988; amended at 14 Ill. Reg. 12457, effective July 24, 1990; amended at 15 Ill. Reg. 2692, effective February 1, 1991; amended at 16 Ill. Reg. 18010, effective November 17, 1992; expedited correction at 17 Ill. Reg. 3553, effective November 17, 1992; amended at 18 Ill. Reg. 1171, effective January 10, 1994; emergency amendment at 19 Ill. Reg. 5137, effective March 17, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6530, effective May 1, 1995; amended at 19 Ill. Reg. 11813, effective August 4, 1995; amended at 20 Ill. Reg. 6255, effective April 17, 1996; amended at 20 Ill. Reg. 15290, effective November 18, 1996; amended at 22 Ill. Reg. 22233, effective December 8, 1998; emergency amendment at 24 Ill. Reg. 6111, effective March 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12985, effective August 14, 2000; amended at 25 Ill. Reg. 8159, effective June 21, 2001; amended at 25 Ill. Reg. 16073, effective November 28, 2001; amended at 26 Ill. Reg. 1157, effective January 16, 2002; amended at 26 Ill. Reg. 16160, effective October 21, 2002; amended at 28 Ill. Reg. 8486, effective June 1, 2004; emergency amendment at 28 Ill. Reg. 13637, effective September 27, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1891, effective January 24, 2005; amended at 29 Ill. Reg. 11811, effective July 13, 2005; amended at 29 Ill. Reg. 12351, effective July 28, 2005; amended at 29 Ill. Reg. 15789, effective October 3, 2005; amended at 29 Ill. Reg. 19891, effective November 23, 2005; amended at 30 Ill. Reg. 8480, effective April 21, 2006; amended at 30 Ill. Reg. 16338, effective September 26, 2006; amended at 30 Ill. Reg. 17416, effective October 23, 2006; amended at 31 Ill. Reg. 5116, effective March 16, 2007; amended at 31 Ill. Reg. 7135, effective April 25, 2007; amended at 31 Ill. Reg. 9897, effective June 26, 2007; amended at 32 Ill. Reg. 10229, effective June 30, 2008; amended at 33 Ill. Reg. 5448, effective March 24, 2009; amended at 33 Ill. Reg. _____, effective _____; amended at 34 Ill. Reg. _____, effective _____.

SUBPART A: RECOGNITION REQUIREMENTS

Section 1.30 State Assessment

The State Superintendent of Education shall develop and administer assessment instruments and other procedures in accordance with Section 2-3.64 of the School Code [105 ILCS 5/2-3.64]. In addition, school districts shall collaborate with the State Superintendent in the design and implementation of special studies.

a) Development and Participation

- 1) Assessment instruments and procedures shall meet generally accepted standards of validity and reliability as stated in "Standards for Educational and Psychological Testing" (1999), published by the American Educational Research Association, 1230 17th St., N.W., Washington, D.C. 20036. (No later amendments to or editions of these standards are incorporated.)
- 2) Districts shall participate in special studies, tryouts, and/or pilot testing of these assessment procedures and instruments when one or more schools in the district are selected to do so by the State Superintendent.
- 3) A school shall generally be selected for participation in these special studies, tryouts, and/or pilot testing no more than once every four years, except that participation may be required twice every four years in the case of the Illinois Alternate Assessment.
- 4) *All pupils enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with the Charter Schools Law [105 ILCS 5/Art. 27A], a school operated by a regional office of education under Section 13A-3 of the School Code [105 ILCS 5/13A-3], or a public school administered by a local public agency or the Department of Human Services shall be required to participate in the State assessment, whether by taking the regular assessment, with or without accommodations, or by participating in an alternate form of the assessment (Sections 2-3.25a and 2-3.64 of the School Code).*
 - A) Students who are served in any locked facility that has a State-assigned RCDTS (region/county/district/type/school) code, students who attend public university laboratory schools under Section 18-8.05(K) of the School Code, and students beyond the age of compulsory attendance (other than students with IEPs) whose programs do not culminate in the issuance of regular high

school diplomas are not required to participate in the State assessment.

B) It is the responsibility of each district or other affected entity to ensure that all students required to participate in the State assessment do so. See also Section 1.50 of this Part.

5) Each district or other affected entity shall ensure the availability of reasonable accommodations for participation in the State assessment by students with disabilities, as reflected in those students' IEPs or plans developed under Section 504 of the Rehabilitation Act of 1973 (29 USC 794), or limited English proficiency.

b) Assessment Procedures

1) All assessment procedures and practices shall be based on fair testing practice, as described in "Code of Fair Testing Practices in Education" (2004), published by the Joint Committee on Testing Practices of the American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, 750 First Avenue, N.E., Washington, D.C. 20002-4242. (No later amendments to or editions of this code are incorporated.)

2) Districts and other affected entities shall protect the security and confidentiality of all assessment questions and other materials that are considered part of the approved State assessment, including but not necessarily limited to test items, reading passages, charts, graphs, and tables.

3) Districts shall promptly report to the State Superintendent all complaints received by the district of testing irregularities. A district shall fully investigate the validity of any such complaint and shall report to the State Superintendent the results of its investigation.

c) Accommodations

Students who have been identified at the local level as having limited proficiency in English as provided in 23 Ill. Adm. Code 228.15, including students not enrolled in programs of bilingual education, may participate in an accommodated State assessment, subject to the limitations set forth in Section 2-3.64 of the

School Code. A student with limited proficiency in English shall be afforded extra time for completion of the State assessment when, in the judgment of the student's teacher, extra time is necessary in order for the student's performance to reflect his or her level of achievement more accurately, provided that each test must be completed in one session. See also Section 1.60(b) of this Part.

d) Illinois Alternate Assessment

Students with the most significant cognitive disabilities whose Individualized Education Programs identify the regular State assessment as inappropriate for them even with accommodations shall participate in the Illinois Alternate Assessment (IAA), based on alternate achievement standards, for all subjects tested. See also Section 1.60(c) of this Part.

e) Review and Verification of Information

Each school district and each charter school shall have an opportunity to review and, if necessary, correct the preliminary data generated from the administration of the State assessment, including information about the participating students as well as the scores achieved.

1) Within 10 days after the preliminary data for the Illinois Standards Achievement Test (ISAT) and the IAA are made available and within five days after preliminary data for the Prairie State Achievement Examination (PSAE) are made available, each district or charter school shall make any necessary corrections to its demographic and score data and then use a means prescribed by the State Board to indicate either:

A) that both its demographic and preliminary data are correct; or

B) that it is requesting rescoring of some or all portions of the assessment for specific students.

2) When districts request rescoring, staff of the State Board and/or its contractor shall have an additional period of 21 days within which to work with the affected district or charter school to make any resulting corrections.

3) At the end of the 21-day period discussed in subsection (e)(2) of this Section, all districts' and charter schools' data shall stand as the basis for

the applicable school report cards and determination of status. Any inaccuracies that are believed to persist at that time shall be subject to the appeal procedure set forth in Section 1.95 of this Part.

f) Reports of State Assessment Results

- 1) Following verification of the data under subsection (e) of this Section, the State Board shall send each school and district a report containing final information from the results of each administration of the State assessment.
 - A) The scores of students who are served by cooperatives or joint agreements, in Alternative Learning Opportunities Programs established under Article 13B of the School Code, by regional offices of education under Section 13A-3 of the School Code, by local agencies, or in schools operated by the Department of Human Services, scores of students who are served in any other program or school not operated by a school district and who are scheduled to receive regular high school diplomas, all scores of students who are wards of the State, and all scores of students who have IEPs, shall be reported to the students' respective districts of residence and to the schools within those districts that they would otherwise attend.
 - B) The scores of students enrolled in charter schools shall be reported to the chief administrator of the charter school and to any school district serving as a chartering entity for the charter school.
- 2) Each report shall include, as applicable to the receiving entity:
 - A) results for each student to whom the State assessment was administered (excluding any scores deemed by the State Board to be invalid due to testing irregularities); and
 - B) summary data for the school and/or district and the State, including but not limited to raw scores, scale scores, comparison scores, including national comparisons when available, and distributions of students' scores among the applicable proficiency classifications (see subsection (h) of this Section).

g) Each school district and each charter school shall receive notification from the State Board of Education as to the status of each affected school and the district based on the attainment or non-attainment of adequate yearly progress as reflected in the final data. These determinations shall be subject to the appeal process set forth in Section 1.95 of this Part.

h) Classification of Scores

Each score achieved by a student on a regular or alternate State assessment shall be classified among a set of performance levels, as reflected in score ranges that the State Board shall disseminate at the time of testing, for the purpose of identifying scores that “demonstrate proficiency”.

1) Each score achieved by a student on a regular State assessment (i.e., the ISAT Illinois Standards Achievement Test (ISAT) or the PSAE Prairie State Achievement Exam (PSAE)) shall be classified as “academic warning”, “below standards”, “meets standards”, or “exceeds standards”. Among these scores, those identified as either meeting or exceeding standards shall be considered as demonstrating proficiency.

2) Each score achieved by a student on the IAA Illinois Alternate Assessment shall be classified as “entry”, “foundational”, “satisfactory”, or “mastery”. Among these scores, those identified as “satisfactory” or “mastery” shall be considered as demonstrating proficiency.

i) Scores Relevant to Adequate Yearly Progress

For purposes of determining whether a district or a school has made adequate yearly progress, scores achieved on a State assessment in reading or mathematics shall be “relevant scores”. For schools without grades higher than 2 (that is, for schools where no State assessment is administered), scores achieved by students in Grade 2 on the Terra Nova examination (CTB McGraw-Hill, 20 Ryan Ranch Road, Monterey CA 93940 (2001)) shall also be considered “relevant scores” for school years from 2002-03 through 2005-06. Beginning with the 2006-07 school year, the determination as to whether a school in this group has made adequate yearly progress shall be the determination applicable to the school where the largest number of students go on into the third grade.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1.60 Subgroups of Students; Inclusion of Relevant Scores

A student's scores shall count among those for his or her school or district, as applicable, for a given year only if he or she was enrolled continuously in the district on or before May 1 of the previous academic year through State testing the following spring. Students who feed into another school within the same district during the summer based upon the district's progression of students among attendance centers based on grade level shall have their scores counted for the school and district. Any student who is continuously enrolled within the district but, for reasons not mandated by the district, changes to a new school within the district after May 1 will be counted at the district level but not at the school level. Nothing in this Section is intended to exempt a student from the requirement for participation in the State assessment, except as provided in subsection (b)(1) of this Section.

- a) Relevant scores shall be disaggregated by content area for any subgroup identified in this subsection (a) whose membership meets the minimum subgroup size. For purposes of this Section 1.60, "minimum subgroup size" shall mean 45 students across all the grades tested in the school or district, as applicable. Except as provided in subsection (b) of this Section, each student's scores shall be counted in each of the subgroups to which he or she belongs.
 - 1) Students with disabilities, i.e., students who have Individualized Education Programs (IEPs);
 - 2) For school years through 2009-10, racial/ethnic groups:
 - A) White,
 - B) Black,
 - C) Hispanic,
 - D) American Indian or Alaskan Native,
 - E) Asian/Pacific Islander,
 - F) Multiracial/ethnic;
 - 3) For school year 2010-11 and beyond, racial/ethnic groups:
 - A) Hispanic or Latino of any race,

B) For students who are not Hispanic or Latino:

- 1) American Indian or Alaska Native,
- 2) Asian
- 3) Black or African American
- 4) Native Hawaiian or Other Pacific Islander,
- 5) White,
- 6) Two or more races.

- 4) Students who have been identified at the local level as having limited proficiency in English as provided in 23 Ill. Adm. Code 228.15; and/or
- 4) Students who are eligible for free or reduced-price meals under the Child Nutrition Act of 1966 (42 USC 1771 et seq.) or the National School Lunch Act (42 USC 1751 et seq.).

b) Special provisions shall apply to the treatment of scores achieved by students of limited English proficiency in certain circumstances.

- 1) An Illinois student who is in his or her first year of enrollment in school in the United States and who is identified as having limited proficiency in English may elect to participate in the State assessment in reading. Any such student who elects not to participate shall nevertheless be treated as having participated for purposes of calculating the participation rate.
- 2) The score achieved by a student who elects to participate in the regular State assessment in reading under subsection (b)(1) of this Section shall be counted for purposes of calculating the participation rate but not for purposes of calculating performance.
- 3) An Illinois student who is in his or her first year of enrollment in school in the United States and who is identified as having limited proficiency in English shall be required to participate in the State assessment in mathematics. The score achieved by such a student shall be counted for

purposes of calculating the participation rate but not for purposes of calculating performance.

- 4) A student who has previously been identified as having limited proficiency in English and whose scores have been attributed to that subgroup shall continue to have his or her scores attributed to that subgroup for the first two years after the last year when he or she was considered to have limited English proficiency. However, districts and schools shall not be required to count students to whom this subsection (b)(4) applies as part of the subgroup with limited English proficiency for purposes of determining whether the minimum subgroup size exists.
- c) All relevant scores of a district's students with disabilities who participate in the alternate form of the State assessment shall be included in the district's calculations for purposes of determining whether adequate yearly progress has been made.
- 1) The number of scores earned by students who participate in the alternate form of the State assessment that may be counted as demonstrating proficiency in a content area shall be no more than 1 percent of all scores achieved by the district's students in that subject. (See the regulations of the U.S. Department of Education at 34 CFR 200.6.)
 - 2) Except as provided in subsection (c)(3) of this Section, for purposes of calculating adequate yearly progress at the district level, each score that demonstrates proficiency but is in excess of the 1 percent maximum set forth in subsection (c)(1) of this Section shall be counted as not demonstrating proficiency and shall be included as such in the calculations for each subgroup of which the student is a member.
 - 3) A district may apply to the State Superintendent of Education for a one-year exception to the 1 percent maximum set forth in subsection (c)(1) of this Section, which may be renewed for one or more subsequent years if warranted. Using a format established by the State Superintendent, the district shall display information demonstrating that the prevalence of students for whom the alternate assessment is appropriate exceeds 1 percent of the total population. The district shall also supply a narrative explaining the disproportionate representation of such students in its population. The State Superintendent of Education shall approve a district's request for an exception if the district superintendent provides

assurances that the district meets all the requirements of 34 CFR 200.6 and if the information supplied by the district demonstrates that:

- A) families of students with the most significant cognitive disabilities have been attracted to live in the district by the availability of educational, health, or community services that respond to their needs; or
 - B) the district's student population is so small that the presence of even a small number of students with the most significant cognitive disabilities causes the district to exceed the 1 percent threshold (e.g., in a population of 50 students, one student represents 2 percent); or
 - C) other circumstances exist such that the overrepresentation of students with the most significant cognitive disabilities is outside the control of the district, i.e., the overrepresentation is not a result of inappropriate decision-making as to the form of the State assessment that should be used for particular students.
- 4) When scores that demonstrate proficiency and were achieved by students on the IAA make up more than 1 percent of a district's scores in either reading or mathematics, and the district has not received approval for an exception to the 1 percent maximum pursuant to subsection (c)(3) of this Section, the district shall be required to identify the "proficient" scores on the IAA that will be counted as not demonstrating proficiency for purposes of calculating adequate yearly progress (AYP). In making this determination, a district may choose to identify:
- A) scores of students who belong to the fewest subgroups;
 - B) scores of students who belong to the largest subgroups;
 - C) scores of students who belong to the smallest subgroups;
 - D) scores of students who belong to the subgroups whose performance is farthest above the target applicable to the year in question; or

- E) scores of students who belong to the subgroups whose performance is farthest below the target applicable to the year in question.
- 5) The State Superintendent of Education shall notify each district that is affected by the requirement to identify excess “proficient” scores on the IAA. The deadline set by the State Superintendent shall allow at least five business days for districts’ responses. For any district that does not submit the requested information on this selection within the time allowed, the State Superintendent shall identify the scores that will be considered as not demonstrating proficiency for this purpose.
- d) Targets for scores demonstrating proficiency
- 1) In each subject and for each subgroup of students, the percentage of scores demonstrating proficiency that is required for AYP shall increase from the original baseline of 40 percent for the 2002-03 school year according to the following schedule:
 - A) For 2003-04, 40 percent;
 - B) For 2004-05 and for 2005-06, 47.5 percent;
 - C) For 2006-07, 55 percent;
 - D) For 2007-08, 62.5 percent;
 - E) For 2008-09, 70 percent;
 - F) For 2009-10, 77.5 percent;
 - G) For 2010-11, 85 percent;
 - H) For 2011-12 and for 2012-13, 92.5 percent;
 - I) For 2013-14, 100 percent.
 - 2) In order to avoid penalizing schools and districts for the decision bias that is associated with a minimum subgroup size, a 95 percent “confidence interval” shall be applied to subgroups’ data. (A confidence interval is a

mathematical approach designed to compensate for the unreliability of data derived from consideration of small groups.)

e) “Safe Harbor”

A school or a district in which one or more subgroups fail to achieve the required academic target for a particular year may nevertheless be considered as having made AYP for that year. Each subgroup in question must have attained the minimum subgroup size in the preceding year and, for each such subgroup, there must have been a decrease of at least ten percent in the proportion of scores that do not demonstrate proficiency in comparison to that subgroup’s scores for the preceding year. In addition, if the school is a high school, the relevant subgroup’s graduation rate must at least equal the target rate for that year, and, if the school is an elementary or a middle school, the relevant subgroup’s attendance rate must at least equal the target rate for that year (see Section 1.70 of this Part). This “safe harbor” method for calculating AYP shall apply only to subgroups within schools or districts; it shall not be used for the aggregate scores of a school or a district as a whole.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART B: SCHOOL GOVERNANCE

Section 1.245 Waiver of School Fees

This Section provides the rules required by Section 2-3.96 of the School Code under which each school district is required to adopt a written policy for the waiver of school fees as required by Sections 10-20.13 and 34-21.6 of the School Code [105 ILCS 5/10-20.13 and 34-21.6].

- a) For the purposes of this Section "school fees" or "fees" means any monetary charge collected by a public school or public school district from a student or the parents or guardian of a student as a prerequisite for the student's participation in any curricular or extracurricular program of the school or school district. A school or school district does not impose a "fee" when it requires that a student provide his or her own ordinary supplies or materials (e.g., pencil, paper, notebooks), which are necessary to participate in any curricular or extracurricular program.

- 1) "School fees" include, but are not limited to, the following:

- A) All charges for required textbooks and instructional materials.
- B) All charges and deposits collected by a school for use of school property (e.g., locks, towels, laboratory equipment).
- C) Charges for field trips made during school hours, or made after school hours if the field trip is a required or customary part of a class or extracurricular activity (e.g., annually scheduled trips to museums, concerts, places of business and industry or field trips related to instruction in social studies, the fine arts, career/vocational education or the sciences).
- D) Charges or deposits for uniforms or equipment related to varsity and intramural sports, or to fine arts programs.
- E) Charges for supplies required for a particular class (e.g., shop or home economics materials, laboratory or art supplies).
- F) Graduation fees (e.g., caps, gowns).
- G) School records fees.
- H) School health services fees.
- I) Driver's education fees assessed pursuant to Section 27-24.2 27-23 of the School Code [105 ILCS 5/27-24.2 5/27-23].

2) "School fees" do not include:

- A) Library fines and other charges made for the loss, misuse, or destruction of school property (e.g., musical instruments).
- B) Charges for the purchase of class rings, yearbooks, pictures, diploma covers or similar items.
- C) Charges for optional travel undertaken by a school club or group of students outside of school hours (e.g., a trip to Spain by the Spanish club or a senior class trip).

- D) Charges for admission to school dances, athletic events or other social events.
 - E) Optional community service programs for which fees are charged (e.g., preschool, before- and after-school child care, recreation programs).
- b) School boards that do not charge school fees must adopt a policy so stating. Parents must be notified of this policy as provided in this Section.
- c) School boards that charge school fees must adopt a policy and procedures containing at least the following elements:
- 1) Eligibility Criteria
 - A) Eligibility criteria must include a waiver of fees for all students who qualify for free lunches or breakfasts under the School Breakfast and Lunch Program Act [105 ILCS 125]. Students must meet the income requirements of the program but need not participate in order to receive a waiver of school fees.
 - B) Eligibility criteria must also include a description of other extenuating circumstances under which the district will grant a waiver of school fees. Examples include students who are eligible to receive reduced-price lunch or breakfast; very significant loss of income due to severe illness or injury in the family or unusual expenses such as fire, flood, or storm damage; or similar emergency situations that the district determines to include in its policy.
 - 2) Notification of parents
 - A) The district's policy for the waiver of school fees shall be communicated in writing to the parents of all students enrolling in the district for the first time. A fee waiver application form also may be included with this notice when it is sent to parents. The notification must be in English or the home language of the parents if it is needed to ensure their understanding of the district's policy (if translation of the notice is not feasible, the use of interpreters is

permitted, e.g., other students or neighbors). The notice shall at least describe:

- i) the district's policy, including the criteria and other circumstances under which the district will waive school fees;
 - ii) the fees subject to waiver under the district's policy;
 - iii) the procedure to be used by parents in applying for a waiver of school fees, including the availability of forms that may be used to request a fee waiver and the documents whose use is required by the school district in verifying income as permitted under subsection (d) of this Section; and
 - iv) the procedure to be used by parents in resolving disputes concerning the waiver of school fees.
- B) The district's policy also shall provide that the first bill or notice of each school year sent to parents who owe fees shall state:
- i) the district waives fees for persons unable to afford them in accordance with its policy; and
 - ii) the procedure for applying for a fee waiver, or the name, address and telephone number of the person to contact for information concerning a fee waiver.
- 3) Procedures for the resolution of disputes
- A) The district's policy must provide that if it denies a request for a fee waiver, then it shall mail a copy of its decision to the parents within 30 calendar days after receipt of the request. The decision shall state the reason for the denial and shall inform the parents of their right to appeal, including the process and timelines for that action. The denial notice shall also include a statement informing the parents that they may reapply for a waiver any time during the school year, if circumstances change.

- B) An appeal shall be decided within 30 calendar days after the receipt of the parents' request for an appeal. Parents shall have the right to meet with the person who will decide the appeal in order to explain why the fee waiver should be granted. The person who decides the appeal shall not be the person who initially denied the fee waiver or a subordinate of this person. If the appeal is denied, then the district shall mail a copy of its decision to the parents. The decision shall state the reason for the denial.
 - C) No fee shall be collected from any parent who is seeking a fee waiver in accordance with the district's policy until the district has acted on the initial request or appeal (if any is made), and the parents have been notified of its decision.
- d) A school district may make reasonable requirements for verifying a family's income (e.g., payroll stubs, tax returns, evidence of receipt of food stamps or Temporary Assistance for Needy Families) in accordance with the restrictions set forth in Sections 10-20.13 and 34-21.6 of the School Code in order to determine eligibility for a school fee waiver; however, for students approved for free or reduced-price meals under the School Breakfast Program (42 USC 1771 et seq.) and/or the National School Lunch Program (42 USC 1751 et seq.), verification shall be conducted within the limitations set forth in 42 USC 1758. If a student receiving a waiver of school fees is found to be no longer eligible during the school year, then the district shall charge the student a prorated amount based upon the number of school days remaining in the school year. The process for proration shall be set forth in the district's fee waiver policy adopted in accordance with subsection (c) of this Section.
 - e) If the fee waiver policy and/or procedures are substantively amended, then parents of students enrolled in the district must be notified in writing within 30 calendar days following the adoption of the amendments.
 - f) School records that identify individual students as applicants for or recipients of fee waivers are subject to the Illinois School Student Records Act [105 ILCS 10]. Information from such records is confidential and may be disclosed only as provided in the Act.
 - g) *No discrimination or punishment of any kind, including the lowering of grades or exclusion from classes, may be exercised against a student whose parents or*

guardians are unable to purchase required textbooks or instructional materials or to pay required fees [105 ILCS 5/28-19.2(a)].

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section 1.420 Basic Standards

- a) Class schedules shall be maintained in the administrative office in each attendance center of a school district.
- b) Every school district shall have an organized plan for recording pupil progress and/or awarding credit, including credit for courses completed by correspondence, on line, or from other external sources, that can be disseminated to other schools within the State.
- c) Every school district shall:
 - 1) Provide curricula and staff inservice training to help eliminate unconstitutional and unlawful discrimination in our schools and society. School districts shall utilize the resources of the community in achieving the stated objective of elimination of discrimination and to enrich the instructional program.
 - 2) Include in its instructional program concepts designed to improve students' understanding of and their relationships with individuals and groups of different ages, sexes, races, national origins, religions, and socio-economic backgrounds.
- d) Boards shall adopt and implement a policy for the distribution of teaching assignments, including study hall and extra class duties and responsibilities.
- e) Every school system shall conduct supervisory and inservice programs for its professional staff. The staff shall be involved in planning, conducting, and evaluating supervisory and inservice programs.
- f) Sections 10-19, 18-8.05, ~~and 18-12,~~ and 18-12.5 of the School Code [105 ILCS 5/10-19, 18-8.05, ~~and 18-12,~~ and 18-12.5] establish certain requirements regarding the school year and the school day. School districts shall observe these

requirements when preparing their calendars and when calculating average daily attendance for the purpose of claiming general State financial aid.

- 1) Section 18-8.05(F)(2)(c) of the School Code provides that, with the approval of the State Superintendent of Education, four or more clock-hours of instruction may be counted as a day of attendance when the regional superintendent certifies that, due to a condition beyond the control of the district, the district has been forced to use multiple sessions. The State Superintendent's approval will be granted when the district demonstrates that, due to a condition beyond the control of the district, its facilities are inadequate to house a program offering five clock-hours daily to all students.
 - A) The district superintendent's request to the State Superintendent shall be accompanied by an assurance that the local school board has approved the plan for multiple sessions, including the date of the meeting at which this occurred, and evidence of the approval of the responsible regional superintendent
 - B) Each request shall include a description of the circumstances that resulted in the need for multiple sessions; information on the buildings and grades affected; the intended beginning and ending dates for the multiple sessions; a plan for remedying the situation leading to the request; and a daily schedule showing that each student will be in class for at least four clock-hours.
 - C) Approval for multiple sessions shall be granted for the school year to which the request pertains. Each request for renewed approval shall conform to the requirements of subsections (f)(1)(A) and (B) of this Section.
 - D) Students who are in attendance for at least 150 minutes of school work but fewer than 240 minutes may be counted for a half day of attendance. Students in attendance for fewer than 150 minutes of school work shall not be counted for purposes of calculating average daily attendance.
- 2) Section 18-8.05(F)(2)(h) of the School Code allows for a determination under rules of the State Board regarding the necessity for a second year's attendance at kindergarten for certain students so they may be included in

a district's calculation of average daily attendance. Districts may count such students when they determine through an assessment of their individual educational development that a second year of kindergarten is warranted.

- 3) A school district shall be considered to have conducted a legal school day, which is eligible to be counted for General State Aid, when the following conditions are met during a work stoppage.
 - A) Fifty percent or more of the district's students are in attendance, based on the average daily attendance during the most recent full month of attendance prior to the work stoppage.
 - B) Educational programs are available at all grade levels in the district, in accordance with the minimum standards set forth in this Part.
 - C) All teachers hold certificates that are registered with the Regional Superintendent for their county of employment. Other than substitute teachers, certification appropriate to the grade level and subject area(s) of instruction is held by all teachers.
- 4) Sections 18-12 and 18-12.5 of the School Code set forth requirements for a school district to claim General State Aid in certain circumstances when one or more, but not all, of the district's school buildings are closed either for a full or partial day. A school district shall certify the reasons for the closure in an electronic format specified by the State Superintendent within 30 days from the date of the incident. In addition, the certification submitted for reasons of a public health emergency under Section 18-12.5 of the School Code shall be accompanied by signed statement from the local health department to the State Superintendent that includes:
 - A) the name of the building that is being recommended for closure,
 - B) the specific public health emergency that warrants the closure, and
 - C) the anticipated building closure dates recommended by the health department.
- 5) Attendance for General State Aid Purposes

- A) For purposes of determining average daily attendance on the district's General State Aid claim, students in full-day kindergarten and first grade may be counted for a full day of attendance only when they are in attendance for four or more clock hours of school work; provided, however, that students in attendance for more than two clock hours of school work but less than four clock hours may be counted for a half day of attendance. Students in attendance for fewer than two hours of school work shall not be counted for purposes of calculating average daily attendance.
- B) For purposes of determining average daily attendance on the district's General State Aid claim, students enrolled full time in grades 2 through 12 may be counted for a full day of attendance only when they are in attendance for five or more clock hours of school work; provided, however, that students in attendance for more than two and one-half clock hours of school work but less than five clock hours may be counted for a half day of attendance. Students in attendance for fewer than two and one-half hours of school work shall not be counted for purposes of calculating average daily attendance.
- C) For purposes of determining average daily attendance for General State Aid received under Sections 18-12 and 18-12.5 of the School Code, "immediately preceding school day" shall include school days in the previous school year in instances where the building closure occurs before three or more days of instruction have been provided in the school year for which attendance is being counted.
- D) For the purposes of determining average daily attendance for General State Aid under Section 10-29 of the School Code [105 ILCS 5/10-29], a school district operating a remote educational program shall document, and make available to the State Superintendent of Education or his designee upon request, a written or online record of instructional time for each student enrolled in the program that provides sufficient evidence of the student's active participation in the program (e.g., log in and log off process, electronic monitoring, adult supervision, two-way interaction between teacher and student, video cam).

- g) Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to ensure 176 days of actual pupil attendance, computable under Section 18-8.05 of the School Code (see Section 10-19 of the School Code).
- h) Local boards of education shall establish and maintain kindergartens for the instruction of children (see Sections 10-20.19a and 10-22.18 of the School Code [105 ILCS 5/10-20.19a and 10-22.18]).
 - 1) School districts may establish a kindergarten of either half-day or full-day duration. If the district establishes a full-day kindergarten, it must also provide a half-day kindergarten for those students whose parents or guardians request a half-day program.
 - 2) If a school district that establishes a full-day kindergarten also has 20 or more students whose parents request a half-day program, the district must schedule half-day classes, separate and apart from full-day classes, for those children. If there are fewer than 20 children whose parents request a half-day program, those students may be enrolled in either the morning or afternoon session of a full-day program provided that the following conditions are met.
 - A) Distinctive curriculum plans for the half-day and full-day kindergarten programs must be developed by the school district, made available to parents to assist the parents in selecting the appropriate program for their child, and maintained in district files.
 - B) A common core of developmental, readiness and academic activities must be made available to all kindergarten students in the district regardless of the amount of time they attend school.
 - C) All support services (e.g., health counseling and transportation) provided by the district must be equally available to full-day and half-day students.
- i) Career Education
 - 1) The educational system shall provide students with opportunities to prepare themselves for entry into the world of work.

- 2) Every district shall initiate a Career Awareness and Exploration Program that should enable students to make more meaningful and informed career decisions. This program should be available at all grade levels.

j) Co-Curricular Activities

- 1) Programs for extra classroom activities shall provide opportunities for all students.
- 2) The desires of the student body in the area of co-curricular activities shall be of critical importance. At all times, activities of this nature shall be carefully supervised by a school-approved sponsor.

k) Consumer Education and Protection

- 1) A program in consumer education shall include at least the topics required by Section 27-12.1 of the School Code [105 ILCS 5/27-12.1].
- 2) The superintendent of each unit or high school district shall maintain evidence showing that each student has received adequate instruction in consumer education or has demonstrated proficiency by passing the Consumer Education Proficiency Test as required by law (see Section 27-12.1 of the School Code [105 ILCS 5/27-12.1]) prior to the completion of the 12th grade. Consumer education may be included in course content of other courses, or it may be taught as a separate required course.
- 3) The minimal time allocation shall not be less than nine weeks or the equivalent for grades 9-12 and shall include installment purchasing, budgeting, comparison of prices and an understanding of the roles of consumers interacting with agriculture, business, trade unions, and government in formulating and achieving the goals of the mixed free enterprise system.
- 4) Teachers instructing in consumer education courses shall hold certification valid for the grade levels taught and have completed at least three semester hours in consumer education courses.

l) Conservation of Natural Resources

Each district shall provide instruction on *current problems and needs in the conservation of natural resources, including, but not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of domestic animals* (Section 27-13.1 of the School Code [105 ILCS 5/27-13.1]).

- m) Every school district has the responsibility to prepare students for full citizenship. To this end each school district should encourage student discussion and communication in areas of local, State, national and international concern.
- n) Health Education
 - 1) Each school system shall provide a program in compliance with the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
 - A) There is no specific time requirement for grades K-6; however, health education shall be a part of the formal regular instructional program at each grade level.
 - B) The minimal time allocation shall not be less than one semester or equivalent during the middle or junior high experience.
 - C) The minimal time allocation shall not be less than one semester or equivalent during the secondary school experience.
 - D) If health education is offered in conjunction with another course on a “block of time” basis in a middle school, a junior high school, or a high school, instruction may be offered in any combination of the grade levels in the school, provided that the total time devoted to health education is the equivalent of one full semester’s work.
 - 2) Nothing in this Section shall be construed as requiring or preventing the establishment of classes or courses in comprehensive sex education or family life education as authorized by Sections 27-9.1 and 27-9.2 of the School Code [105 ILCS 5/27-9.1 and 27-9.2] ~~or by the Sex Education Act [105 ILCS 130].~~
- o) Library Media Programs

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

1) General

The program shall include an organized collection of resources that circulate to students and staff in order to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served. No later than the beginning of the 2014-15 school year, a district that relies solely upon the collection of a local public library shall maintain evidence that students receive instruction, direction, or assistance in locating and using resources that are applicable to these purposes from an individual who is qualified under Section 1.755 of this Part and who is acting on behalf of the school district.

2) Financial Resources

Each district's annual budget shall include an identifiable allocation for resources and supplies for the program, except that a unit district serving fewer than 400 students or an elementary or high school district serving fewer than 200 students may demonstrate that it is meeting its students' needs through alternate means that the district has determined are adequate in light of local circumstances.

3) Facilities

If there is no single location within a particular attendance center that is specifically devoted to a library media center, such as where classroom collections have been established instead, the district shall ensure that equitable access to library media resources is made available to students in all the grade levels served. If students' only access to library media resources is achieved by visiting a location outside their attendance center, the district shall maintain records demonstrating that all students' regular schedules include time for this purpose.

4) Staff

Nothing in this subsection (o)(4) shall be construed as prohibiting districts or schools from sharing the services of individuals qualified under Section 1.755 of this Part, and nothing in this subsection (o) shall be construed as permitting an individual who is not qualified as a library information specialist to assume that role. No later than the beginning of the 2009-10 school year, each district shall assign responsibility for overall direction of its program of library media services to an employee who holds an elementary, a secondary, a special K-12, a special preschool-age 21, an early childhood, or an administrative certificate. Except as otherwise provided in subsection (o)(4)(A) of this Section, the individual to whom this responsibility is assigned shall meet the requirements of Section 1.755 of this Part, and the individual to whom this responsibility is assigned shall not provide the services described in Section 1.755 of this Part unless he or she meets the requirements of that Section.

- A) In the event that no employee of the district holds any of the qualifications enumerated in Section 1.755 of this Part, the individual to whom direction of the program is assigned shall be required to participate annually in professional development consisting of:
 - i) undergraduate or graduate coursework in library science offered by a regionally accredited institution of higher education; or
 - ii) one or more workshops, seminars, conferences, institutes, symposia, or other similar training events that are offered by the Illinois State Library, a regional library system, or another professional librarians' organization; or
 - iii) one or more "library academies" if these are made available by or at the direction of the State Superintendent of Education.

- B) A district that is otherwise unable to fulfill the requirements of this subsection (o)(4) shall ensure that the overall direction of the library media program (e.g., selection and organization of materials, provision of instruction in information and technology literacy, structuring the work of library paraprofessionals) is

accomplished with the advice of an individual who is qualified pursuant to Section 1.755 of this Part.

p) Physical Education

- 1) Appropriate activity related to physical education shall be required of all students each day unless otherwise permitted by Section 27-6 of the School Code [105 ILCS 5/27-6]. The time schedule shall compare favorably with other courses in the curriculum. Safety education as it relates to the physical education program should be incorporated.
- 2) There shall be a definite school policy regarding credit earned each semester in physical education with provisions for allowable variables in special cases.
- 3) If a district determines that it is difficult to implement a program of physical education that involves all students daily, the administration should consult one of the program service personnel from the State Board of Education for assistance in the development of an acceptable program.
- 4) *The physical education and training course offered in grades 5 through 10 may include health education (Section 27-5 of the School Code [105 ILCS 5/27-5]).*
- 5) *Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act [225 ILCS 60], prevents their participation in the courses provided for normal children (Section 27-6 of the School Code).*
- 6) Pursuant to Section 27-6 of the School Code, a student who presents an appropriate excuse from his or her parent or guardian or from a person licensed under the Medical Practice Act of 1987 shall be excused from participation in physical education. Each school board shall honor excuses signed by persons licensed under the Medical Practice Act of 1987 and shall establish a policy defining the types of parental excuses it will deem “appropriate” for this purpose, which shall include, but need not be limited to, reliance upon religious prohibitions. A board shall, however, have no authority to honor parental excuses based upon students’ participation in athletic training, activities, or competitions

conducted outside the auspices of the school district. For each type of excuse that will be considered “appropriate”, the school board shall identify in its policy any evidence or support it will require. For example, a board may require a signed statement from a member of the clergy corroborating the religious basis of a request.

- 7) In addition, pursuant to Section 27-6(b) of the School Code, each school board that chooses to excuse pupils enrolled in grades 9 through 12 from engaging in physical education courses under that subsection shall establish a policy to excuse pupils on an individual basis and shall have the policy on file in the local district office. The district shall maintain records showing that, in disposing of each request to be excused from physical education, the district applied the criteria set forth in Section 27-6 to the student's individual circumstances.

q) Pupil Personnel Services

To assure provision of Pupil Personnel Services, the local district shall conduct a comprehensive needs assessment to determine the scope of the needs in the areas of:

- 1) Guidance and Counseling Needs;
- 2) Psychological Needs;
- 3) Social Work Needs;
- 4) Health Needs.

r) Social Sciences and History

Each school system shall provide history and social sciences courses that do the following:

- 1) analyze the principles of representative government, the Constitutions of both the United States and the State of Illinois, the proper use of the flag, and how these concepts have related and currently do relate in actual practice in our world (see Section 27-21 of the School Code [105 ILCS 5/27-21]);

- 2) *include in the teaching of United States history the role and contributions of ethnic groups in the history of this country and the State (Section 27-21 of the School Code);*
 - 3) *include in the teaching of United States history the role of labor unions and their interaction with government in achieving the goals of a mixed free-enterprise system (Section 27-21 of the School Code);*
 - 4) *include the study of that period in world history known as the Holocaust (Section 27-20.3 of the School Code [105 ILCS 5/27-20.3]);*
 - 5) *include the study of the events of Black history, including the individual contributions of African-Americans and their collective socio-economic struggles (Section 27-20.4 of the School Code [105 ILCS 5/27-20.4]); ~~and~~*
 - 6) *include the study of the events of women's history in America, including individual contributions and women's struggles for the right to vote and for equal treatment (Section 27-20.5 of the School Code [105 ILCS 5/27-20.5]); ~~and-~~*
 - 7) *include the study of the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression (Section 27-21 of the School Code).*
- s) Protective eye devices shall be provided to and worn by all students, teachers, and visitors when participating in or observing dangerous vocational arts and chemical-physical courses of laboratories as specified in Section 1 of the Eye Protection in School Act [105 ILCS 115/1]. Such eye protective devices shall meet the nationally accepted standards set forth in "Practice for Occupational and Educational Eye and Face Protection", ANSI Z87.1-2003, issued by the American National Standards Institute, Inc., 1819 L Street, NW, Suite 600, Washington, D.C. 20036. No later additions or amendments to these standards are incorporated by this Part.
- t) Each school district shall provide instruction as required by Sections 27-3.5, 27-13.2, 27-13.3, ~~and~~ 27-23.3, and 27-23.8 of the School Code [105 ILCS 5/27-3.5, 27-13.2, 27-13.3, ~~and~~ 27-23.3, and 27-23.8].

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1.440 Additional Criteria for High Schools

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

- a) Course Offerings. Each district shall provide a comprehensive curriculum that includes at least the following offerings. The time allotment, unless specified by the School Code or applicable rules, is the option of the local school district.
 - 1) Language Arts
 - 2) Science
 - 3) Mathematics
 - 4) History of the United States
 - 5) Foreign Language
 - 6) Music
 - 7) Art
 - 8) Career and Technical Education--Orientation and Preparation
 - 9) Health Education
 - 10) Physical Education
 - 11) Consumer Education
 - 12) Conservation of Natural Resources
 - 13) Driver and Safety Education (see the Driver Education Act [105 ILCS 5/27-24 through 27-24.8] ~~Section 27-23 of the School Code [105 ILCS 5/27-23]~~ and 23 Ill. Adm. Code 252)
- b) Required Participation

- 1) Each student shall be required to take one semester or the equivalent, i.e., at least 18 weeks, of health education during the secondary school experience.
 - 2) Each student shall be required to take physical education daily, except as provided in Section 27-6 of the School Code and Section 1.445 of this Part.
 - 3) Each student shall be required to take consumer education for 50 minutes per day for a period of nine weeks in any of grades 9-12, unless he or she has demonstrated proficiency pursuant to the provisions of Section 27-12.1 of the School Code [105 ILCS 5/27-12.1] and Section 1.462 of this Part.
 - 4) Each student shall be required to take a course covering *American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag for not less than one hour per week, or the equivalent.* (Sections 27-3 and 27-4 of the School Code)
- c) Specific Requirements for Graduation. A “unit” is the credit accrued for a year’s study or its equivalent. A student may be permitted to retake a course that he or she has already successfully completed (for example, to earn a better grade). However, credit may not be awarded more than once for completion of the same course, and the same course may not be counted more than once toward fulfillment of the State requirements for graduation.
- 1) Each student shall be required to have accrued at least 16 units in grades 9-12 if graduating from a four-year school or 12 units in grades 10-12 if graduating from a three-year high school. In either case, one unit shall be in American History or American History and Government. (Section 27-22 of the School Code) *No student shall receive certification of graduation without passing an examination on the subjects discussed in subsection (b)(4) of this Section.*
 - 2) Pursuant to Section 27-22 of the School Code, all students, except students with disabilities whose course of study is determined by an individualized education program, must successfully complete certain courses, depending upon the school year in which they enter the 9th grade and subject to the

exceptions provided in Section 1.445 of this Part, as a prerequisite to receiving a high school diploma.

- 3) Credits earned by students prior to entry into Grade 9 as authorized by Section 27-22.10 of the School Code [105 ILCS 5/27-22.10] may be used to fulfill any of the requirements of subsection (c)(2) of this Section.
- d) School districts shall have on file in the local district office a description of all course offerings that may comply with the requirements of the law. A course will be accepted as meeting the relevant requirement for graduation if its description shows that its principal instructional activity is the development and application of knowledge and skills related to the applicable requirement.
 - 1) The course description for a “writing-intensive” course will be accepted for purposes of Section 27-22 of the School Code if:
 - A) a goal of the course is to use the writing that students do relative to the subject matter being presented as a vehicle for improving their writing skills;
 - B) writing assignments will be an integral part of the course’s content across the time span covered by the course;
 - C) the written products students are required to prepare in order to receive credit for the course and the feedback students receive are such that:
 - i) students’ writing proficiency is evaluated against expectations that are appropriate to early or late high school and encompass all of the standards applicable to State Goals 3 and 5 (see the State Goals for Learning and the Illinois Learning Standards in Appendix D to this Part); and
 - ii) students receive information from the evaluation of their written products that will permit them to improve their writing skills in terms of correct usage; well-organized composition; communication of ideas for a variety of purposes; and locating, organizing, evaluating, and using information.

- 2) The writing-intensive study provided in at least one writing-intensive course must be designed to address and integrate the elements of the writing process and to refine or apply research skills.
- e) It is the responsibility of the school district's administration to provide parents and guardians timely and periodic information concerning graduation requirements for all students, particularly in cases where a student's eligibility for graduation may be in question.
- f) Additional requirements for graduation may be adopted by local boards of education. Boards of education may accept courses completed in a community college toward graduation.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1.705 Requirements for Supervisory and Administrative Staff

- a) Each district superintendent shall hold an administrative certificate with a Superintendent's endorsement.
- b) Each assistant superintendent, principal, or assistant principal shall hold an administrative certificate with a General Administrative or Superintendent's endorsement, except that a head teacher serving in place of a principal as permitted by Section 10-21.4a of the School Code [105 ILCS 5/10-21.4a] shall hold a teaching certificate endorsed for supervision.
- c) Each general administrator (e.g., director, assistant director, coordinator, administrative assistant, or general supervisor) in general education shall hold an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement.
- d) Each head of a general education department or supervisor for a specific subject shall hold either:
 - 1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement; or
 - 2) a teaching certificate endorsed for supervision in the area supervised.




- e) Each supervisory dean shall hold an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement.
- f) Each dean of students shall hold:
 - 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or
 - 2) a teaching certificate (endorsed for supervision if the holder suspends students pursuant to Section 10-22.6 of the School Code); or
 - 3) a school service personnel certificate endorsed for any field other than school nursing (and for supervision if the holder disciplines or suspends students).
- g) Each special education director or assistant director shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold an administrative certificate endorsed for "Director of Special Education".
- h) Each special education supervisor shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold either:
 - 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement and teaching qualifications in each area supervised; or
 - 2) a teaching certificate endorsed for each area supervised and for supervision.
- i) Each supervisor of more than one school service personnel area shall hold either:
 - 1) an administrative certificate and a General Administrative or Superintendent's endorsement; or
 - 2) a school service personnel certificate endorsed for supervision in each field supervised.
- j) Each supervisor of one school service personnel area shall hold:

- 1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or
 - 2) a school service personnel certificate endorsed for the field supervised and for supervision; or
 - 3) a teaching certificate endorsed for speech-language pathology and for supervision (if applicable).
- k) Each director of an area vocational center and each director or supervisor of more than one field in career and technical education (including regional system directors) shall hold an administrative certificate with a General Administrative or Superintendent's endorsement and have teaching qualifications in one of the five occupational areas and 2,000 hours of work experience outside the field of education.
- l) Each supervisor of one field in career and technical education shall hold either:
- 1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement and teaching qualifications in one field of career and technical education, including 2,000 hours of work experience in the specific field outside of education; or
 - 2) teaching qualifications in the specific field supervised, including 2,000 hours of work experience in the specific field outside of education, and a supervisory endorsement.
- m) Each administrator in a bilingual education program shall meet the applicable requirements of 23 Ill. Adm. Code 228.35(d) ~~228.30(e)~~.
- n) Each chief school business official shall hold an administrative certificate and a Chief School Business Official's endorsement.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 29-30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Riley Mitchell, Chief Financial Officer 
Darren Reisberg, General Counsel 

Agenda Topic: Proposed Amendments for Initial Review: Part 151 (School Construction Program)

Materials: Recommended Amendments

Staff Contact(s): Debbie Vespa

Purpose of Agenda Item

The purpose of the agenda item is to present the proposed amendments for the Board's initial review.

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

This agenda item links to Strategic Plan Goal 3, safe and healthy learning environments, as the rules set forth standards for the receipt of grants that will allow school districts to improve their facilities and make them more energy efficient.

Expected Outcome(s) of Agenda Item

The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendments.

Background Information

P.A. 96-37, effective August 25, 2009, adds Section 5-200 to the School Construction Law to establish a grant program for energy efficiency purposes. Under the law, School Energy Efficiency grants are limited to \$250,000 per grant each fiscal year, although a school district may receive more than one grant a year. Of the amount appropriated for the grant program, 20 percent must be awarded to City of Chicago School District 299. In order to receive a grant, a school district must provide a local match in an amount equal to the amount of the grant received. This match can be from local funds or eligible federal or other funds.

As of this time, no money has been appropriated for the grant program; however, it is anticipated that funding could become available before the end of the school year. For this reason, it is proposed that new Subpart C be added to Part 151 (School Construction Program) to set forth the process for requesting grant funds, eligibility requirements for energy efficiency projects, restrictions on the use of the funds, and the manner in which districts will account for the grant funds received. Moving forward with the rulemaking now will enable requirements to be in place, should grant money become available, by March or April, when school districts typically begin their bidding process for summer projects.

The statutory requirements for the School Energy Efficiency Project Grants are nearly identical to those for the School Maintenance Project Grants; therefore the applicable requirements from Subpart B are being repeated in Subpart C. These requirements are familiar to school districts and other eligible applicants. In particular, energy efficiency grant applications will be funded in

the same manner as school maintenance grants in years in which the appropriation is insufficient to fund all approvable applications (see Section 151.230). Agency staff also will be shifting to an electronic application process, and that change is reflected in the proposal for both school maintenance and energy efficiency project grants.

In defining allowable energy efficiency projects in Section 151.210, agency staff consulted Section 19B-1.1 of the School Code, which addresses School Energy Conservation and Saving Measures. A list of the types of projects that could be conducted under the energy efficient program is included as an example for applicants, but is not meant to be exhaustive.

Before being presented to the Board, the proposed amendments were shared with members of the Green Schools Subcommittee of the Green Governments Coordinating Council, and with staff of the Governor's Office, Governor's Office of Management and Budget, Department of Commerce and Economic Opportunity, and the Capital Development Board. Several comments were received, with one change being made to the draft proposal for applicants to include in their applications an estimate of the annual energy savings to be realized from the improvements, if that estimate is available at the time the application is made.

Other changes in Part 151 result from the enactment of P. A. 96-731, effective August 25, 2009. This law limits eligibility for school construction and school maintenance grants to only school districts, Type 40 area vocational centers, and cooperative high schools. Corresponding changes have been made in Sections 151.20 and 151.100. (Type 40 area vocational centers are career centers that are designated by the agency and are jointly owned and operated by member school districts. Currently, there are 13 such centers in operation.)

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

Policy Implications. See Background above.

Budget Implications. See Background above.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions

While agency staff do not typically promulgate rules for grant programs that have not been funded, they believed that it is advantageous to move forward with the rules for the School Energy Efficiency Grants since money may be available before the end of the fiscal year. In this way, requirements will be in place, allowing school districts to submit applications and know whether they will receive funding before the start of the summer construction period. It also makes sense to include the grant provisions at this time, since other sections of the rules are undergoing revisions.

Superintendent's Recommendation

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

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for School Construction Program (23 Illinois Administrative Code 151), including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board's authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means,

such as the *Superintendent's Weekly Message* and the agency's website, will be used to inform interested parties of the opportunity to comment on this rulemaking.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCE

PART 151
SCHOOL CONSTRUCTION PROGRAM

SUBPART A: SCHOOL CONSTRUCTION PROJECT GRANTS

Section

- 151.10 Purpose
- 151.20 Eligible Applicants
- 151.30 Application for School Construction Project Grant Entitlement
- 151.35 Application for School Construction Project Grant Entitlement - Districts With A Population Exceeding 500,000
- 151.40 Award of Construction Project Grant Entitlement
- 151.50 Priority Ranking of Construction Grant Entitlements
- 151.55 Needed Capacity for Unit Districts
- 151.60 Grant Index
- 151.70 Debt Service Grants (Repealed)

SUBPART B: SCHOOL MAINTENANCE PROJECT GRANTS

Section

- 151.100 Purpose; Eligible Applicants
- 151.110 Definitions
- 151.120 Application for School Maintenance Project Grants
- 151.130 Award of School Maintenance Project Grants - Applicants With a Population of 500,000 or Fewer
- 151.135 Award of School Maintenance Project Grants - School Districts With a Population Exceeding 500,000
- 151.140 Terms of the Grant

SUBPART C: SCHOOL ENERGY EFFICIENCY PROJECT GRANTS

- 151.200 Purpose; Eligible Applicants
- 151.210 Definitions

- 151.220 Application for School Energy Efficiency Project Grants
- 151.230 Award of School Energy Efficiency Project Grants - Applicants With a Population of 500,000 or Fewer
- 151.235 Award of School Energy Efficiency Project Grants - School Districts With a Population Exceeding 500,000
- 151.240 Terms of the Grant

AUTHORITY: Implementing the School Construction Law [105 ILCS 230] and authorized by Section 5-55 of that Law.

SOURCE: Emergency rules adopted at 22 Ill. Reg. 2616, effective January 16, 1998, for a maximum of 150 days; emergency rules modified in response to JCAR objection at 22 Ill. Reg. 4500; emergency rules expired June 15, 1998; emergency rules adopted at 22 Ill. Reg. 6238, effective March 24, 1998, for a maximum of 150 days; emergency rules modified in response to JCAR objection at 22 Ill. Reg. 7703; emergency expired June 15, 1998; new Part adopted at 22 Ill. Reg. 12538, effective July 6, 1998; emergency amendment at 23 Ill. Reg. 11336, effective September 1, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 497, effective January 3, 2000; amended at 24 Ill. Reg. 5661, effective March 17, 2000; amended at 26 Ill. Reg. 886, effective January 15, 2002; amended at 32 Ill. Reg. 7410, effective April 22, 2008; amended at 33 Ill. Reg. 7919, effective June 1, 2009; amended at 34 Ill. Reg. _____, effective _____.

SUBPART A: SCHOOL CONSTRUCTION PROJECT GRANTS

Section 151.20 Eligible Applicants

School districts, cooperative high schools and Type 40 area vocational centers that meet the requirements of the School Construction Law and this Subpart are eligible to apply for school construction project grant entitlements. A district's, high school's or center's eligibility for a school construction project grant under the minimum enrollment requirements of Section 5-25(a) of the School Construction Law shall be determined using the district's, high school's or center's enrollment in prekindergarten through grade 12 as of the last school day in September of the most recent school year. For purposes of this Subpart A, the term "district" shall be understood to include each of these eligible entities.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 151.50 Priority Ranking of Construction Grant Entitlements

Priority ranking of construction grant entitlements shall be done if the appropriation for any fiscal year is insufficient to fund grants for all approved grant entitlements. In this case, districts holding construction grant entitlements shall be eligible for construction grants to be awarded by the Capital Development Board in order of the priority ranking described in this Section.

- a) Districts holding grant entitlements shall be eligible for grant awards in the order of:
 - 1) the six levels of priority described in Section 5-30 of the School Construction Law; and
 - 2) the district's ranking within its level of priority, determined according to subsections (b) through (d) of this Section.
- b) A district's ranking within a level of priority shall be determined by multiplying the district's needed capacity as determined under subsection (c) of this Section by the ratio of the district's needed capacity to the district's enrollment as of the last school day in September of the most recent school year. The resulting figure shall constitute the district's ranking, with the largest figure having the highest ranking.
- c) Needed Capacity
 - 1) For each priority other than priority five, the district's needed capacity shall be calculated by subtracting its currently available capacity as determined under subsection (d) of this Section from its current enrollment or its projected enrollment, whichever is greater.
 - A) Projected enrollment shall be calculated by multiplying the district's current enrollment by the ratio of the district's current enrollment to the district's enrollment two years before.
 - B) For purposes of calculating needed capacity, projected enrollment shall not include any increase in enrollment attributable to a change in the district's boundaries.

- 2) For priority five, the district’s needed capacity shall be the number of qualified individuals with disabilities who require a school construction project.

d) Determination of Available Capacity

- 1) The enrollment capacity of each room or space currently subject to occupancy by students for instructional purposes in a district-owned, permanent building, or in a building leased by the district if the lease is at least ten years from expiration, shall be determined by dividing the net floor area (in square feet) of ~~the~~ such room or space by the appropriate loading factor, as follows:

Type of Room or Space	Loading Factor
Prekindergarten Classroom	40
Kindergarten Classroom	40
Elementary General Classroom	35
Elementary Art Classroom	40
Elementary Music Classroom	30
Elementary Computer Classroom	35
Middle School General Classroom	35
Middle School Art Classroom	40
Middle School Family and Consumer Sciences Classroom	50
Middle School Music Classroom	25
Middle School Computer Classroom	40
Middle School Science Laboratory	40
Middle School Science Laboratory/Classroom	50
Middle School Industrial Technology Laboratory/Shop Not Classified Elsewhere	40
High School General Classroom	30
High School Art Classroom	35
High School Music Classroom	25
High School Computer Classroom	40
High School Family and Consumer Sciences Classroom	60
High School Science Laboratory	35
High School Industrial Technology Laboratory/Shop	75
High School Laboratory Not Classified Elsewhere	35

- 2) Buildings and additions with a functional age over one hundred years old shall be assigned an enrollment capacity of zero. The functional age of a building and each of its additions shall be individually determined by multiplying its actual age by one of the following condition factors, to be determined using the Building Condition Evaluation Form supplied by the State Board of Education:

Condition of Building or Addition	Condition Factor
Excellent	0.2
Satisfactory	0.4
Substandard	1.0
Poor	1.5
Very Poor	2.0

- 3) As used in this subsection (d), “permanent building” means a building mounted on a slab or a permanent foundation. A permanent foundation is a closed-perimeter formation consisting of materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line which may include but not be limited to cellars, basements, or crawlspaces but does not include the sole use of piers.

- 4) Available capacity shall be calculated by multiplying enrollment capacity as determined in subsections (d)(1) through (d)(3) of this Section by the following utilization factors:

A) elementary schools	0.9
B) middle or junior high schools	0.85
C) high schools	0.8

- e) A new order of priority ranking shall be established among the applicants for each fiscal year. If a district is not awarded a construction grant in a fiscal year for

which it has received an entitlement, the district must update its application to establish its priority ranking for the following fiscal year.

- f) Type 40 area vocational centers shall be placed last on the priority listing of eligible entities for the applicable fiscal year. [105 ILCS 230/5-25]

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART B: SCHOOL MAINTENANCE PROJECT GRANTS

Section 151.100 Purpose; Eligible Applicants

- a) This Subpart implements the School Construction Law [105 ILCS 230], which requires that the State Board of Education issue grants for school maintenance projects.
- b) Any school district, cooperative high school or Type 40 area vocational center ~~charter school, public university laboratory school approved by the State Board of Education pursuant to Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)], or area vocational center~~ may apply for a grant. An eligible applicant may apply for and receive more than one grant during a fiscal year. For purposes of this Subpart B, the term “district” shall be understood to include each of these eligible entities.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 151.110 Definitions

As used in this Subpart:

“Emergency project” means a project made necessary by a disaster described in Section 5-30(1) of the School Construction Law. Conditions caused by age or lack of timely maintenance shall not constitute an emergency. Costs of an emergency project that are covered by insurance may not be claimed as part of an emergency project.

“Grant” means a school maintenance project grant.

“Health/life safety project” means a project that is necessary to correct a violation of the Health/Life Safety Code for Public Schools (23 Ill. Adm. Code 180) or to provide handicapped accessibility or school security.

“Ongoing operational costs” means ordinary maintenance expenses incurred in the course of the applicant's operations, including expenses for employee salaries and benefits, materials, and supplies.

“Other project” means a project other than an emergency project, health/life safety project, State program priority project or permanent improvement project.

“Permanent improvement project” means a project designed to upgrade or install building systems (e.g., air conditioning, electrical or plumbing systems) or involving other improvements to a building or structure so that the building or structure is better adapted to the applicant's educational programs.

“School maintenance project” or “project” means *a project, other than a school construction project as defined in Section 5-5 of the School Construction Law or a school energy efficiency project as defined in Section 5-200 of the School Construction Law, intended to provide for the maintenance or upkeep of buildings or structures for educational purposes, but does not include ongoing operational costs [105 ILCS 230/5-5 and 5-200].* A project may involve different types of work on a single building or structure, or may involve a single type of work (e.g., new roofing or windows) on several buildings or structures. ~~Work on a project must have started on or after May 1, prior to the fiscal year for which a grant is sought.~~ There is no limit to the cost of a project; however, grant awards shall not exceed \$50,000 per project, and applicants shall provide a match from local funds equal to the grant amount requested.

“State program priority project” means a project that is necessary for energy conservation or that adapts a building or structure to better serve students in a specific program for which the applicant receives funding under the School Code (e.g., preschool education ~~prekindergarten at risk~~, school technology).

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 151.120 Application for School Maintenance Project Grants

- a) An eligible applicant may apply for a grant by submitting an application electronically in a format prescribed ~~on a form provided~~ by the State Superintendent Board of Education. A separate application shall be submitted for each project for which the applicant seeks a grant award.
- b) ~~Up to \$1 million shall be reserved each fiscal year for emergency projects. If funds, other than funds reserved for emergency projects, remain after the award of grants from the announced application cycle, a second application period will be held. If funds reserved for emergency grants remain at the end of the fiscal year, these funds shall be distributed for other approved projects from the latest application cycle.~~
- e) An application for a grant for an emergency project shall be submitted directly to the State Board of Education by the deadline stipulated on the application. A copy shall also be sent to the regional superintendent of education. Emergency applications shall be submitted to the following address:

~~Illinois State Board of Education
School Maintenance Project Program
100 North First Street
Springfield, Illinois 62777-0001~~

- a)d) ~~All other applications~~ Except as provided under subsection (e) of this Section, an application shall be submitted electronically to the regional office of education at least two weeks prior to the application deadline announced by the State Superintendent Board of Education for the fiscal year for which the grant is sought. The regional superintendent shall review and electronically forward the application applications to the State Superintendent Board of Education at the address stipulated in subsection (e) of this Section by the application deadline.

- e) ~~An application that is incomplete shall be returned and shall not be processed until it is complete. An application must be complete by the applicable submission deadline in order to be considered. All information contained in the application shall be subject to verification and correction by the State Board of Education by such means as on-site inspection and review of documents.~~
- b) Each application shall include the following information.
- 1) The names, addresses, and descriptions of the facilities included in the project.
 - 2) A narrative description of the nature and scope of the project, including the starting and completion dates for the project.
 - 3) The total cost of the project, amount and source of local matching funds (using the revenue and account codes as set forth at 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing)), and the requested grant amount.
 - 4) The priority category of the project (see Section 151.130(b)(2) of this Part).
 - A) For an emergency project, the applicant shall indicate the date and nature of the emergency and the extent of building damage.
 - B) For a health/life safety project necessary to correct a code violation, the applicant shall identify the health/life safety work by amendment number.
 - 5) For applicants that are seeking more than one grant in a fiscal year, the order in which the applicant wants its projects funded.
 - 6) Such assurances as the State ~~Superintendent Board of Education~~ Superintendent Board of Education may require, to include at least the following:

- A) that the local board of education, in the case of school districts, or other school governing authority authorized the school maintenance project during a duly convened meeting, and
 - B) that the local board of education, in the case of school districts, or other school governing authority reserved local funds in an amount equal to the school maintenance project grant requested to meet the local match requirement.
- c) ~~g)~~ Submission of the electronic application shall be evidence of authorization by the school board or other governing board. Each application shall bear an original signature of the president of the local board of education or other school governing authority.
- d) An applicant submitting an incomplete application shall be contacted by staff of the State Board regarding the need for additional information. An application must be complete by the applicable submission deadline in order to be considered. All information contained in the application shall be subject to verification and correction by the State Superintendent by such means as on-site inspection and review of documents.
- e) An application for a grant for an emergency project shall be submitted electronically directly to the State Superintendent Board of Education by the deadline stipulated on the application. A copy shall also be submitted to the regional superintendent of education.
- f) Up to \$1 million shall be reserved each fiscal year for emergency projects. If funds, other than funds reserved for emergency projects, remain after the award of grants from the announced application cycle, then a second application period will be held. If funds reserved for emergency grants remain at the end of the fiscal year, then these funds shall be distributed for other approved projects from the latest application cycle.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART C: SCHOOL ENERGY EFFICIENCY PROJECT GRANTS

Section 151.200 Purpose; Eligible Applicants

- a) This Subpart implements Section 5-200 of the School Construction Law [105 ILCS 230/5-200], which requires that the State Board of Education issue grants for school energy efficiency projects.
- b) Any school district, charter school, public university laboratory school approved by the State Board of Education pursuant to Section 18-8.05(K) of the School Code [105 ILCS 5/18-8.05(K)], or area vocational center may apply for a grant. An eligible applicant may apply for and receive more than one grant during a fiscal year. Applications not awarded funding in a fiscal year may reapply in a subsequent fiscal year, provided the proposed work has not been started or completed.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 151.210 Definitions

As used in this Subpart:

"Energy efficiency project" means any improvement, repair, alteration, or betterment of any building or facility owned or operated by an eligible applicant as set forth in Section 151.220 of this Part, or any equipment, fixture, or furnishing to be added to or used in any the building or facility, subject to the building code authorized in Section 2-3.12 of the School Code [105 ILCS 5/2-3.12 (see 23 Ill. Adm. Code 180)], that is designed to reduce energy consumption and may include, without limitation, one or more of the following:

Insulation of the building structure or systems within the building;

Storm windows or doors, caulking or weather stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing, reductions in glass area, or other window and door system modifications that reduce energy consumption;

Automated or computerized energy control systems;

Heating, ventilating, air conditioning, or HVAC system repairs or replacements (this does not include initial installations);

Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable building code for the lighting system after the proposed modifications are made;

Energy recovery systems;

Energy conservation measures that provide long-term cost reductions;

Alternative energy systems, including but not limited to wind power or solar power systems; and

Other projects designed to reduce the consumption or use of energy.

An energy efficiency project may involve different types of work on a single building or structure, or may involve a single type of work (e.g., new roofing or windows) on several buildings or structures. There is no limit to the cost of a project; however, grant awards shall not exceed \$250,000 per project per fiscal year, and applicants shall provide a match from local funds and/or eligible federal or other funds equal to the grant amount requested (see Section 5-200(a) of the School Construction Law).

"Grant" means a school energy efficiency project grant.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 151.220 Application for School Energy Efficiency Project Grants

- a) An eligible applicant may apply for a grant by submitting an application electronically in a format prescribed by State Superintendent. A separate application shall be submitted for each project for which the applicant seeks a grant award.

- b) An application shall first be submitted electronically to the regional office of education at least two weeks prior to the application deadline announced by the

State Superintendent for the fiscal year for which the grant is sought. The regional superintendent shall review and electronically forward the application to the State Board of Education by the application deadline.

- c) Each application shall include the following information.
- 1) The names, addresses, and descriptions of the facilities included in the project.
 - 2) A narrative description of the nature and scope of the project, including the starting and completion dates for the project.
 - 3) The total cost of the project, amount and source of local matching funds (using the revenue and account codes as set forth at 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing)) and the requested grant amount.
 - 4) For applicants that are seeking more than one grant in a fiscal year, the order in which the applicant wants its projects funded.
 - 5) Such assurances as the State Board of Education may require, to include at least the following:
 - A) certification by a licensed design professional of the reasonableness of the estimated costs and energy efficiency measures, and if available at the time application is made, an estimate of the annual energy savings that will be realized;
 - B) that the local board of education, in the case of school districts, or other school governing authority authorized the school energy efficiency project during a duly convened meeting; and
 - C) that the local board of education, in the case of school districts, or other school governing authority reserved local funds in an amount equal to the school energy efficiency project grant requested to meet the local match requirement.

- d) Submission of the electronic application shall be evidence of authorization by the school board or other governing board.
- e) An applicant submitting an incomplete application shall be contacted by staff of the State Board regarding the need for additional information. An application must be complete by the submission deadline in order to be considered. All information contained in the application shall be subject to verification and correction by the State Superintendent by such means as on-site inspection and review of documents.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 151.230 Award of School Energy Efficiency Project Grants – Applicants With a Population of 500,000 or Fewer

Grant awards to applicants with a population of 500,000 or fewer residents shall be made as provided in this Section.

- a) An applicant that submits a timely, complete and accurate application that is in compliance with the School Construction Law and this Subpart and that indicates that the applicant has a qualifying project shall be awarded a grant for the approved project provided that the appropriation is sufficient to fund the grant.
- b) If the appropriation for any fiscal year is insufficient to fund all approved projects, then grants shall be awarded in the following order until the appropriation is exhausted.
 - 1) Grants shall be awarded in rounds, with each applicant being allowed one approved project per round.
 - 2) Within each round, grants shall be awarded in order of the applicant's need index, proceeding from greatest to least.
- c) For a school district applicant, the need index shall be determined by dividing the equalized assessed valuation per pupil in average daily attendance of the school district at the 90th percentile of wealth for districts of that type (i.e., elementary, high school, or unit) by the equalized assessed valuation per pupil in average daily attendance of the applicant.

- 1) For an applicant that does not possess property taxing authority, its equalized assessed valuation per pupil in average daily attendance shall be that of the school district in which the greatest number of the applicant's students reside.
- 2) For purposes of calculating the need index, the equalized assessed valuation and average daily attendance shall be taken from the general state aid claims filed in the fiscal year for which a grant is made. The average daily attendance to be used shall be the district's best three months average daily attendance.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 151.235 Award of School Energy Efficiency Project Grants – School Districts With a Population Exceeding 500,000

A school district with a population exceeding 500,000 residents that submits timely, complete and accurate applications in compliance with the School Construction Law and this Subpart shall be awarded grants in the amount provided by Section 5-200(c) of the School Construction Law.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 151.240 Terms of the Grant

- a) Grants shall be subject to the Illinois Grant Funds Recovery Act [30 ILCS 705]. Any grant funds not expended or legally obligated within two years after disbursement by the State shall be returned to the State Board of Education within 45 days.
- b) Grant funds may only be used for the project described in the approved application and shall be accounted for in compliance with applicable accounting rules set forth at 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing). The applicant must provide local matching funds in an amount equal to the grant. If actual project expenditures are less than expected so that the amount of the grant is greater than 50 percent of the total project expenditures, then the applicant shall refund the amount of the grant that is in excess of 50 percent of actual project expenditures.





- c) Upon completion of the project a final expenditure report, subject to audit, shall be submitted to the regional office of education and State Superintendent or designee within 30 days of final project closeout. The licensed design professional shall certify the final expenditure report. The final expenditure report shall describe the use of the grant funds.

- d) The applicant shall comply with the School Construction Law, this Subpart and all other applicable laws and regulations in completing a project.

(Source: Added at 34 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 29-30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Don Evans, Director of Human Resources 
Susie Morrison, Deputy Superintendent 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Proposed Amendments for Initial Review: Part 228
(Transitional Bilingual Education)

Materials: Recommended Amendments

Staff Contact(s): Robin M. Lisboa

Purpose of Agenda Item

The purpose of the agenda item is to present the proposed amendments for the Board's initial review.

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

This agenda item links to Strategic Plan Goals 1 and 2, as the rules set forth standards for high-quality bilingual education programs and program personnel.

Expected Outcome(s) of Agenda Item

The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendments.

Background Information

The majority of the changes proposed in Part 228 flow from P.A. 95-793, effective January 1, 2009, which clarifies the law to explicitly direct school districts to provide bilingual education services required under Article 14C of the School Code to students enrolled in preschool programs established by the districts.

Also included in the proposal is new Section 228.27, which addresses districts' plans for continuing services for students who leave a transitional bilingual education (TBE) program or a transitional program of instruction (TPI) without having achieved English proficiency. These new provisions help to more clearly identify school district requirements under both state law and the federal mandate in the Equal Educational Opportunities Act (EEOA). That is, Section 14C-3 of the School Code requires districts to serve students either until the student achieves English proficiency or for three years, whichever comes first, while Section 1703(f) of the EEOA requires school districts to provide services that will enable LEP students to "overcome barriers" to educational achievement. The addition of these new requirements will address an inquiry from the U.S. Department of Justice, Civil Rights Division, which questioned whether the agency, by not specifically referencing the EEOA in its rules, was violating Section 1703(f). Legal staff do not believe the agency has violated the law. The proposed addition of Section 228.27 to the rules, however, demonstrates that, despite a state law explicitly permitting school

districts to exit non-proficient students from TBE/TPI after three years, the agency expects school districts that do in fact exit non-proficient students to provide these students services in accordance with federal law.

Section 228.25 also is being amended to require statewide exit criteria. This change is the result of federal Title I monitoring conducted in 2008, in which the agency received a finding for lacking consistent, statewide criteria to exit students from the limited English proficient (LEP) subgroup for AYP purposes. The current rule allows districts to require a higher cut-score than the minimum set by the agency and/or to set additional exit criteria indicators to determine when students are no longer LEP. As a result, the parameters of the LEP subgroup vary from district to district preventing a valid comparison of the LEP subgroup across the State. The amendment to 228.25 addresses the problem by establishing an exit standard for LEP students with statewide uniformity. Under the proposed rules, districts must use only the State-established cut-score.

Other proposed amendments address the Spanish language arts standards and administrative certificates, which are explained in more detail below. Additional technical changes and updates also are proposed.

As required by law, the draft amendments were shared in September with the Illinois Advisory Council on Bilingual Education (IACBE), which submitted several suggested changes that were incorporated into the draft. Given the proposed amendments' impact on preschool education programs, they also were provided to early childhood education advocates, including the Early Learning Council, and several Early Childhood Block Grant recipients that included City of Chicago School District 299. The comments received are summarized under "Policy Implications" below.

In order to allow for a full and complete discussion of the proposed amendments, it is recommended that they be posted for public comment for 90 days, rather than for the minimum 45-day public comment period required under the Illinois Administrative Procedure Act.

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

Policy Implications.

Preschool students. Most of the preschool programs offered by school districts are established under the Early Childhood Block Grant program. While programs for 3- to 5-year-olds funded under the block grant have always been required to ascertain a student's English proficiency and provide an individualized language program, they have not been made to follow the more prescriptive provisions of Article 14C and Part 228.

Confusion about staff's expectation has existed in the field for some time, partly because preschool education programs are not a regular component of every school district's program. Rather districts have the option of whether to seek preschool funding under the competitive block grant program. Additionally, even if a grant is awarded, the resulting program is designed to serve the neediest students of the district first, particularly those determined to be at risk of academic failure, rather than all students who wish to enroll. While early childhood programs acknowledge the benefits of incorporating bilingual education components into their preschool classrooms, they also recognize several challenges that will arise.

- Staffing. Section 2-3.71 of the School Code establishes requirements for preschool programs funded through the block grant, including that an individual providing instruction to children must hold an early childhood teaching certificate (i.e., initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate). In addition, Section 14C-8 establishes requirements for bilingual education teachers, which are further defined in rules. Therefore preschool teachers must possess both an appropriate early childhood certificate and either a transitional bilingual certificate or meet the requirements for an endorsement or approval in bilingual education or English as a second language, as applicable. Illinois, however, is experiencing shortages of properly certified staff in both early childhood and bilingual education. For this reason, a delayed effective date of July 1, 2014, is recommended for early childhood teachers to obtain the proper bilingual certificate or approval/endorsement.
- Screening tools. Several commenters asked that the rule not require that a specific screening tool be used to determine a preschooler's eligibility for bilingual education program services, which they believed would limit a program in the future from using a more appropriate instrument should one become available. Since the summer, ELL staff have required the use of the Pre-IPT[®] Oral English Test for preschool programs, and the initial draft of the rules incorporated that requirement.

Some of the comments received, however, suggested that the screener may not always represent "best practices for screening very young children". Points raised included administration of the screener by a person with whom a child is not familiar, which may affect the child's responses, and the length of time it might take to administer the screener to young children whose attention spans vary. Staff agree and will recommend that districts using the test have it administered by the classroom teacher after the student has been enrolled in the program for a few weeks.

While staff continue to believe that the Pre-IPT[®] is an appropriate tool to determine English language proficiency of preschool children, they recognize that the research on screeners for the early childhood population is not yet mature and that there may be other avenues to determine the English proficiency of preschool children. As such, it is recommended that the Pre-IPT[®] be retained as one option for preschool programs to consider. For districts not opting to use the Pre-IPT[®], they will be allowed, either in their applications for bilingual funding or in their early childhood block grant applications (if reimbursement under the bilingual program is not sought), to propose screening procedures or another screening tool that is developmentally appropriate and supported by research (see Section 228.50(b)(4)(E)). The description of the procedures provided as part of the application must address the performance level at which a student is determined to be limited English proficient and measure a student's English proficiency in at least the domains of listening and speaking to include vocabulary, comprehension, grammar and syntax, and verbal expression. Districts also will be required to re-screen all students identified through the home language survey when they enter kindergarten.

Another comment pertinent to screening asked that the qualifications of and training for the person who would conduct the screening be included in the rules. Specific training already is required in Section 228.35(e)(1) for anyone administering the screening instrument.

- Costs. It is anticipated that there will be additional costs for preschool programs that are required to provide bilingual education services. As discussed under “Budget” below, a school district will be allowed to apply for reimbursement of the excess costs of providing bilingual education services to preschool students. If it wishes to use a portion of its Early Childhood Block Grant to pay for bilingual services, then the particular costs would need to be identified in its proposed budget for a block grant and approved by agency staff in advance of any grant funds being expended.

Other issues raised by those submitting comment during the external review included:

- Extending the bilingual education requirements to all preschool programs rather than only to those administered by a school district. The agency currently does not have the authority to meet this request, as Article 14C of the School Code only applies to school districts;
- Allowing preschool children who are English language learners (ELLs) to be in classrooms with English-speaking peers, regardless of their total number in the population. Section 14C-3 requires school districts to establish a program for each language classification once the number of students in any given language classification is 20 or more, and the agency cannot by rule change a statutory requirement. It should be noted school districts may implement various types of transitional bilingual education (TBE) programs that maximize interaction between ELLs and English-speaking peers (for example, a dual language program that integrates language minority and language majority students and is designed to teach students a second language through subject content instruction and everyday classroom conversation);
- Requiring all school personnel who work with ELL students outside of TBE or transitional program of instruction (TPI) settings to also participate in annual professional development. Since the rules apply to bilingual programs, it would not be appropriate in this Part to establish requirements for staff who are not working in these settings; and
- Addressing preschool settings specifically in Section 228.50(c) of the rules (“Amount of Expenditures and Reimbursement Procedures”). For the last several years, the application form for bilingual education, which is used for reimbursement purposes, has included a column to report the number of preschool students served in bilingual education programs. The process for requesting reimbursement for preschool students would not differ from that used for students in other grade levels; therefore no changes are needed in the rules.

Spanish Language Arts Standards. The State Board in January 2006 adopted the WIDA Spanish Language Arts Standards as a means of setting uniform expectations for the instruction provided to Spanish-speaking students in their native language as part of transitional bilingual education programs. Approximately 80 percent of the ELLs in Illinois public schools are native speakers of Spanish. An important goal of the proposed changes to add the standards is to require that they be incorporated into instruction to ensure that ELLs have access to instruction that will promote literacy in their native language, with all the advantages that such literacy is known to bring in terms of English language learning, as well.

The Spanish Language Arts Standards (2005 version) are being incorporated by reference. These align to the existing Illinois Learning Standards for English Language Arts (set forth in rules at 23 Ill. Adm. Code 1.Appendix D). Inclusion of these standards in Part 228 will create the basis upon which districts can be held accountable for their implementation. Districts will be expected to include in their bilingual education plans for the 2010-11 school year a discussion of how they plan to align instruction to the standards, which must occur in the 2011-12 school

year. Beginning in 2011-12, plans also must discuss how student performance will be measured and curriculum modified, as needed.

Staff and Administrator Qualifications. The proposed amendments create new Section 228.35 that addresses requirements for bilingual staff and administrators, as well as for ongoing professional development. This section contains requirements that were previously found in Sections 228.10 and 228.30(c). In addition to moving existing requirements under a single section, several modifications also were made. As noted above, a cross-reference is proposed to the requirements for preschool teachers and noncertificated personnel found in Part 235 (Early Childhood Block Grant) and an allowance is made for preschool teachers to meet bilingual certification requirements by July 1, 2014.

For an individual serving as the director of bilingual program, it is proposed that:

1. language be added to clarify that the supervisory endorsement is issued on a teaching certificate;
2. language be added to make clearer that administrators in districts serving fewer than 200 ELLs in TBE or TPI are exempt from all but the requirement to hold an administrative certificate or supervisory endorsement;
3. individuals administering a TBE program or TPI program be allowed to hold an English as a New Language with a language endorsement or an English as a New Language endorsement, respectively, as well as bilingual or English as a Second Language endorsement or approval;
4. eight hours of professional development be required a year (rather than two hours) for administrators who hold only an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate. This recommendation from the Illinois Advisory Council on Bilingual Education recognizes the council's belief that two hours of professional development was insufficient time for a director to keep abreast of developments in the bilingual field; and
5. districts must submit annually to agency staff an assurance that the administrator has completed the eight hours of professional development as a way for agency staff to ensure that districts are complying with the requirement.

Budget Implications. School districts with preschool programs serving limited English proficient students will be eligible to seek reimbursement for the excess cost of providing those services through the appropriation for bilingual education. An increase in the number of requests for reimbursement specific to this student population – as school districts with preschool programs become cognizant of their responsibility to provide bilingual services – may reduce funding for some school districts if the state appropriation for bilingual education is not increased.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions

The proposed amendments will alert school districts to their obligations under Article 14C and Part 228 to serve limited English proficient students enrolled in preschool programs. In addition, the proposal recognizes areas in which service to preschool programs will differ from what is provided for students in kindergarten through grade 12. New Section 228.5 also explicitly states

that all school districts – regardless of whether they seek reimbursement under Article 14C and Part 228 – must provide bilingual education services to students identified as limited English proficient.

If the amendments are not proposed, then confusion will continue to exist among some school districts as to whether or to what degree they must serve ELL students who attend preschool programs.

Superintendent’s Recommendation

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

The State Board of Education hereby authorizes solicitation of public comment for a 90-day period of time on the proposed rulemaking for Transitional Bilingual Education (23 Illinois Administrative Code 228), including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the *Superintendent’s Weekly Message* and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 228
TRANSITIONAL BILINGUAL EDUCATION

Section	
<u>228.5</u>	<u>Purpose and Applicability</u>
228.10	Definitions
228.15	Identification of Eligible Students
228.20	<u>Student Language Classification Data</u> Public School Bilingual Census
228.25	Program Options, Placement, and Assessment
<u>228.27</u>	<u>Language Acquisition Services for Certain Students Exiting the Program</u>
228.30	Establishment of Programs
<u>228.35</u>	<u>Personnel Qualifications; Professional Development</u>
228.40	Students' Participation; Records
228.50	Program Plan Approval and Reimbursement Procedures
228.60	<u>Evaluation</u> Enforcement

AUTHORITY: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code [105 ILCS 5/Art. 14C and 2-3.39(1)].

SOURCE: Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987; amended at 17 Ill. Reg. 104, effective December 18, 1992; amended at 26 Ill. Reg. 898, effective January 15, 2002; amended at 27 Ill. Reg. 9996, effective June 20, 2003; amended at 30 Ill. Reg. 17434, effective October 23, 2006; amended at 34 Ill. Reg. _____, effective _____.

Section 228.5 Purpose and Applicability

- a) This Part establishes requirements for school districts' provision of services to students in preschool through grade 12 who have been identified as limited English proficient in accordance with Article 14C of the School Code [105 ILCS 5/14C] and this Part.

- b) The requirements of Article 14C of the School Code and this Part shall apply to every school district in Illinois, regardless of whether it chooses to seek funding pursuant to Section 228.50 of this Part.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 228.10 Definitions

~~“Bilingual Education Teacher” means a teacher who:~~

~~holds a valid Illinois certificate with an endorsement or approval in bilingual education or an endorsement in ENL with a language specific designation for bilingual education (see 23 Ill. Adm. Code 25. Appendix E and 23 Ill. Adm. Code 1.780 and 1.781); or~~

~~holds a Transitional Bilingual Certificate endorsed for teaching in a language other than English and issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25.90; or~~

~~holds a Visiting International Teacher Certificate and meets the requirements of 23 Ill. Adm. Code 25.92(i).~~

~~“English as a Second Language” or “ESL” or “English as a New Language” or “ENL” means specialized instruction designed to assist students whose home language is other than English in attaining English language proficiency. ESL or ENL instruction includes skills development in listening, speaking, reading, and writing. (ESL is and ENL are not to be confused with English language arts as taught to students whose home language is English.)~~

~~“English Language Proficiency Assessment” means the ACCESS for ELLs® (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).~~

~~“Home Language” means that language normally used in the home by the student and/or by the student’s parents or legal guardians, or by anyone who resides in the student’s household.~~

“Language Background other than English” means that the native language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student comes from a home where a language other than English is spoken, by the student, or by his or her parents or legal guardians, or by anyone who resides in the student’s household.

“Preschool Program” means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12] in any program administered by a school district, regardless of whether the program is provided in an attendance center or a non-school-based facility.

“Prescribed Screening Instrument” means the:

WIDA ACCESS Placement Test (W-APT)TM (2006 or 2007) for students entering or in the second semester of grades 1 through 12 (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006));

Measure of Developing English Language (MODELTM) (2008) for students entering kindergarten or the first semester of grade 1 (World-class Instructional Design and Assessment Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706);

Either the Pre-IPT[®] Oral English Test (Ballard & Tighe, P.O. Box 219, Brea, CA 92822-0219 (2004)) or a screening process that meets the requirements of Section 228.50(b)(4)(E) of this Part.

“Standard School Program” means the educational program offered by the local school district to the majority of its students (“general education”).

“Students of Limited English Proficiency” means students in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, whose native language background is a language other than

English and whose difficulties in speaking, reading, writing, or understanding English may be sufficient to deny them:

the ability to meet the State's proficient level of achievement on State assessments;

the ability to successfully achieve in classrooms where the language of instruction is English; or

the opportunity to participate fully in the school setting.

~~“Students of Non-English Background” means students, whether born in the United States or born elsewhere, whose native language is other than English or students who come from homes where a language other than English is spoken, either by the students themselves, or by their parents or legal guardians.~~

~~“Teacher of English as a Second Language” or “Teacher of English as a New Language” means a teacher who:~~

~~holds a special certificate endorsed for teaching ESL or ENL, issued by the State Board of Education in accordance with 23 Ill. Adm. Code 25; or~~

~~holds a valid Illinois certificate and an endorsement or approval for ESL, issued by the State Board of Education pursuant to 23 Ill. Adm. Code 1.780, 1.781, and 1.782; or~~

~~meets the requirements set forth in 23 Ill. Adm. Code 1.782.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.15 Identification of Eligible Students

- a) Each school district shall administer a home language survey with respect to each student in preschool, kindergarten or any of grades 1 through 12 who is entering the district's schools or any of the district's preschool programs for the first time, for the purpose of identifying students who have a of non-English language background other than English. The survey should be administered as part of the enrollment process, or for preschool programs, by the first day the student

commences participation in the program. The survey shall include at least the following questions, and the student shall be identified as having a non-English language background other than English if the answer to either question is yes:

- 1) Whether a language other than English is spoken in the student's home and, if so, which language; and
 - 2) Whether the student speaks a language other than English and, if so, which language.
- b) The home language survey shall be administered in English and, if feasible, in the student's home language.
- c) The home language survey form shall provide spaces for the date and the signature of the student's parent or legal guardian.
- d) The completed home language survey form shall be placed into the student's temporary record as defined in 23 Ill. Adm. Code 375 (Student Records).
- e) The district shall, ~~using the prescribed screening instrument,~~ screen the English language proficiency of each student identified through the home language survey as having a language non-English background other than English by using the prescribed screening instrument applicable to the student's grade level (i.e., kindergarten or any of grades 1 through 12) or as set forth in a preschool program's application submitted pursuant to Section 228.50(b)(4)(E) of this Part. This ~~screening assessment~~ shall take place within 30 days either after the student's enrollment in the district or, for preschool programs, after the student commences participation in the program, for the purpose of determining the student's eligibility for bilingual education services and, if eligible, the appropriate placement for the student. For kindergarten, all students identified through the home language survey, including students previously screened when enrolled in preschool, must be screened using the prescribed screening instrument for kindergarten.
- 1) The prescribed screening instrument does not need to be administered to a student who, in his or her previous school district:

- A) has been screened and identified as English language proficient as required in this subsection (e); or
- B) has met the State exit requirements as described in Section 228.25(b)(2) of this Part; or
- C) has met all of the following criteria:
 - i) resides in a home where a language other than English is spoken, and
 - ii) has not been screened or identified as a student with limited English proficiency, and
 - iii) has been enrolled in the general program of instruction in the school he or she has previously attended, and
 - iv) has been performing at or above grade level as evidenced by having met or exceeded the Illinois Learning Standards in reading and math on the student's most recent State assessment administered pursuant to Section 2-3.64 of the School Code [105 ILCS 5/2-3.64], provided that the assessment was not administered with accommodations for students of limited English proficiency.

2) A district ~~must~~ ~~may~~ rely upon a student's score attained ~~on the prescribed screening instrument or~~ on the English language proficiency assessment instrument prescribed under Section 228.25(b) ~~Section 228.25(e)~~ of this Part, if ~~either is~~ available from another school district or another state, provided that the score was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English for purposes of eligibility and placement.

3) If results are not available pursuant to subsection (e)(2) of this Section, then a district must rely upon a student's score on the prescribed screening instrument if available from another school district or another state for the purposes of eligibility and placement for students entering any of grades 1 through 12, if the student's score on the prescribed screening instrument

was achieved no more than 12 months prior to the district's need to assess the student's proficiency in English.

4)2) Each student whose score on the prescribed screening instrument is identified as not "proficient" as defined by the State Superintendent of Education shall be considered to have limited English proficiency and therefore to be eligible for, and shall be placed into a program of, bilingual education services.

A) For preschool programs using a procedure other than the Pre-IPT, "proficiency" is the point at which performance identifies a child as proficient, as set forth in program's proposed screening process submitted pursuant to Section 228.50(b)(4)(E) of this Part.

B) For any preschool even if the student who scores at the "proficient" level, the school district may consider additional indicators such as the results of criterion referenced or locally developed tests, teachers' evaluations of performance, samples of a student's work, or information received from family members and school personnel in order to determine whether the student's proficiency in English is limited and the student is eligible for services.

~~3) Students who, based on review of assessment scores and other evidence such as that outlined in subsection (e)(2) of this Section, are judged to be of limited English proficiency shall be eligible for, and shall be placed into a program of, bilingual education services.~~

f) Each district shall ensure that any accommodations called for in the Individualized Education Programs of students with disabilities are afforded to those students in the administration of the screening instrument discussed in this Section and the English language proficiency assessment prescribed under Section 228.25(b) ~~228.25(e)~~ of this Part.

g) The parent or guardian of any child resident in a school district who has not been identified as having limited English proficiency may request the district to determine whether the child should be considered for placement in a bilingual education program, and the school district shall make that determination upon request, using the process described in this Section. ~~A determination contested by~~

~~a parent or legal guardian may be appealed to the regional superintendent of schools for the region in which the district is located, pursuant to the provisions of Section 3-10 of the School Code [105 ILCS 5/3-10].~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.20 Student Language Classification Data Public School Bilingual Census

a) ~~In order to meet the requirements of Section 14C-3 of the School Code, every school district shall update its individual student records in the Student Information System (SIS) authorized under 23 Ill. Adm. Code 1.75 (Public Schools Evaluation, Recognition and Supervision) no later than the first day in March of each year to reflect the following information No later than the first day of March of each year, every school district shall submit a bilingual census report for that school year to the State Superintendent of Education (Section 14C-3 of the School Code [105 ILCS 5/14C-3]). The bilingual census report shall be submitted on forms provided by the Superintendent and shall include:~~

a)1) ~~whether the student has a language number of students of non-English background other than English in each attendance center, as identified via the home language survey;~~

b)2) ~~whether the student has number of those students who have been identified as having limited English proficiency based on the results of the prescribed screening instrument or the English language proficiency assessment and other factors discussed in Section 228.15(e) or Section 228.25(b) 228.25(e) of this Part; and~~

c)3) ~~the home language, birth date languages, ages, and grade or achievement level levels of the student students identified as having limited English proficiency.~~

b) ~~A district may use the number of students who have been identified in its census report as having limited English proficiency and who are thus eligible for bilingual education services as a preliminary count for the purpose of submitting a program application pursuant to Section 228.50 of this Part.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.25 Program Options, Placement, and Assessment

a) Program Options and Placement

1) *When an attendance center has an enrollment of 20 or more limited English proficient students of the same language classification in kindergarten or any of grades 1 through 12, the school district must establish a transitional bilingual education (TBE) program for each language classification represented by those students (Section 14C-3 of the School Code). A further assessment of those students to determine their specific programmatic needs or for placement in either a full-time or a part-time program may be conducted.*

b) 2) *When an attendance center has an enrollment of 19 or fewer students of limited English proficiency of from any single non-English language classification other than English in kindergarten or any of grades 1 through 12, the school district shall conduct an individual student language assessment to determine each student's need for native language instruction and may provide a transitional bilingual program in the ~~non-English~~ languages other than English common to ~~these such~~ students. If the district elects not to provide a transitional bilingual program, the district shall provide a locally determined transitional program of instruction (TPI) for those students. (Section 14C-3 of the School Code.)*

3) When a preschool program of the school district has an enrollment of 20 or more students of limited English proficiency of any single language classification other than English in an attendance center or a non-school-based facility, the school district shall establish a TBE program for each language classification represented by the students. If the preschool program of an attendance center or non-school-based facility has 19 or fewer students of limited English proficiency of any single language classification other than English, then the school district shall meet the requirements of subsection (a)(2) of this Section when determining placement and the program to be provided.

b)e) English Language Proficiency Assessment ~~Annual Examination~~

1) *School districts must annually assess the English language proficiency, including aural comprehension (listening), speaking, reading, and writing skills, of all children of limited English-speaking ability in kindergarten*

~~and any of grades 1 through 12 students enrolled in programs~~ (Section 14C-3 of the School Code) using the English language proficiency assessment prescribed by the State Superintendent of Education. This assessment shall be administered during a testing window designated by the State Superintendent, for the purpose of determining individual students' continuing need and eligibility for bilingual education services. The annual assessment shall be based on the "English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12" ~~"Framework for Large-Scale Assessment of the English Language Proficiency Standards for English Language Learners in Preschool through Grade 12 K-12"~~ (2007 ~~2004~~), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium State of Wisconsin and posted at <http://www.wida.us/standards/elp.aspx> www.isbe.net/bilingual/pdfs/elps_framework.pdf. No later amendments to or editions of these standards are incorporated by this Section.

- 2) The State Superintendent shall determine, and inform school districts of, the composite score and the literacy score that will be used to determine whether a student is identified as "proficient".
 - A) Each student whose score on the English language proficiency assessment is identified as "proficient" shall ~~may be considered eligible to~~ exit the program of bilingual education services, subject to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3]. ~~However, the school district may also consider other indicators such as those listed in Section 228.15(e)(2) of this Part to determine whether individual students continue to exhibit limited English proficiency and remain eligible for bilingual education services, subject also to the provisions of Section 14C-3 of the School Code [105 ILCS 5/14C-3].~~
 - B) Each student whose score is identified as "proficient" in accordance with subsection (b)(2)(A) of this Section shall no longer be identified as limited English proficient.
- 3) ~~Beginning with the 2007 administration of the annual English language proficiency examination, each~~ Each student who is not enrolled in a

program under this Part but who has been identified as having limited English proficiency ~~at any time since 2006~~ shall be required to participate in the ~~assessment annual examination~~ each year until he or she achieves a “proficient” score.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.27 Language Acquisition Services for Certain Students Exiting the Program

In accordance with Section 1703(f) of the Equal Educational Opportunities Act (EEOA), a school district must provide services that will enable limited English proficient students to overcome barriers that impede equal participation by these students in the district’s instructional programs. (20 USC 1703) Section 14C-3 of the School Code, however, authorizes school districts to discontinue services to students who have been enrolled and participated in the TBE or TPI program for three consecutive years. In instances where a school district chooses to discontinue TBE or TPI program services as permitted under Section 14C-3 of the School Code for those students who have not achieved English proficiency as determined by the process set forth in Section 228.25(b) of this Part, the district shall submit a plan to the State Superintendent that describes the actions it will take to meet its obligations under Section 1703(f) of the EEOA. Any amendments to the plan shall be submitted to the State Superintendent no later than 30 days following adoption of the changes. The plan shall at least include:

- a) the process and criteria the district will use to make a determination of when to exit eligible students from the TBE or TPI program (e.g., after a certain amount of time in the program, once a prescribed academic or proficiency level is achieved);
- b) The language acquisition services and methods to be provided, including how the services and methods differ from the general program of instruction in content, instructional goals, and the use of English and native language instruction;
- c) How the program will meet the educational needs of the students and build on their academic strengths;
- d) How the program will specifically help the students learn English and meet academic achievement standards for grade promotion and graduation;
- e) The names and qualifications of the staff who will implement the program; and

- f) How sufficient resources, including equipment and instructional materials, shall be made available to support the program.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 228.30 Establishment of Programs

a) Administrative Provisions

- 1) Program Facilities – Other than for preschool education programs, TBE and TPI programs *Programs shall be located in regular public school facilities rather than in separate facilities. (Section 14C-6 of the School Code [105 ILCS 5/14C-6])* If such a location is not feasible, the substitute location shall be comparable to those made available to a majority of the district's students with respect to space and equipment. If housed in a facility other than a public school (including a charter school), the school district shall provide a written explanation in its annual application to the State Superintendent of Education as to why the use of a public school building is not feasible.
- 2) Course Credit - Students enrolled in approved programs shall receive full credit for courses taken in these ~~such~~ programs, which shall count toward promotion and fulfillment of district graduation requirements. Courses in ESL shall count toward English requirements for graduation. Students who change attendance centers or school districts shall do so without loss of credit for coursework completed in the program.
- 3) *Extracurricular Activities - Each district shall ensure that students enrolled in programs shall have the opportunity to participate fully in the extracurricular activities of the public schools in the district. (Section 14C-7 of the School Code [105 ILCS 5/14C-7])*
- 4) Inclusion of Students Whose First or Home Language is English - Students whose first or home language is English may be included in a program under this Part provided that all students of limited English proficiency are served.

- 5) Joint Programs - A school district may join with one or more other school districts to provide joint programs or services in accordance with the provisions of Section 10-22.31a of the School Code [105 ILCS 5/10-22.31a]. The designated administrative agent shall adhere to the procedures contained in 23 Ill. Adm. Code 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing) ~~110 (Program Accounting Manual)~~ as they pertain to cooperative agreements.

- 6) *Preschool and Summer School - A school district may establish preschool and summer school programs for students of limited English proficiency, or join with other school districts in establishing such programs. Summer school programs shall not replace programs required during the regular school year. (Section 14C-11 of the School Code [105 ILCS 5/14C-11])* A school district that offers a summer school program or preschool program shall provide bilingual education services for students having limited English proficiency in accordance with Article 14C and this Part.

b) Instructional Specifications

- 1) Student-Teacher Ratio - The student-teacher ratio in the ESL and native language components of programs serving students in kindergarten or any of grades 1 through 12 as of September 30 of each school year shall not exceed 90% of the average student-teacher ratio in general education classes for the same grades in that attendance center. Decreases in the ratio for general education during the course of a school year due to students' mobility shall not require corresponding adjustments within the bilingual program. Further, additional students may be placed into bilingual classes during the course of a school year, provided that no bilingual classroom may exhibit a student-teacher ratio that is greater than the average for general education classes in that grade and attendance center as a result of ~~such~~ these placements. For preschool programs established pursuant to Section 2-3.71 of the School Code [105 ILCS 5/2-3.71], the student-teacher ratios for each preschool classroom providing bilingual education services shall meet the requirements of 23 Ill. Adm. Code 235.30(d) (Early Childhood Block Grant).

- 2) Grade-Level Placement - *Students enrolled in a program of transitional bilingual education shall be placed in classes with students of*

approximately the same age or grade level, except as provided in subsection (b)(3) of this Section. (Section 14C-6 of the School Code)

- 3) *Multilevel Grouping - If students of different age groups or educational levels are combined in the same class, the school district shall ensure that the instruction given each student is appropriate to his/her age or grade level. (Section 14C-6 of the School Code) Evidence of compliance with this requirement shall be:*
 - A) individualized instructional programs; or
 - B) grouping of students for instruction according to grade level.
- 4) Beginning with the 2011-12 school year, instruction in Spanish language arts, where provided under subsection (c) or (d) of this Section, shall be aligned to the standards, which are appropriate to the ages or grade levels of the students served, that are set forth the document titled “World-Class Instructional Design and Assessment: Spanish Language Arts Standards” (2005) published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at <http://www.wida.us/standards/sla.aspx>. No later amendments to or editions of these standards are incorporated by this Section.
- 5) *Language Grouping - School districts may place students of limited English proficiency who have different home languages in the same class, provided that, in classes taught in the native language:*
 - A) instructional personnel or assistants representing each of the languages in the class are used; and
 - B) the instructional materials are appropriate for the languages of instruction.
- ~~6)5)~~ *Program Integration – In courses of subjects in which language is not essential to an understanding of the subject matter, including, but not necessarily limited to, art, music, and physical education, students of limited English proficiency shall participate fully with their English-speaking classmates. (Section 14C-7 of the School Code)*

e) Administrators

~~Beginning July 1, 2008, each individual newly assigned to administer a program under this Part shall meet the applicable requirements of this subsection (c). Administrators first assigned on or before June 30, 2008, shall be subject to the applicable requirements of this subsection (c) as of July 1, 2010.~~

- ~~1) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TBE program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must hold the bilingual approval or endorsement.~~
- ~~2) Except as provided in subsections (c)(3) and (4) of this Section, any person designated to administer a TPI program must hold a valid administrative certificate or supervisory endorsement issued by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 and 1 and must hold the bilingual or ESL approval or endorsement.~~
- ~~3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from the requirement for bilingual or ESL approval or endorsement, provided that he or she annually completes two hours of professional development specifically designed to address the needs of students with limited English proficiency. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.~~
- ~~4) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (c)(1) of this Section at the beginning of the fourth school year of the TBE program's operation. A person who has been assigned to administer a program under subsection (c)(3) of this Section in a district where the number of students eligible for bilingual~~

~~education grows beyond 200 shall become subject to the requirements of subsection (c)(2) of this Section at the beginning of the fourth school year in which the eligible population exceeds 200 students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.~~

d) ~~In-Service Training for Staff~~

- 1) ~~Each school district having a program shall annually plan in-service training activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district's annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (d)(2) and (d)(3) of this Section.~~
- 2) ~~Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district's relevant policies and procedures.~~
- 3) ~~Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:~~
 - A) ~~current research in bilingual education;~~
 - B) ~~content area and language proficiency assessment of students with limited English proficiency;~~
 - C) ~~research-based methods and techniques for teaching students with limited English proficiency;~~
 - D) ~~research-based methods and techniques for teaching students with limited English proficiency who also have disabilities; and~~
 - E) ~~the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.~~

- 4) ~~In addition to any other training required under this subsection (d), each individual who is responsible for administering the screening instrument referred to in Section 228.15(e) of this Part or the annual English language proficiency examination discussed in Section 228.25(e) of this Part shall be required to complete an on-line training sequence furnished by the State Board of Education and to pass the test embedded in that material.~~

~~c)e)~~ Specific Requirements for Transitional Bilingual Education (TBE) Programs

- 1) Each full-time TBE program shall consist of at least the following components (Section 14C-2 of the School Code):
- A) *Instruction in subjects which are either required by law (see 23 Ill. Adm. Code 1) or by the student's school district, to be given in the student's home language and in English; core subjects such as math, science and social studies must be offered in the student's home language;*
 - B) *Instruction in the language arts in the student's home language; and*
 - C) *Instruction in English as a second language, which must align to the "English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12" (2007), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at <http://www.wida.us/standards/elp.aspx>. No later amendments to or editions of these standards are incorporated by this Section; and*
 - ~~D)e)~~ *Instruction in the history and culture of the country, territory, or geographic area which is the native land of the students or of their parents and in the history and culture of the United States.*
- 2) Programs may also include other services, modifications, or activities such as counseling, tutorial assistance, learning settings, or special instructional resources that will assist students of limited English proficiency in meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1, Appendix D) and

for preschool programs established pursuant to Section 2-3.71 of the School Code and for kindergarten levels, the Illinois Early Learning Standards (see 23 Ill. Adm. Code 235, Appendix A).

- 3) Students may be placed into a part-time program, or students previously placed in a full-time program may be placed in a part-time program, if an assessment of the student's English language skills has been performed in accordance with the provisions of either Section 228.15(e) or Section ~~228.25(b)~~ ~~228.25(e)~~ of this Part and the assessment results indicate that the student has sufficient proficiency in English to benefit from a part-time program. Evidence of sufficient proficiency shall be achievement of the minimum score set by the State Superintendent either on the prescribed screening instrument required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b). ~~However, district~~ District staff also shall consider the student's score and his or her proficiency in the home language; prior performance, if any, in coursework taught exclusively in English; current academic performance; and other relevant factors such as age, disability, and cultural background in order to determine whether a full-time or a part-time program is appropriate.
- 4) A part-time program shall consist of components of a full-time program that are selected for a particular student based upon an assessment of the student's educational needs. Each student's part-time program shall provide daily instruction in English and in the student's native language as determined by the student's needs.
- 5) *Parent and Community Participation – Each district or cooperative shall establish a parent advisory committee consisting of parents, legal guardians, transitional bilingual education teachers, counselors, and community leaders. This committee shall participate in the planning, operation, and evaluation of programs. The majority of committee members shall be parents or legal guardians of students enrolled in these programs. Membership on this committee shall be representative of the languages served in programs to the extent possible. (Section 14C-10 of the School Code [105 ILCS 5/14C-10])*
 - A) The committee shall:

- i) meet at least four times per year;
- ii) maintain on file with the school district minutes of these meetings; and
- iii) review the district's annual program application to the State Superintendent of Education.

B) Each district or cooperative shall ensure that training is provided annually to the members of its parent advisory committee. This training shall be conducted in language that the parent members can understand and shall encompass, but need not be limited to, information related to instructional approaches and methods in bilingual education; the provisions of State and federal law related to students' participation and parents' rights; and accountability measures relevant to students in bilingual programs.

d)Ⓕ Specific Requirements for Transitional Program of Instruction (TPI)

- 1) Program Structure – The level of a student's proficiency in English, as determined by an individual ~~student language~~ assessment of the student's language skills on the basis of either the prescribed screening instrument required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b) of this Part in conjunction with other information available to the district regarding the student's level of literacy in his or her home language, will determine the structure of the student's instructional program.
- 2) Program Components – A transitional program of instruction must include instruction or other assistance in the student's home language to the extent necessary, as determined by the district on the basis of the prescribed screening instrument ~~student assessment~~ required in Section 228.15(e) of this Part or the English language proficiency assessment required in Section 228.25(b) 228.25(e) of this Part, to enable the student to keep pace with his/her age or grade peers in achievement in the core academic content areas. A transitional program of instruction may include, but is not limited to, the following components:

- A) instruction in ESL, which must align to the “English Language Proficiency Standards for English Language Learners in PreKindergarten through Grade 12” (2007), published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium and posted at <http://www.wida.us/standards/elp.aspx>. No later amendments to or editions of these standards are incorporated by this Section;
- B) language arts in the students’ home language; and
- C) instruction in the history and culture of the country, territory, or geographic area that is the native land of the students or of their parents and in the history and culture of the United States.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.35 Personnel Qualifications; Professional Development

- a) Each individual assigned to provide instruction in a student’s native language shall meet the requirements for bilingual education teachers as set forth in 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), as applicable.
- b) Each individual assigned to provide instruction in ESL shall meet the requirements for ESL or English as a New Language teachers as set forth in 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), as applicable.
- c) Preschool Programs
 - 1) Each individual assigned to provide instruction to students in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c)(8)(A) (Early Childhood Block Grant).
 - 2) By July 1, 2014, each individual assigned to provide instruction to students in a preschool program also shall meet the applicable

requirements of subsection (a) or (b) of this Section, depending on the assignment.

3) Noncertificated staff employed to assist in instruction in a preschool program shall meet the requirements of 23 Ill. Adm. 235.20(c)(8)(B).

d) Administrators

Beginning July 1, 2008, each individual newly assigned to administer a program under this Part shall meet the applicable requirements of this subsection (d). Administrators first assigned on or before June 30, 2008, shall be subject to the applicable requirements of this subsection (d) as of July 1, 2010.

1) Except as provided in subsections (d)(3) and (4) of this Section, any person designated to administer a TBE program must hold a valid administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 (Certification) and 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) and must hold the bilingual approval or endorsement or the ENL endorsement with a language designation.

2) Except as provided in subsections (d)(3) and (4) of this Section, any person designated to administer a TPI program must hold a valid administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate by the State Board of Education in accordance with applicable provisions of 23 Ill. Adm. Code 25 and 1 and must hold the bilingual or ESL approval or endorsement or the ENL endorsement.

3) A person designated to administer a TBE or TPI program in a district with fewer than 200 TBE/TPI students shall be exempt from all but the requirement for an administrative certificate or a supervisory endorsement issued on an initial or standard teaching certificate, provided that he or she annually completes a minimum of eight hours of professional development specifically designed to address the needs of students with limited English proficiency. An assurance that this requirement has been met shall be provided annually in a school district's application submitted pursuant to

Section 228.50 of this Part. Documentation for this professional development activity shall be made available to a representative of the State Board of Education upon request.

4) A person who has been assigned to administer a TPI program in a district that experiences such growth in the number of students eligible for bilingual education that a TBE program is required shall become subject to the requirements of subsection (d)(1) of this Section at the beginning of the fourth school year of the TBE program's operation. A person who has been assigned to administer a program under subsection (d)(3) of this Section in a district where the number of students eligible for bilingual education reaches 200 shall become subject to the requirements of subsection (d)(2) of this Section at the beginning of the fourth school year in which the eligible population equals or exceeds 200 or more students. That is, each individual may continue to serve for the first three school years on the credentials that qualified him or her to administer the program previously operated.

e) Professional Development for Staff

1) Each school district having a program shall annually plan professional development activities for the certificated and noncertificated personnel involved in the education of students of limited English proficiency. This plan shall be included in the district's annual application and shall be approved by the State Superintendent of Education if it meets the standards set forth in subsections (e)(2) and (e)(3) of this Section.

2) Program staff beginning their initial year of service shall be involved in training activities that will develop their knowledge of the requirements for the program established under this Part and the employing district's relevant policies and procedures.

3) Training activities shall be provided to all bilingual program staff at least twice yearly and shall address at least one of the following areas:

A) current research in bilingual education;

- B) content-area and language proficiency assessment of students with limited English proficiency;
 - C) research-based methods and techniques for teaching students with limited English proficiency;
 - D) research-based methods and techniques for teaching students with limited English proficiency who also have disabilities; and
 - E) the culture and history of the United States and of the country, territory or geographic area that is the native land of the students or of their parents.
- 4) In addition to any other training required under this subsection (e), each individual who is responsible for administering the prescribed screening instrument referred to in Section 228.15(e) of this Part or the annual English language proficiency assessment discussed in Section 228.25(b) of this Part shall be required to complete on-line training designated by the State Superintendent of Education and to pass the test embedded in that material.
- 5) In addition to any other training required under this subsection (e), each district that operates either a TBE or a TPI program for students of Spanish language background in kindergarten and any of grades 1 through 12 shall provide annually at least one training session related to the implementation of the Spanish language arts standards required under Section 228.30(b)(4) of this Part for staff members of that program who are providing instruction in the Spanish language arts.

(Source: Added at 34 Ill. Reg. _____, effective _____)

Section 228.40 Students' Participation; Records

- a) Notice of Enrollment and Withdrawal
 - 1) *Notice of Enrollment – No later than 30 days after the beginning of the school year or 14 days after the enrollment of any student in a transitional bilingual education program in the middle of a school year, the school*

district shall notify by mail the parents or legal guardians of the student that their child has been enrolled in a transitional bilingual education program or a transitional program of instruction. The notice shall be in English and in the home language of the student and shall convey, in simple, nontechnical language, all of the information called for in Section 14C-4 of the School Code [105 ILCS 5/14C-4].

- 2) *Withdrawal by Parents – Any parent or legal guardian whose child has been enrolled in a program shall have the absolute right to withdraw the child from the program immediately by submitting a written notice of his or her desire to withdraw the child to the school authorities of the school in which the child is enrolled or to the school district in which the child resides. (Section 14C-4 of the School Code)*

- b) Unless terminated as set forth in subsection (a)(2) of this Section, the duration of a student's participation in a program under this Part shall be as set forth in Section 14C-3 of the School Code.

- 1) If a student participates in a TBE or TPI in preschool or kindergarten, then that participation does not count towards the three-year total specified in Section 14C-3 of the School Code.
- 2) If a student exits a program after three years and is not proficient in English, then the school district shall meet the requirements of Section 228.27 of this Part.

- c) Maintenance of Records and Reporting Procedures

- 1) Report Cards - The school shall send progress reports to parents or legal guardians of students enrolled in programs in the same manner and with the same frequency as progress reports are sent to parents or legal guardians of other students enrolled in the school district. ~~These~~
 - A) Progress reports shall indicate the student's progress in the program and in the general program of instruction, ~~and~~
 - B) Progress reports shall indicate when the student has successfully completed requirements for transition from the program into the

general program of instruction if that information has not been reported separately in writing to the parents or legal guardian.

C) Progress reports for all students enrolled in a program under this Part shall be written in English and in the student's home language unless a student's parents or legal guardian agrees ~~agree~~ in writing to waive this requirement. The parents' waiver shall be kept on file in accordance with subsection (c)(3) of this Section.

- 2) Annual Student Reports - Each district must submit electronically the information requested by the State Superintendent using the SIS no later than June 30 of each year. Each district also must complete the ~~Transitional Bilingual Education Annual Student Report and the Program Delivery Report~~ provided by the State Superintendent of Education, in which information on each program ~~and each student participating in the program~~ is compiled.
- 3) Records - School districts shall maintain records of each student enrolled in programs in the manner prescribed in 23 Ill. Adm. Code 375 (Student Records). These records shall include program entry/exit information;; annual English language proficiency assessment test scores and results from the prescribed screening instrument for students in kindergarten and any of grades 1 through 12 or the results from the prescribed screening instrument for students in preschool programs; ~~and~~ other student information (e.g., language, grade level, and attendance);; the rationale for a student's placement into a part-time program, where applicable, including documentation of the factors indicating that a part-time program would be appropriate;; and documentation of conferences and written communication with parents or legal guardians. Parents and legal guardians of students enrolled in programs shall have access to ~~such~~ their students' records, as specified in 23 Ill. Adm. Code 375.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.50 Program Plan Approval and Reimbursement Procedures

- a) Reimbursement for programs provided by school districts pursuant to the provisions of Article 14C of the School Code and this Part is contingent upon the

submission and approval of a program plan and request for reimbursement in accordance with the requirements of Section 14C-12 of the School Code and this Section.

b) Program Plan Submission and Approval

- 1) Applications for program approval shall be submitted, on forms provided by the State Superintendent of Education, at least 60 calendar days prior to the start of the proposed initial or continuing program.
- 2) The State Superintendent of Education will waive the requirement in subsection (b)(1) of this Section only when an application is accompanied by a statement of facts showing that the waiver will enable the district to begin serving a student or students sooner than would otherwise be the case.
- 3) School districts shall be granted at least 45 calendar days to complete and submit applications to the State Superintendent of Education. A district's failure to submit a completed application by the date specified on the form will delay its receipt of reimbursement pursuant to subsection (c) of this Section.
- 4) Applications for a Transitional Bilingual Education Program and/or a Transitional Program of Instruction must contain at least the following information:
 - A) The number of students to be served by grade or grade equivalent and language group in a full-time or part-time program.
 - B) A summary description of the number and types of personnel who will provide services in the program.
 - C) A description of the full-time and/or part-time program to be provided to the students identified pursuant to subsection (b)(4)(A) of this Section in relation to the applicable program standards set forth in Section 228.30 of this Part.

- D) Additional requirements for programs offering instruction in Spanish language arts in kindergarten and any of grades 1 through 12:
- i) For the 2010-11 school year only, a description of the steps the district will take to align its curriculum in the Spanish language arts with the standards required under in Section 228.30(b)(4) this Part; and
 - ii) For 2011-12 and each subsequent school year, a description of the methods by which the district will measure and monitor its students' progress with respect to the standards required under in Section 228.30(b)(4) of this Part.
- E) For preschool programs that will screen students for English proficiency using a procedure other than the administration of the Pre-IPT, a description of the screening procedures to be used that provides evidence that these procedures are developmentally appropriate, supported by research and address the following areas:
- i) Criteria to determine at what point performance on the screening instrument identifies a child as proficient; and
 - ii) Screening instruments or activities related to and able to measure the child's English proficiency in at least the domains of listening and speaking to include vocabulary, comprehension, grammar and syntax, and verbal expression.
 - iii) A state-funded preschool program that does not submit an application for funding under this Part shall provide the information requested in subsection (b)(4)(E) of this Section as part of its application submitted pursuant to 23 Ill. Adm. Code 235 (Early Childhood Block Grant).
- F) A budget summary containing a projection of the program expenditures (e.g., instruction, support services, administration and transportation) and offsetting revenues for the upcoming fiscal

year, and a detailed budget breakdown, including allowable program expenditures for which reimbursement is sought, other program expenditures, and total program costs.

~~G/E)~~ In the case of a TBE program, an assurance that the signature of the chairperson of the district's Bilingual Parent Advisory Committee established pursuant to Section 14C-10 of the School Code and Section ~~228.30(c)(5)~~ 228.30(e)(5) of this Part, which shall be evidence that the Committee has had an opportunity to review the application.

H) Inclusion of certifications, assurances and program-specific terms of the grant, as the State Board of Education may require, to be signed by the applicant that is a party to the application and submitted with the application.

5) Applications that, upon review by the State Superintendent of Education staff, are found to contain the information required pursuant to this Section shall be recommended for approval by the State Superintendent of Education. If the application is found to be incomplete, State Board staff will send a written notice to applicants requesting that they supply the needed information. In order to permit accurate allocation of funds for the program among eligible recipients, the State Superintendent may establish a deadline by which applicants must supply the requested information.

6) The State Superintendent of Education will approve applications that demonstrate compliance with Article 14C of the School Code and this Part, except that the State Superintendent shall invoke subsection (b)(5) of this Section with respect to any requested information that is missing from any application submitted for approval.

c) Account of Expenditures and Reimbursement Procedures

1) An account of each district's expenditures pursuant to Article 14C of the School Code and this Part shall be maintained as required in Section 14C-12 of the School Code. Accounting procedures shall be in accordance with applicable requirements of 23 Ill. Adm. Code 100 (Requirements for

Accounting, Budgeting, Financial Reporting, and Auditing110 (~~Program Accounting Manual~~).

- 2) The final annual report of district expenditures, which shall include the information specified in Section 14C-12 of the School Code, shall be submitted on forms provided by the State Superintendent of Education no later than July 31 of each year.
- 3) School districts shall submit claims for reimbursement of programs approved in accordance with this Part on forms provided by the State Superintendent of Education and in accordance with Section 14C-12 of the School Code. No State reimbursement shall be available with respect to any student served for fewer than five class periods per week.
- 4) In the event that funds appropriated by the General Assembly are insufficient to cover the districts' excess costs, the funds will be distributed on a pro rata basis and in accordance with the timelines specified in Section 14C-12 of the School Code.
- 5) A request to amend a district's approved budget shall be submitted on forms provided by the State Superintendent of Education whenever a district determines that there is a need to increase or decrease an approved line item expenditure by more than \$1,000 or 20 percent, whichever is larger. A budget amendment must also be submitted for approval when a grantee proposes to use funds for allowable expenditures not identified in the approved budget.
- 6) Budget amendment requests will be approved if the rationale provided for each amendment includes facts demonstrating that:
 - A) there is a need (e.g., a change in the number of students served or personnel needed); and
 - B) the altered expenditures and their related program services will be in compliance with the requirements of Article 14C of the School Code and this Part.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 228.60 Evaluation Enforcement


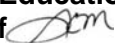

- a) Each school district's compliance with the requirements of Article 14C of the School Code and this Part shall be evaluated ~~at least every three years~~ by State Board of Education staff, who shall use the criteria set forth in Article 14C of the School Code and this Part to determine compliance.

- b) Each school district's progress with regard to the academic achievement of students having limited English proficiency shall be evaluated annually in accordance with the provisions of 23 Ill. Adm. Code 1.40 (Public Schools Evaluation, Recognition and Supervision). ~~The recognition status of districts found to be in noncompliance with the requirements of Article 14C of the School Code and this Part will be evaluated in accordance with the provisions of Subpart A of 23 Ill. Adm. Code 1.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Susie Morrison, Deputy Superintendent/Chief of Staff 
Darren Reisberg, General Counsel 

Agenda Topic: Action Item: Proposed Amendments for Initial Review: Part 235 (Early Childhood Block Grant)

Materials: Recommended Amendments

Staff Contact(s): Kay Henderson

Purpose of Agenda Item

The purpose of the agenda item is to present the proposed amendments for the Board's initial review.

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

This agenda item links to Strategic Plan Goals 1 and 2, as the rules set forth standards for high-quality preschool programs and program personnel.

Expected Outcome(s) of Agenda Item

The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendments.

Background Information

The proposed amendments flow from two public acts, each of which is summarized below.

P.A. 95-793, effective January 1, 2009, requires school districts to provide bilingual education services required under Article 14C of the School Code to students enrolled in preschool programs established by the districts. The law makes explicit the expectation of agency staff that school districts offering preschool programs provide to any limited English proficient student appropriate services that will enable him or her to succeed in the preschool program. While programs for 3- to 5-year-olds funded under the Early Childhood Block Grant have always been required to assess a student's English proficiency and provide an individualized language program based on the results of that assessment, they have not been made to follow the more prescriptive provisions of Article 14C and administrative rules governing Transitional Bilingual Education (Part 228).

Confusion about staff's expectation that preschool programs meet the requirements of Article 14C has existed in the field, partly because preschool education programs are not a regular component of every school district's program. Rather districts have the option of whether to seek preschool funding under a competitive grant program. Additionally, even if a grant is awarded, the resulting program is designed to serve the neediest students of the district first, particularly those determined to be at risk of academic failure, rather than all students who wish to enroll. Further specifics about preschool programs' responsibilities regarding bilingual education services are explained in materials provided for proposed amendments to Part 228, which also will be considered by the Board in October.

The amendments proposed for Part 235 will require information about bilingual education services be included in preschool grant applications submitted by school districts to ensure that appropriate services will be provided for any student who may be identified as having limited English proficiency.

P.A. 96-119, effective August 4, 2009, requires that Preschool for All Children programs enter into agreements with their local, federally funded Head Start programs. These agreements must address collaboration between the preschool program and Head Start about the services and programs that will be offered by each. Since the law is detailed regarding the content of the agreement and deadline for its submission to the agency, no changes to Part 235 are needed to implement its provisions. However, Section 235.120(b)(3)(B) is no longer needed since it establishes a funding priority for those applicants who chose to enter into partnership agreements with their Head Start programs.

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

Policy Implications. See “Background” above.

Budget Implications. School districts with preschool programs serving limited English proficient students will be eligible to seek reimbursement for the excess cost of providing those services through the appropriation for bilingual education.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions

The proposed amendments will alert applicants for preschool grants to their obligation to serve limited English proficient students in conformance with Article 14C and Part 228. While the mention of bilingual education responsibilities in Part 235 is not technically necessary, as the requirements will still apply if early childhood rules are silent, their inclusion better assists school districts in understanding the required components of preschool programs funded under the Early Childhood Block Grant.

Regarding Head Start partnership agreements, retention of a funding priority for applicants with these would be confusing and misleading since all Preschool for All programs now must establish agreements as a condition of funding.

Superintendent’s Recommendation

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

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for Early Childhood Block Grant (23 Illinois Administrative Code 235), including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board’s authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the *Superintendent’s Weekly Message* and the agency’s website, will be used to inform interested parties of the opportunity to comment on this rulemaking.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 235
EARLY CHILDHOOD BLOCK GRANT

SUBPART A: PRESCHOOL EDUCATION AND PREVENTION INITIATIVE PROGRAMS

Section

- 235.10 Purpose; Eligible Applicants
- 235.20 Application Procedure and Content for New or Expanding Programs
- 235.30 Additional Program Components for Preschool Education Proposals
- 235.40 Additional Program Components for Prevention Initiative Proposals
- 235.50 Proposal Review and Approval for New or Expanding Programs
- 235.60 Application Content and Approval for Continuation Programs
- 235.70 Terms of the Grant

SUBPART B: PRESCHOOL FOR ALL CHILDREN PROGRAM

Section

- 235.100 Purpose; Eligible Applicants
- 235.110 Application Procedure and Content for New or Expanding Programs
- 235.120 Proposal Review and Approval for New or Expanding Programs
- 235.130 Application Content and Approval for Continuation Programs
- 235.140 Terms of the Grant

SUBPART C: SOCIAL AND EMOTIONAL CONSULTATION SERVICES

Section

- 235.200 Implementation and Purpose; Eligible Applicants
- 235.210 Application Procedure and Content
- 235.220 Proposal Review and Approval of Proposals

- 235.APPENDIX A Illinois Early Learning Standards
- 235.APPENDIX B Illinois Birth to Three Program Standards

AUTHORITY: Authorized by Section 1C-2 of the School Code [105 ILCS 5/1C-2] and implementing Sections 2-3.71, 2-3.71a and 2-3.89 of the School Code [105 ILCS 5/2-3.71, 2-3.71a and 2-3.89].

SOURCE: Adopted at 16 Ill. Reg. 10181, effective June 10, 1992; expedited correction at 16 Ill. Reg. 15186, effective June 10, 1992; amended at 26 Ill. Reg. 903, effective January 15, 2002; old Part repealed at 30 Ill. Reg. 4618 and new Part adopted at 30 Ill. Reg. 4620, effective February 28, 2006; emergency amendment adopted at 30 Ill. Reg. 11793, effective June 26, 2006, for a maximum of 150 days; emergency expired November 22, 2006; amended at 30 Ill. Reg. 19383, effective November 28, 2006; amended at 32 Ill. Reg. 13357, effective July 25, 2008; amended at 33 Ill. Reg. 4027, effective February 23, 2009; amended at 34 Ill. Reg. _____, effective _____.

SUBPART A: PRESCHOOL EDUCATION AND PREVENTION INITIATIVE PROGRAMS

Section 235.20 Application Procedure and Content for New or Expanding Programs

Each applicant that is proposing a program that has not received funding in the year previous to the current application or is seeking additional funds to expand its currently funded program shall submit to the State Board of Education a proposal that includes the components specified in this Section. For purposes of this Section, an “expanded” program includes one in which the applicant is proposing to serve additional children and their families or to offer initiatives not provided under its currently funded program.

- a) Grants for new or expanded programs shall be offered in years in which the level of available funding is such that one or more new or expanded programs can be supported, along with those currently funded programs that seek continuation funding in accordance to Section 235.60 of this Part.
- b) When sufficient funding is available, the State Superintendent of Education shall issue one or more Requests for Proposals (RFP) specifying the information that applicants shall include in their proposals, informing applicants of any bidders’ conferences, and requiring that proposals be submitted no later than the date specified in the RFP. The RFP shall provide at least 45 calendar days in which to submit proposals.
- c) All proposals submitted in response to an RFP shall include the following components:

- 1) A cover page completed on a form supplied by the State Board of Education and signed by the school district superintendent or official authorized to submit the proposal or, in the case of a joint application, by the superintendent from each of the school districts and each authorized official of other eligible entities participating in the joint proposal.
- 2) For applicants other than public school districts, a description that includes the following:
 - A) the applicant's mission statement, organizational structure, and goals or policies regarding early childhood programs;
 - B) the applicant's existing competencies to provide early childhood education programs, to include a list of any early childhood accreditations that have been achieved; and
 - C) in the case of a joint application, the goals and objectives of the collaboration and a brief description of each partner's experience in providing services similar to those to be provided under the Early Childhood Block Grant program.
- 3) A description of the need for the program, which shall include:
 - A) current demographic or descriptive information regarding the community in which the families and children reside (including information on the prevalence of homelessness); and
 - B) the process that was used to determine the need for the program in the community in relation to other similar services that may be operating in the same geographic area.
- 4) A description of the population to be served, as defined in Section 235.10(a) of this Part, for each program to be funded under the Early Childhood Block Grant. This description shall include:
 - A) how the eligible population will be recruited;
 - B) the geographic area to be served; and

- C) the estimated number of children and/or families to be enrolled.
- 5) A description of the procedures to be used to screen children and their families to determine their need for services. Results of the screening shall be made available to the program staff and parents of the children screened. All screening procedures shall include:
- A) criteria to determine at what point performance on the screening instrument indicates that children are at risk of academic failure as well as to assess other environmental, economic and demographic information that indicates a likelihood that the children would be at risk;
 - B) screening instruments/activities related to and able to measure the child's development in at least the following areas (as appropriate for the age of the child): vocabulary, visual-motor integration, language and speech development, English proficiency, fine and gross motor skills, social skills and cognitive development;
 - C) written parental permission for the screening;
 - D) parent interview (to be conducted in the parents' home language, if necessary), including at least the following:
 - i) for preschool education programs, a summary of the child's health history and social development; or
 - ii) for prevention initiative programs, information about the parents, such as age, educational achievement and employment history;
 - E) vision and hearing screening, in accordance with 77 Ill. Adm. Code 685 (Vision Screening) and 675 (Hearing Screening); and
 - F) where practicable, provision for the inclusion of program teaching staff in the screening process.

- 6) A description of the parent education and training component that will be provided, to meet at least all of the requirements of Section 2-3.71a of the School Code.
- 7) A description of how the program will coordinate with other programs, as specified in the RFP, that are in operation in the same area and that are concerned with the education, welfare, health and safety needs of young children.
- 8) A description of the full-time and part-time professional and nonprofessional staff to be paid by the program, indicating that program administrators, early childhood teachers, counselors, psychologists, psychiatrists and social workers are appropriately qualified.
 - A) Teachers of children ages 3 to 5 years must hold an initial, initial alternative, standard, master, provisional, provisional alternative, resident teacher, or visiting international teacher early childhood certificate. (See Section 2-3.71(a)(3) of the School Code and 23 Ill. Adm. Code 1.Appendix A.)
 - B) By July 1, 2014, noncertificated staff employed to assist in instruction provided to children ages 3 to 5 years shall meet the requirements set forth in 23 Ill. Adm. Code 25.510(c).
 - C) Teachers of children ages 3 to 5 years who are assigned to a transitional bilingual program or a transitional program of instruction that is administered by a school district, either in an attendance center or a non-school-based facility, shall meet the requirements as set forth in 23 Ill. Adm. Code 228.35 (Transitional Bilingual Education), as applicable.
- 9) A description of staff development assessment procedures and ongoing professional development activities to be conducted.
- 10) A description of the required program components, as set forth in either Section 235.30 or 235.40 of this Part.
- 11) Other information, as specified in the RFP, such as daily schedules (including the number of hours per day and days per week the program

will operate), classroom locations, facility information (e.g., owner's name, terms of lease arrangement, size of classrooms and other areas to be used by the program), if applicable.

- 12) The plan for ensuring that the program provides either a snack, in the case of a half-day program, or a meal, in the case of a full-day program, for participating children.
- 13) Budget information, provided on forms supplied by the State Board of Education. The budget shall specify that no more than 5 percent of the total grant award shall be used for administrative and general expenses not directly attributed to program activities, except that a higher limit not to exceed 10 percent may be negotiated with an applicant that has provided evidence that the excess administrative expenses are beyond its control and that it has exhausted all available and reasonable remedies to comply with the limitation.
- 14) A description of how the applicant will ensure that no fees will be charged of parents or guardians and their children who are enrolled and participate in Early Childhood Block Grant programs.
- 15) A plan for evaluating the proposed programs and activities to be included in the Early Childhood Block Grant, which shall correspond to the applicable specifications set forth in the RFP.
- 16) Such certifications and assurances as the State Board of Education may require.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 235.30 Additional Program Components for Preschool Education Proposals

In addition to the requirements set forth in Section 235.20, applications for funding for preschool education programs and activities, as defined in Section 235.10(a)(1) of this Part, must provide:

- a) a description of how the comprehensive services to be provided are aligned with the Illinois Early Learning Standards as set forth in Appendix A of this Part;

- b) a description of how the proposed educational program is developmentally appropriate for each child, which shall:
 - 1) be accepted based upon evidence in the proposal that the results of the individualized assessment profile for each child will be the basis for determining that child's educational program;
 - 2) address the domains of development specified in Section 235.20(c)(5)(B) and how a language and literacy development program shall be implemented for each child based on that child's individual assessment; and
 - 3) address how student progress will be assessed and documented to ensure that the educational program meets the needs of the student and provides a system whereby that student's parents are routinely advised of their child's progress;
- c) the maximum number of children to be screened for program eligibility and, for those children that are screened, the maximum to be served by the educational program. The maximum number must be served in each classroom if, following completion of screening, the program has a waiting list of eligible children;
- d) the child/staff ratio for each classroom, which shall not exceed a ratio of 10 children to one adult, with no more than 20 children being served in each classroom; ~~and~~
- e) a description of how the program will ensure that those children who are age-eligible for kindergarten are enrolled in school upon leaving the preschool education program; and
- f) for school district applicants, a description of the steps to be taken to ensure that the provisions of Article 14C [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education) are met. This description shall include but not be limited to the following:
 - 1) the process to be used to ensure that each student enrolled in the preschool program for the first time is administered the home language survey in accordance with 23 Ill. Adm. Code 228.15; and

- 2) for programs not seeking bilingual funding under 23 Ill. Adm. Code 228 and not using the screening instrument prescribed under Section 228.10 of those rules, a description of the screening procedures to be used that provides evidence that these procedures are developmentally appropriate, supported by research and address the following areas:
 - A) Criteria to determine at what point performance on the screening instrument identifies a child as proficient in English; and
 - B) Screening instruments or activities related to and able to measure the child's English proficiency in at least the domains of listening and speaking to include vocabulary, comprehension, grammar and syntax, and verbal expression.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART B: PRESCHOOL FOR ALL CHILDREN PROGRAM

Section 235.120 Proposal Review and Approval for New or Expanding Programs

In order to meet the funding priorities set forth in Section 2-3.71(a)(4.5) of the School Code, each proposal shall be reviewed using both quantitative and qualitative criteria.

- a) Proposals shall first be screened to identify those proposals that meet the criteria for each funding priority (see Section 235.110(a) of this Part). Proposals shall be separated into the following three categories:
 - 1) proposals serving primarily at-risk children,
 - 2) proposals serving primarily children whose families meet income guidelines, and
 - 3) all other proposals.
- b) Within each of the three categories set forth in subsection (a) of this Section, the proposals shall be reviewed and scored using the qualitative criteria set forth in Section 235.50(a) of this Part to determine which proposals provide evidence of a "qualified program". "Qualified programs" shall be those scoring at least 60 out of 100 total points.

- 1) All qualified programs within the category set forth in subsection (a)(1) of this Section shall be funded before funding any qualified programs in the categories set forth in subsection (a)(2) or (a)(3) of this Section.
- 2) All qualified programs within the category set forth in subsection (a)(2) of this Section shall be funded before funding any qualified programs in the category set forth in subsection (a)(3) of this Section.
- 3) Within each category, priority for funding will be given to substantially similar proposals that:
 - A) serve children from a community with limited preschool programs or few resources promoting preschool education, ~~or~~
 - B) ~~include a signed partnership agreement with the local Head Start program.~~
- c) The selection of proposals for funding may be based in part on the need to make programs available on a statewide basis and/or to provide resources to school districts and communities with varying demographic characteristics.
- d) The State Superintendent of Education shall determine the amount of individual grant awards. The final award amounts shall be based upon:
 - 1) the total amount of funds available for the Preschool for All Children program; and
 - 2) the resources requested in the top-ranked proposals, as identified pursuant to subsections (b) and (c) of this Section.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Riley Mitchell, Chief Financial Officer 
Darren Reisberg, General Counsel 

Agenda Topic: Proposed Amendments for Initial Review: Part 252 (Driver Education)

Materials: Recommended Amendments

Staff Contact(s): Tim Imler

Purpose of Agenda Item

The purpose of the agenda item is to present the proposed amendments for the Board's initial review.

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

This agenda item does not link to Strategic Plan as the changes are technical in nature.

Expected Outcome(s) of Agenda Item

The Board will be asked to adopt a motion authorizing solicitation of public comment on the proposed amendments.

Background Information

P.A. 96-734, effective August 25, 2009, repeals Section 27-23 of the School Code ("Motor Vehicle Code") and places its relevant provisions into the Driver Education Act (Sections 27-24 through 27-24.8 of the School Code). As such, references to Section 27-23 must be removed from Part 252 and the references to the applicable provisions of the Driver Education Act added.

It should be noted that this rulemaking contains only those sections not being amended by the Driver Education proposal that the Board adopted in September. Incorrect statutory citations in those adopted amendments were updated as part of the second notice changes requested by the Joint Committee on Administrative Rules. It is anticipated that those amendments will take effect in the near future.

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

Policy Implications. See "Background" above.

Budget Implications. See "Background" above.

Legislative Action. None.

Communication. See below.

Pros and Cons of Various Actions

The proposed amendment will make the rules conform to state law.

Superintendent's Recommendation

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

The State Board of Education hereby authorizes solicitation of public comment on the proposed rulemaking for Driver Education (23 Illinois Administrative Code 252), including publication of the proposed amendments in the Illinois Register.

Next Steps

With the Board's authorization, staff will submit the proposed amendments to the Administrative Code Division for publication in the Illinois Register to elicit public comment. Additional means, such as the *Superintendent's Weekly Message* and the agency's website, will be used to inform interested parties of the opportunity to comment on this rulemaking.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER g: SPECIAL COURSES OF STUDY

PART 252
DRIVER EDUCATION

Section	
252.10	Definitions
252.20	Administration and Procedures
252.25	Eligibility of Students
252.30	The Terms of Reimbursement for Public School Participation in the Course
252.40	Driver Education Personnel Requirements
252.50	Commercial Schools (Transferred)

AUTHORITY: Implementing and authorized by the Driver Education Act [105 ILCS 5/27-24 through 27-24.8].

SOURCE: Adopted September 4, 1975; codified at 8 Ill. Reg. 1585; emergency amendment at 9 Ill. Reg. 15558, effective October 1, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 12922, effective July 22, 1986; Section 252.50 transferred to 92 Ill. Adm. Code 1060.240 (Secretary of State) pursuant to Section 5-80(d) of the Illinois Administrative Procedure Act [5 ILCS 100/5-80(d)] and Section 6-411 of the Illinois Driver License Law [625 ILCS 5/6-411] at 11 Ill. Reg. 1631; amended at 18 Ill. Reg. 16307, effective October 25, 1994; amended at 22 Ill. Reg. 7577, effective April 17, 1998; amended at 26 Ill. Reg. 10476, effective July 1, 2002; amended at 28 Ill. Reg. 15481, effective November 22, 2004; amended at 29 Ill. Reg. 15936, effective October 3, 2005; amended at 32 Ill. Reg. 10922, effective July 7, 2008; amended at 33 Ill. Reg. _____, effective _____; amended at 34 Ill. Reg. _____, effective _____.

Section 252.10 Definitions

“Behind-The-Wheel Instruction” is that part of the driver education course that consists of individual practice driving with a driver education instructor who meets the requirements of Section 252.40 of this Part and provides learning experiences for the student as an operator of a dual-control car in traffic on public highways.

"Classroom Instruction" is that part of the driver education course consisting of learning experiences centered in the classroom.

"Declaration of Intent" is a student's application for enrollment in a driver education course.

"Driver Education Course", as used in this Part, is any driver education course approved by the State Superintendent as meeting at least the minimum requirements of ~~Section 27-23 of the School Code [105 ILCS 5/27-23]~~; the Driver Education Act [105 ILCS 5/27-24 through 27-24.8] and this Part and consists of all those learning experiences provided by a school or school district for the purpose of helping students learn to use motor vehicles safely and efficiently. Driver education courses must include classroom and behind-the-wheel instruction as a unified course (see Section 252.20(c)(1) of this Part).

"Dual-Control Car" is a motor vehicle that has special safety and instructional equipment in addition to the regular legally prescribed equipment, which shall consist of a second foot brake positioned for use by the instructor, an outside rearview mirror on the right side of the vehicle, and a sign identifying the vehicle as a driver education car (see 625 ILCS 5/6-410).

"Eligible student" is a student who meets the conditions of ~~Section Sections 27-23 and 27-24.2 of the School Code [105 ILCS 5/27-24.2] [105 ILCS 5/27-23 and 27-24.2]~~ for enrollment in a driver education course.

"Enrollment", for purposes of an approved driver education course, means the period of time beginning 30 days prior to the time a student begins classroom instruction through the conclusion of the driver education course.

"Observation Time" refers to that time during which a student is riding in the back seat of a dual-control car observing instructions of the teacher and procedures and techniques of the driver who is participating in behind-the-wheel instruction.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 252.25 Eligibility of Students

- a) Pursuant to ~~Section 27-23~~ and 27-24.2 of the School Code, no student shall be permitted to enroll in a driver education course provided by a public school district or a nonpublic school unless he or she has either:
- 1) received a passing grade in at least eight courses (which may include courses completed in grade 8) during the previous two semesters or, in the case of block scheduling that reduces the number of courses taken per semester, in at least half the courses taken during the previous two semesters; or
 - 2) received a waiver of this requirement, pursuant to Section 27-24.2 of the School Code, from the superintendent of the public school district or the chief administrator of the nonpublic school in which the student is or will be enrolled full time during the semester for which enrollment in driver education is sought. A record of any waiver granted shall be entered into the affected student's temporary student record as defined in 23 Ill. Adm. Code 375.10, or its equivalent in the case of a nonpublic high school.
- b) Courses
- 1) For the purposes of this Section, a "course" means a sequence of instructional activities or unit of schoolwork for which a grade is given and listed in a student's academic transcript.
 - 2) For the purpose of determining eligibility under this Section, any coursework completed by a student during a summer term falling within the 12-month period immediately preceding the beginning of the semester for which enrollment in driver education is sought shall be counted towards the eight courses for which passing grades are needed.
- c) Verification of Eligibility
- 1) Each public school district or nonpublic school offering a driver education course shall be responsible for verifying the eligibility of all students seeking enrollment in such courses.
 - 2) Public school districts and nonpublic schools offering a driver education course shall establish procedures for verifying the eligibility of students

enrolled there full time when eligibility is based upon the records created by, or transferred to, such schools. If the public school district or nonpublic school previously attended by a student fails to transfer records in time to permit the student's enrollment in driver education, then unofficial records or a signed statement from the parent or guardian of the student shall be used to certify eligibility.

- 3) When a student requests enrollment in a driver education course offered by an entity other than the school district or nonpublic school he or she attends, the school district or nonpublic school offering the course shall be responsible for requesting confirmation of the student's eligibility pursuant to this Section.
 - A) Confirmation may be obtained either in writing or via electronic means addressed to the official records custodian designated by the school pursuant to Section 4(a) of the Illinois School Student Records Act [105 ILCS 10/4(a)].
 - B) The response shall indicate only whether or not the student is eligible and shall not indicate what grades a student received or whether the student received a waiver.
 - C) Failure of a school district or nonpublic school to respond to a request for eligibility verification within 15 calendar days shall be construed as a positive response and the student in question shall be considered eligible for driver education. The requesting school district or nonpublic school shall inform the sending district or nonpublic school, in writing, of the attempts made to verify eligibility and the lack of response. This notification shall indicate that, in the absence of a response, the student is considered to be eligible provided that a signed statement by the student's parent or guardian is on file. A copy of the notification shall be placed in the student's temporary record.
 - D) A student enrolled in a home school who wishes to enroll in a driver education course offered by a public school district or nonpublic school shall present, and each such entity shall accept as




verification of the student's eligibility, a signed statement stipulating:

- i) that the student is enrolled in a home school;
- ii) that he or she is eligible pursuant to subsection (a) of this Section; and
- iii) that the signature presented is that of the individual who administers the school attended by the student.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 29-30, 2009

TO: Illinois State Board of Education

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

Agenda Topic: Action Item: Rules for Adoption – Part 25 (Certification)

Materials: Recommended Rules

Staff Contacts: Linda Jamali and Patrick Murphy, Division Administrators

Purpose of Agenda Item

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

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

This item of rulemaking relates to Goal 2, highly prepared and effective teachers and school leaders, in that it involves improvements in numerous provisions related to the preparation and certification of educational personnel.

Expected Outcome of Agenda Item

The Board will be asked to adopt the proposed amendments to Part 25.

Background Information

These amendments encompass numerous aspects of these rules and include many changes that are intended to strengthen the requirements for various credentials, streamline processes, or achieve greater consistency. An overview of these is presented below, organized chiefly according to the order in which the rules appear. In the interest of avoiding unnecessary repetition, context that can easily be gleaned from the affected rules has not been restated in detail here.

Subpart A: Definitions

Section 25.10 is being clarified to avoid an unintended discrepancy with Section 25.425 relative to individuals prepared in institutions of higher education outside the United States.

Subpart B: Certificates

Sections 25.65 and 25.67 are being revised to require the teaching assignment that forms part of an alternative route to certification to be completed in a public school or a recognized nonpublic school where the majority of teachers (excepting teachers of religious subjects) and the principal hold appropriate Illinois certification or, in the case of the early childhood certificate, in a setting where certification is required.

The need to state explicitly the long-standing requirement for work experience to have been gained outside the field of education was overlooked when **Section 25.70** was most recently revised. That omission is now being remedied. An update is also being made to reference new material being added as Sections 25.485-490 (discussed below).

A new **Section 25.72** is being added to provide focus for the three semester hours of college credit that are required under Section 21-10 of the School Code for each year's renewal of the temporary provisional vocational certificate. In future, this coursework will only be accepted if it relates directly to the certificate-holder's teaching assignment. (Since there has not previously been a rule on this subject, any three semester hours have been counted as fulfilling this requirement.)

In **Section 25.100**, the requirements for the issuance of endorsements are being made more stringent. Beginning in 2011, coursework passed with a grade of "C" or below will no longer be accepted. In addition, the option for presenting either an earned major or a "constructed" major and receiving an endorsement without passing the content-area test will be eliminated. With regard to adding designations in the sciences and social sciences, a requirement for the completion of coursework is being added. New requirements for the endorsement in safety and driver education are being added. Several provisions whose implementation is now complete are being deleted, and other technical updates are being made.

The changes in **Section 25.105** will perpetuate the availability of the temporary substitute teaching permit that was developed specifically in response to Hurricane Katrina. The rule will now be stated in general terms so that it can be available in similar future situations, should any arise.

Subpart C: Approving Programs that Prepare Professional Educators in the State of Illinois

Certain timelines associated with accreditation reviews are being revised in **Section 25.115**.

In **Section 25.125**, provision is being made for the potential need to send institutional review teams to other states where "parent" institutions are located, and requirements are being inserted so that institutions not accredited by NCATE (i.e., those where a visit is conducted by a "state team") will bear part of the costs associated with their visits.

A new **Section 25.130** has been developed to provide a mechanism for a review and intervention when issues with one or more preparation programs or an educational unit become apparent in the interval between regularly scheduled reviews. The provisions of this new rule will enhance the institutions' accountability and afford a means by which problems can be addressed promptly.

In **Section 25.145**, several timelines are being lengthened to accommodate the level of staffing resources that the agency is able to devote to this function.

Section 25.160 is being updated to include a positive outcome achieved under Section 25.130 among the instances in which the State Superintendent does not need to await a response from the affected institution.

The wording change in **Section 25.165** is being made for the sake of completeness.

Subpart D: School Service Personnel

In **Sections 25.215, 25.225, and 25.235**, revisions are being made in the requirements for experience that complements the professional preparation of school social workers, school counselors, and school psychologists, respectively. These are generally intended to accommodate what is typically required by other states so that the movement of out-of-state educators into Illinois will not be hampered. The revision in **Section 25.227** is being made for the sake of clarity only.

The change being made in **Section 25.275** is a technical one comparable to the update being made in Section 25.70. That is, several new Sections that are being added as part of this rulemaking to implement various statutes need to be referenced in Section 25.275(l)(2).

Subpart E: Requirements for the Certification of Administrative and Supervisory Staff

In **Section 25.313**, language is being added to the requirements for the one-year, full-time administrative assignment that comprises the second phase of the alternative program leading to administrative certification. The revised language will ensure that the tasks undertaken during this year shall not consist of work performed as either a principal or an assistant principal and must relate to the endorsement sought.

A reference to new Sections 25.485-490 is being inserted into **Section 25.315(f)(7)** for the sake of completeness, as discussed elsewhere also.

The requirements for experience that are stated in **Section 25.335** with regard to the general administrative endorsement are intended to ensure that the necessary experience will have been gained after the completion of relevant professional preparation.

Technical updates are being made in **Section 25.360** with respect to requirements for the superintendent's endorsement.

The requirements for receiving an endorsement as director of special education (**Section 25.365**) are being strengthened and made more relevant to the role of this administrator in the current cross-categorical environment.

Subpart F: General Provisions

The change in the statutory citation in **Section 25.400(c)** represents a technical correction only.

The revisions to **Section 25.425** are being made for the sake of clarity.

Material is being added to **Section 25.427** to capture a long-standing policy that has not yet been stated as a rule.

Section 25.444 is being amended comprehensively, in part to reflect changes in Section 21-27 of the School Code that were made by P.A. 95-996. That legislative initiative made several changes in the Illinois Teaching Excellence Program, including:

- making certain retired individuals eligible to receive incentive payments for providing mentoring and professional development;
- making all the same services eligible for compensation, regardless of the characteristics of the school district that employs the recipient teachers or counselors;

- specifying that teachers and counselors may agree to, and receive payment for, an increment of 30 hours of service rather than 60 hours; and
- adding a variety of “candidate support” payments to the program and specifying the order of priority to be assigned to these when the appropriation is insufficient to cover all.

Additional revisions being introduced at this time are intended to focus the program so that, where employment is required, the funds will be used to compensate individuals who are working full time for the entire school year.

An exception is being made to one of the requirements stated in **Section 25.464** to help districts receive short-term authorization to assign individuals when unforeseen circumstances arise.

Extensive new material is being provided in **Sections 25.485-25.490** to address in detail each of a group of statutorily identified circumstances in which an applicant may be ineligible for the certification action requested. Each of these Sections rests on a particular underlying statute and discusses the material that an affected individual can submit in order to remove the impediment in question so that the requested certificate, endorsement, etc., can be issued. These provisions will assist in carrying out ISBE’s obligations under these various statutes.

The repeal of **Section 25.493** reflects the fact that no internships are being conducted as described in that Section.

Subpart G: ~~The Utilization of Paraprofessionals and Other Noncertificated Personnel~~

Several updates are being made to **Section 25.510** on the approval of paraprofessionals. These will aid in distinguishing individuals employed as professionals from volunteers; acknowledge the fact that the Illinois Community College Board does not approve any paraprofessional training programs (which is also the reason for the repeal of **Section 25.540**); and eliminate a requirement for an evaluation of performance as a condition of receiving approval as a paraprofessional. This last change is being made because standardized scoring of the “Instructional Support Inventory” is unavailable and because individuals who are not already approved as paraprofessionals cannot be employed in situations where their performance could be observed and evaluated.

In addition, Section 25.510 as currently written requires even certified individuals to apply separately for approval as paraprofessionals even though it is self-evident that they qualify. This results in much duplication of effort and delay. Several changes have been introduced to make an exception for the holders of nearly all types of certificates. (The temporary provisional vocational certificate is the exception, since its issuance does not require that any college coursework have been completed.)

Sections 25.520 and 25.530 are being repealed, and the material that is still current on these subjects is being placed into Part 1 as part of the amendments to that Part that are also being presented for initial review this month. This is being done because the major function of Part 25 is to describe the requirements for the various credentials and how they will be issued, while it is Part 1 that conveys, among other things, the requirement for districts’ assignment of personnel who hold various qualifications. **The title of Subpart G** is also being revised consistent with this distinction.

Subpart I: Illinois Certification Testing System

Numerous changes are being made throughout the rules in this Subpart (**Sections 25.705 - 25.780**) to capture the procedural differences that will pertain depending upon whether an individual chooses paper-based or computer-based certification testing. Several technical revisions were requested by the testing contractor, such as the definition of “unauthorized aid” in Section 25.710 and the distinction between canceling and voiding scores that is being introduced into Section 25.755. In addition, provisions are being added that will restrict each individual to five attempts to pass the same test and make individuals ineligible to retake tests or receive certificates if they are found to have cheated. These amendments are intended to avoid certifying individuals whose testing performance is very marginal and to convey a clear message that ethical behavior is expected of Illinois educators.

Subpart J: Renewal of Standard and Master Teaching Certificates

Since it is now possible for school counselors (who hold school service personnel certificates) to receive master certificates, an update in **the title of Subpart J** is needed for the sake of technical correctness. The revisions in **Sections 25.835(f) and 25.840(d)** are similar to others identified above in referring to the group of new Sections based on statutory impediments to certification. All the other changes in **Sections 25.805 – 25.872** are due to P.A. 95-793, which eliminated the entire discussion of continuing education units (CEUs) from the renewal requirements stated in Section 21-14 of the School Code.

Subpart K: Requirements for Receipt of the Standard Teaching Certificate

In **Section 25.910**, a requirement is being added affecting mentors with full-time teaching assignments. They will be limited to mentoring no more than one new teacher in any given year. For full-time release mentors, the cap is being eliminated on the number of teachers who may be mentored for the same individual.

Appendix A: Statistical Test Equating – Certification Testing System

The testing contractor’s review of our rules has revealed that minor revisions are needed in the way this formula is displayed. In particular, the presentation of the formula dates from the typewritten addition of this Appendix in 1990 and does not reflect the correct placement of subscripts and superscripts. That problem can now be corrected thanks to the availability of sophisticated software. These changes are technical only and will not represent a change in the approach used.

The proposed rules were published June 12, 2009, in the Illinois Register to elicit public comment; 298 responses were received. The summary and analysis of the public comment is attached.

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

Promulgation of this group of changes will improve the expression of several requirements, as outlined above, bring the rules into conformity with recent statutory changes, and raise the standards for future applicants in several respects.

Superintendent's Recommendation

I recommend that the following motion be adopted:

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.

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 Ill. Adm. Code 25 (Certification)**

Comment

One commenter objected to the removal of language in Section 25.25 that had initially been included in this section addressing specific coursework and semester hours in the psychology and identification of students with disabilities and methods of instruction for those students, and in methods of teaching reading to students in the grade range of the certificate sought. It was noted that many new teachers are not yet skilled in identifying instructional modes best suited to individual students and that all schools emphasize literacy throughout the curriculum. The writer recommended that the State Board make the Professional Teaching Standards more rigorous in this area.

Analysis

These rules were discussed with the State Teacher Certification Board at its meeting on May 1 along with the material in Parts 1 and 24 that complements these amendments. The Certification Board reviewed these amendments for consideration by the State Board of Education. The Certification Board did not concur with the proposed addition of requirements for specific courses in methods of reading and in recognizing and meeting the needs of students with disabilities, which was an issue raised by commenters during the public participation portion of the Board's meeting as well. The Certification Board members were more concerned about requiring specific courses and believed that a review of the standards would be a better approach. While we agree with the comment, it is not appropriate for rulemaking to go forward at this time. The topic is under consideration and we can expect future rulemaking on the subject.

Comment

More than 225 commenters were opposed to the requirement that candidates for both provisional and initial alternative teaching certificates complete a program including a year of teaching in the public schools (Sections 25.65 and 25.67). Nearly all such comments expressed support for parochial schools in Chicago and those universities and organizations that provide alternative certification in such schools. Commenters noted that Catholic schools are recognized by the State Board of Education and employ certified teachers and administrators. Writers cited the rigor of alternative teaching programs, which use certified staff in preparing new teachers; the talent and dedication of candidates, many of whom enter programs in order to work with at-risk children in inner-city schools; and the desirable characteristics of Chicago's Catholic schools, which include support for teachers in their first years and favorable teacher-student ratios, both conducive to retention of new teachers in the profession. The elimination of alternative certification candidates from parochial schools was described as short-sighted, and it would deny benefits of high-talent teachers to low-income students, restrict the numbers of those who consider alternative certification, and convey the impression of anti-Catholic bias. Writers urged a change in the proposed amendment to allow teaching to be done in state-recognized nonpublic schools that require teacher certification as a condition of employment.

Conversely, one commenter asked why alternative certification in early childhood did not appear to require teaching experience in a public school.

On a related note, one writer stated that the proposed language was incongruent with Section 25.335(c) and, if approved, would eliminate the certification route of teachers with experience in nonpublic special education schools.

Analysis

The proposed change was added to ensure that candidates for alternative certification were paired with certified teachers and administrators as they began their careers. The blanket prohibition on nonpublic schools did not, however, take into account the many private schools in Illinois that choose to seek agency recognition and that employ certified staff. We agree that schools meeting these conditions should be included.

As for early childhood alternative certification, Section 2-3.71 of the School Code requires that any individual who provides instruction in a state-funded preschool program must hold a Type 04 certificate; however, those programs can be established in a public school, daycare center, community center or other eligible private facility, including recognized nonpublic schools. The change recommended below in Sections 25.65 and 25.67 should align the requirements for individuals seeking elementary and secondary alternative certification more closely with those afforded individuals seeking early childhood certification.

Recommendation

Section 25.65(a)(2)(A) should be revised as follows:

- a) Section 21-5b of the School Code [105 ILCS 5/21-5b] provides for the issuance of provisional alternative teaching certificates and initial alternative teaching certificates to eligible candidates, as defined in that Section, who successfully complete a program consisting of:
 - 1) a course of study approved by the State Board of Education;
 - 2) one year's full-time teaching on the provisional alternative certificate:
 - A) in the public schools; or
 - B) in a nonpublic school, provided that:
 - i) it meets the recognition criteria set forth in rules governing Voluntary Registration and Recognition of Nonpublic Schools (23 Ill. Adm. 425);
 - ii) the majority of individuals who provide non-religious instruction to students hold a valid Illinois teaching certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25);
 - iii) the individual who serves as the principal holds a valid Illinois administrative certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25); and

iv as of January 1, 2010, the school has a written policy stating that all new teachers hired to provide non-religious instruction to students will hold a valid Illinois teaching certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25); or

~~C)B)~~ in the case of the early childhood certificate, in a position for which an early childhood certificate was required pursuant to the rules of the State Board of Education at 23 Ill. Adm. Code 235 (Early Childhood Block Grant); and

Section 25.67(b)(1) should be revised as follows:

- b) Section 21-5c of the School Code further provides for the issuance of initial teaching certificates to candidates who, after completing the course of study referred to in subsection (a) of this Section, complete an alternative program that also includes:
- 1) one year's full-time teaching on the provisional alternative certificate, in the public schools or in nonpublic schools that meet the requirements set forth in Section 25.65(a)(2)(B) of this Part; and

Comment

A concern was raised over the amendment in Section 25.72 that would limit coursework presented as part of a renewal of a provisional vocational certificate to "...the career and technical education content area of the individual's assignment ... or in pedagogy." Such language was thought to eliminate inclusion of college-level courses that support teaching skills.

Analysis

The inclusion of "pedagogy" in Section 25.72 will allow for the type of coursework noted above.

Recommendation

No change is recommended in response to this comment.

Comment

A few commenters discussed the proposal's requirement that, as of February 1, 2012, students would need to pass all professional education and content-area coursework forming part of an application for certification, endorsement, or approval with a grade no lower than "C" or its equivalent (see Section 25.100). One organization supported the change so long as the agency would accept re-taking of a course to raise the grade. Others disagreed with the change, stating that a student's grade point average (GPA) is a better measure of readiness than are individual grades. Heavy course loads and little time to repeat subjects could cause an otherwise well-qualified candidate to receive a grade lower than C in one course. One writer asked whether the courses that apply to the professional education and content-area GPA for approved programs are to be determined by institutions or by the agency, noting that if the agency makes this determination precise definitions of what courses can and cannot 'count' will be required. The same writer noted that applicants for endorsements received through the State Board of Education would have one year longer than applicants in approved programs to

obtain the endorsement under the current rules. He asked that the deadline be extended to accommodate students in approved programs.

Analysis

The proposed amendments to Section 25.100 correspond to changes being made in Part 1.720 and acknowledge the value of achieving at a certain minimum level in order for coursework to be eligible for an endorsement, teaching certificate or approval. It would be impossible for a rule to be written that represents all of the individual grading policies being used; therefore it is incumbent upon faculty at institutions that issue “plus” and “minus” grades to be cognizant of the agency’s requirements when establishing grading policies and advising their students.

Staff believe that the language outlining what coursework is subject to the “C” grade equivalent is clear. Courses in professional education and in content areas that become part of an application for certification, endorsement, or approval received on or after February 1, 2012, must meet the new requirement. Agency staff are available for consultation in cases where institutions need clarification on the nature of any given course.

Staff considered several options when choosing the February 1, 2012, date for the new endorsement requirements to take effect. The February date allows ample lead time for candidates and institutions to adjust to the new rules and captures those students who may take an additional semester to complete coursework for their degree (i.e., four and a half years).

Recommendation

No changes are recommended in response to these comments.

Comment

Commenters supported the change in Section 25.100 that requirements for 24 semester hours of college courses related to the subject area of the certificate take effect on or after February 1, 2012; however, supported by commenters in the case of bilingual and English as a second language endorsements, it was thought that requiring more hours to qualify for the endorsement could further decrease the number of eligible candidates in shortage areas.

For the reading specialist endorsement, where 24 semester hours are already required, writers objected to allowing candidates with 18 hours of coursework completed before June 30, 2006, to be granted the endorsement, provided that the candidate applied for the endorsement no later than October 1, 2010.

Analysis

The changes in rules pertaining to endorsements in bilingual and English as a second language were discussed with the State Teacher Certification Board at its meeting on May 1 along with the material in Parts 1 and 24 that complements these amendments. The changes were pulled for consideration. The topic remains under consideration and we can expect future rulemaking on the subject.

We agree that allowing candidates with 18 hours of college coursework completed before June 30, 2006, until October of 2010 to apply for the endorsement is too generous.

Recommendation

Section 25.100(i)(1)(C) should be revised as follows:

- C) having completed, on or before June 30, 2006, the 18 semester hours of college coursework in reading described at 23 Ill. Adm. Code 1.740(a), in which case the individual shall apply for the endorsement no later than December 31, 2009 ~~October 1, 2010~~, and passage of the content-area test or test of subject matter knowledge shall not be required.

Comment

Many writers objected to the proposed language in Section 25.100(i)(2)(A), specifying that reading specialist candidates have at least two years of teaching experience in the public schools. It was stated that the ability of a candidate to obtain a master's degree and pass all course requirements and state-developed tests should outweigh the requirements for the type of school where the candidate may teach. Another commenter cautioned that the agency should not make the acquisition of additional teaching credentials so difficult that colleagues in the private school sector decide not to pursue them. Others stated that the proposed language was inappropriate and discriminatory towards reading specialists who have worked in nonpublic schools.

A question was raised about the receipt of the reading specialist endorsement on the special K-12 certificate that is proposed for elimination. The writer asked if the deletion meant that the certificate was no longer available.

Analysis

The proposed change on public school experience was added to ensure that candidates for reading specialist endorsement were paired with certified teachers and administrators as they pursued additional credentials. However, all such candidates already hold a teaching certificate. Staff believe it is appropriate to allow reading specialist candidates to obtain their two years of teaching experience in any Illinois school, public or nonpublic, since those seeking the reading specialist endorsement are already required to hold a teaching certificate. In addition, we agree that the deleted language referring to the special K-12 certificate may lead to the impression that the certificate is no longer valid.

Recommendation

Section 25.100(i)(2)(A) should be revised as follows:

- 2) Reading Specialist
 - A) Each candidate for the reading specialist's endorsement shall hold an Illinois early childhood, elementary, secondary, or special certificate and have a least two years of teaching experience on one or more of those certificates in an Illinois ~~the a public schools~~. Each candidate shall be eligible to receive this endorsement on that certificate or on a separate special K-12 certificate when he or she presents evidence of having completed the required teaching experience.

Comment

Two writers queried whether the master's degree required for reading specialist candidates (Section 25.100(i)(2)(B)) could be in any field.

Analysis

Students may enter this program with a master's degree in any field, so long as it has been awarded by a regionally accredited institution of higher education. Section 25.100(i)(2)(C) states that candidates for the reading specialist endorsement who already hold one master's degree shall not be required to obtain a second one.

Recommendation

No change is recommended in response to this comment.

Comment

In Section 25.100(n)(2)(C) (endorsement in safety and driver education), one writer noted that a course in driving simulation is not necessary for all driver education instructors, since many smaller and downstate school districts do not offer simulation as part of their behind-the-wheel component of driver education. The commenter nonetheless asked the agency to "assure that all institutions offering the endorsement program must offer the specific one semester hour class in driving simulation so that candidates can meet the requirements".

Analysis

We agree that adequate preparation for endorsement in safety and driver education must enable candidates to fill a range of positions and therefore must include all the program elements listed in Section 25.100 (n). The requirement for driving simulation as stated in rules is for "the *equivalent* of at least one semester hour's preparation in the use of driving simulation."

Recommendation

No change is recommended in response to this comment.

Comment

Writers asked when the proposed deadline of August 30 would take effect for accredited educational units to submit reports to the State Superintendent of Education (see Section 25.115(e)). They also asked if the agency would consider waiting to set this deadline and amend this section of rules until institutions had received the final copy of their annual program report for review.

Analysis

We agree that mention of the first year in which the August 30 deadline applies (2010) should be made. However, we see no need to wait to set new deadlines until institutions have received their annual program review.

Recommendation

Section 25.115(e) should be amended as follows:

- e) Beginning in 2010, Eeach accredited educational unit shall annually submit to the State Superintendent of Education, in a format defined by the State Superintendent and no later than August 30:

Comment

A writer asked for the phrase “professional experience” to be defined in Section 25.215(c), which requires candidates for the school service personnel certificate endorsed for school social work to “have one year’s professional experience as a school social worker”. The same writer asked if the one year of experience had to be a full-time position or, if it could be part-time, how many hours of experience were necessary.

Analysis

The phrase “professional experience” in this context means time spent working in a school on that certificate. The one year of experience is meant to be a full-time-equivalent position.

Recommendation

No change is recommended in response to this comment.

Comment

Commenters asked that the substitution of “agency counseling” in place of “school counseling” in 25.227(a)(2) be more clearly defined. One writer suggested substituting three “recognized areas of specialization”: community counseling, mental health counseling, or rehabilitation counseling.

Analysis

Staff would agree that the word “agency” could encompass meanings too broad for this context.

Recommendation

Section 25.227(a)(2) should be amended as follows:

- a) An individual who wishes to participate in an internship enabling him or her to meet the requirements described in Section 25.225 of this Part may obtain interim certification as a school counselor intern. Each applicant for this certification shall either:
 - 1) have completed, as part of an approved program, all the coursework described in Section 25.225(d)(2) of this Part; or
 - 2) hold a master’s or higher degree in the a field of community agency counseling ~~other than school counseling~~ and be working toward completion of all requirements necessary for certification as a school counselor as described in Section 25.225(h) of this Part.

Comment

A writer requested clarification about whether the one-year, full-time internship referenced in Section 25.235 would be an academic year or a calendar year.

Analysis

The rule as written allows for flexibility so that candidates can complete the internship during one academic year or across two calendar years.

Recommendation

No change is recommended in response to this comment.

Comment

A number of comments received strongly disagreed with the proposed amendments in Section 25.313 to clarify the intent of Section 21-5d of the School Code to allow for an alternative route to administrative certification for managers wishing to change careers and enter the educational field. The new language requires that candidates entering a course of study on or after January 1, 2010, have five years' employment in a management-level position that excludes experience in any position requiring an administrative certificate or a comparable position in a nonpublic school.

One writer requested evidence of the conscious intent of the General Assembly in creating this program, noting that in the absence of such proof the agency was suspect of employing semantically biased language to justify the rules change. Others stated that principals and school administrators should not be excluded from participation in alternative certification. Another writer stated that an educational administrator, especially an experienced principal, would be an excellent candidate for the alternative credential. Other commenters praised Western Illinois University's Alternative Certificate Initiative (ACI) for addressing the severe shortage of high-quality superintendents, and allowing principals and other school managers who have been "tapped" for an eventual vacancy in the superintendency to be prepared for the position through an effective program. The new language adding the requirement for a one-year, full-time administrative assignment that cannot include work performed as a principal/assistant principal was also cited as a potential blow to Western's program. It was stated that only five or six candidates in the history of ACI's enrollment would be able to meet that criterion. The agency was asked to examine the success of Western's program, and the qualities of its graduates, before taking any actions likely to inhibit its future growth.

Analysis

A primary goal of introducing a shortened path to administrative certification was to attract managers outside the field of school administration. This second-career option was designed as a three-step accelerated approach for candidates with a master's degree or equivalent in a management field as determined by the State Board and with five years of experience in a management-level position. While we maintain our beliefs concerning the intent behind the enabling legislation, we acknowledge that an existing program such as Western's that has enrolled principals for several years seems to support that this approach has provided districts the opportunity to have principals seek the superintendent endorsement to fill vacant positions.

On the other hand, the coursework for this alternative path to administrative certification is necessarily abbreviated in order to complete the program in a condensed period of time. Therefore, there is a need for a full-time internship to provide a consistent and full range of experiences so that candidates know all that defines the responsibilities of an administrative position exclusive of the positions of principal or assistant principal. The current model allows candidates enrolled in part-time internships to encounter portions of the job, but they do not experience the comprehensive spectrum that a full-time internship would provide.

Recommendation

Section 25.313 should be revised as follows.

Section 25.313 Alternative Route to Administrative Certification

The purpose of the administrative route established under Section 21-5d of the School Code [105 ILCS 5/21-5d] is to provide an expedited means by which experienced administrators may acquire the knowledge and skill that will enable them to serve as public school administrators in positions other than principal and assistant principal. For purposes of this Section, and beginning with candidates who begin the course of study on or after January 1, 2010, the one year's full-time administrative assignment that makes up the second phase of this program shall not consist of work performed as a principal or assistant principal and must include a range of tasks that are inherent to the roles covered by the endorsement sought.

- a) Section 21-5d of the School Code [~~105 ILCS 5/21-5d~~] provides for the issuance of provisional alternative administrative certificates to eligible candidates, as defined in that Section, who successfully complete a course of study approved by the State Board of Education in consultation with the State Teacher Certification Board.
- b) Section 21-5d of the School Code further provides for the issuance of standard administrative certificates to candidates who, after completing the course of study referred to in subsection (a) of this Section, complete an alternative program that also includes:
 - 1) one year's full-time administrative work in a school district's central office;
 - 2) a comprehensive assessment of the candidate's performance; and
 - 3) a favorable recommendation by the institution of higher education responsible for the course of study.

Comment

One writer asked, in reference to Section 25.335(c), whether candidates already admitted to programs but whose applications will not be submitted until on or after February 1, 2012, will be allowed to apply under the previous rule.

Analysis

Staff believe that the great majority of candidates already enrolled in programs will have adequate time to meet the new course requirements by February 1, 2012.

Recommendation

No change is recommended in response to this comment.

Comment

One commenter stated that the 30 hours of coursework required of prospective directors of special education who apply on or after February 1, 2012, were not necessary, suggesting that 24 hours be substituted, with an additional six hours of graduate work electives being recommended but not required. (See Section 25.365.)

Analysis

The 30 hours of coursework have been designed to address the needs of director of special education candidates for adequate preparation in the current cross-categorical environment.

Recommendation

No change is recommended in response to this comment.

Comment

The same writer recommended adding to the areas of coursework in Section 25.365(c)(3) (B) a listing for "administration of special education," noting that the Type 75 certificate did not provide adequate administrative preparation for such duties.

Analysis

We believe that the extensive training in school administration leading to a Type 75 certificate is sufficient preparation for the director position, especially since the 30 semester hours of coursework cover many topics linked to special education.

Recommendation

No change is recommended in response to this comment.

Comment

A comment was made that the avenue to the special education directorship undercuts approved programs; the writer wondered why a candidate would choose an approved program when this easier option is available.

Analysis

The proposed changes are designed to strengthen this program, make it more rigorous, and more relevant to the evolving role of special education administration today.

Recommendation

No change is recommended in response to this comment.

Comment

In regard to the requirement in Section 25.365(e), that candidates for this endorsement applying on or after February 1, 2012, shall have two years' full-time experience in the public schools, a writer asked if relevant experience from recognized private schools was thereby excluded.

Analysis

We would agree that candidates with appropriate certification may obtain the required two years' full-time experience in Illinois public or nonpublic schools.

Recommendation

Section 25.365 e) should be amended as follows:

- e) The requirements of this subsection (e) shall apply to applications received on or after February 1, 2012. Each candidate shall have two years' full-time experience providing special education services:

- 1) in the public schools, as either a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist; or
- 2) in a nonpublic school, if the candidate holds the appropriate corresponding Illinois certificate as either a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist.

Comment

One writer asked if the new language in Section 25.427(b)(2) means that institutions will no longer be able to use the State Board of Education Verification of Approved Program form for individuals, as has been the case. It would seem that the form cannot be used unless information is included on what has changed in the program since the individual completed program work.

Analysis

The writer is correct in this assumption.

Recommendation

No change is recommended in response to this comment.

Comment

Several writers had comments on the comprehensive amendments to this Section 25.444 (reflecting, in part, changes in Section 21-27 of the School Code). Some writers expressed concern that the changes were not in teachers' best interests and that the mentoring program might be discontinued. Other commenters objected to the new funding priorities established in 25.444(a)(1) through (8) and asked that they be re-organized, either to rank incentive payments above annual stipends or to reinstate the ability of half-time teachers and counselors to mentor. Changes to subsection (b) elicited comments that full-time release mentor- teachers should not be denied mentor incentive compensation if they chose to mentor National Board of Professional Teaching Standards (NBPTS) candidates outside of their regular work responsibilities. The funding priorities established for NBPTS individuals (see Section 25.444(g) through (k)) were criticized, with some individuals noting that candidates already in the process should take precedence over others.

Analysis

These amendments were developed in response to legislative changes to the Illinois Teaching Excellence Program and in acknowledgment of limited funding to cover the topics encompassed by this initiative. It should be noted that a full-time release mentor is still eligible for the annual stipend (Section 25.444(b)) but is not eligible for the incentive payments applicable to mentoring (Section 25.444(f)).

Recommendation

No changes are recommended in response to these comments.

Comment

One commenter supported the changes in Section 25.485 regarding the disclosure on applications for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential of whether the applicant had ever had a certificate denied, suspended or

revoked in Illinois or any other state. The commenter noted that the requirement has been observed in practice but not in rules, but emphasized the importance of ensuring that teachers are aware of these rules and their consequences.

Analysis

We agree with the writer and will share this information with schools and educators through a variety of channels.

Recommendation

No change is recommended in response to this comment.

Comment

One commenter supported the provisions in Section 25.490 but thought they should be expanded to include a statement that conviction of misdemeanors could also provide a district with grounds to remove a teacher.

Analysis

The commenter has misinterpreted Section 25.490, which pertains to certificates rather than to teacher employment. In addition, some of the drug and sex offenses listed in Section 21-23a of the School Code are indeed misdemeanors, not felonies. While a school board may dismiss an employee based on conviction of a misdemeanor the board in its role as the employer, not the State Board of Education, must make that determination.

Recommendation

No change is recommended in response to this comment.

Comment

It was recommended that the agency consider a milder version of Section 25.720(h), allowing an individual who had failed the same test five times to be allowed to re-take the test after a mandatory hiatus of five years. This language, it was suggested, would permit students in their 20's to have another chance at eventual certification, rather than being barred for life from teaching. The same writer asked if the proposed rules would apply equally to candidates from other states. Another commenter asked how the 5-time testing limit could be upheld in cases where a candidate used an incorrect social security number.

Analysis

Agency staff have discussed the question of test limits at some length. We continue to believe that allowing five chances to pass the same test, in any combination of paper-and-pencil and computer-based formats, is fair, and that such limits must be set. Out-of-state candidates sitting for Illinois examinations will be held to the same standards. While we agree that issues with incorrect or fraudulent candidate information are most important, they are addressed through specifications established by the agency and its testing contractor.

Recommendation

No change is recommended in response to these comments.

Comment

One writer questioned if institutions would be informed in cases where individuals were found to violate testing conditions with the intent of falsifying identity or unfairly affecting performance on current or future tests. Such individuals are ineligible to receive any certificate in Illinois. (See Section 25.755(g)(2)).

Analysis

We agree with this comment and will establish a system to notify institutions in such cases.

Recommendation

No change is recommended in response to these comments.

Comment

The suggestion was made to eliminate 25.872(c)(1) that requires a provider of continuing professional development to submit written notice to the agency 30 days prior to initial date of each training activity, along with details about the training. The commenter indicated that the provision had not been enforced for some time.

Analysis

We would agree with this comment and the section can be removed.

Recommendation

Section 25.872(c) should be amended as follows:

- c) Each application shall provide assurances that the following requirements will be met.
 - 1) ~~The provider shall submit written notice to the State Board of Education no later than 30 days prior to the initial date of each of its training activities, including the title, description, target audience, instructional method, and intended learning outcomes of the activity, along with a sample of the syllabus, program, or outline for it.~~
 - 2) The provider shall verify individuals' participation in its training activities, provide documentation indicating whether those who participated in a particular activity have completed it, and require participants to complete evaluations of the activities that will gather at least the information specified by the State Board of Education. The evidence of completion provided to participants shall indicate the average or expected time required so that one CPDU per hour of participation may be documented.
 - 2 ~~3~~) The provider shall maintain participants' evaluations for a period of not less than three years and make them available for review upon request by staff of the State Board of Education.
 - 3 ~~4~~) The provider shall maintain records of participation and completion for each activity it conducts or sponsors for a period of not less than five years.

Comment

One commenter strongly urged the agency to include language in Section 25.910(b) specifying that mentors holding a full-time teaching assignment be assigned to only one new teacher during any given year. The writer related mentors' concerns that they are not provided sufficient sanctioned release time from their regular jobs in which they can work effectively with the teacher to whom they are assigned.

Analysis

We agree with the concerns addressed here and will amend the rules accordingly.

Recommendation

Section 25.910(b) should be amended as follows:

- b) A formally trained mentor shall be assigned to assist each new teacher. Mentors holding a full-time teaching assignment shall be assigned to only one new teacher during any given year. To the extent possible, mentor teachers shall hold the same type of certificate as the new teachers with whom they will work. Each mentor teacher assigned shall hold, or shall have retired while holding, a standard or master certificate and shall have completed a training program that addresses all the following topics:

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER b: PERSONNEL

PART 25
CERTIFICATION

SUBPART A: DEFINITIONS

Section
25.10 Accredited Institution

SUBPART B: CERTIFICATES

Section
25.11 New Certificates (February 15, 2000)
25.15 Standards for Certain Certificates (Repealed)
25.20 Requirements for the Elementary Certificate (Repealed)
25.22 Requirements for the Elementary Certificate (2004) (Repealed)
25.25 Requirements for "Full" Certification
25.30 Endorsement in Teacher Leadership
25.32 Requirements for the Secondary Certificate (2004) (Repealed)
25.35 Acquisition of Subsequent Certificates; Removal of Deficiencies (Repealed)
25.37 Acquisition of Subsequent Teaching Certificates (2004)
25.40 Requirements for the Special Certificate (Repealed)
25.42 Requirements for the Special Certificate (2004) (Repealed)
25.43 Standards for Certification of Special Education Teachers
25.45 Standards for the Standard Special Certificate--Speech and Language Impaired
25.50 General Certificate (Repealed)
25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects
(Repealed)
25.65 Alternative Certification
25.67 Alternative Route to Teacher Certification
25.70 Provisional Vocational Certificate
25.72 Temporary Provisional Vocational Certificate
25.75 Part-time Provisional Certificates
25.80 Requirements for the Early Childhood Certificate (Repealed)
25.82 Requirements for the Early Childhood Certificate (2004) (Repealed)

- 25.85 Special Provisions for Endorsement in Foreign Language for Individuals Currently Certified
- 25.86 Special Provisions for Endorsement in Foreign Language for Individuals Prepared as Teachers But Not Currently Certified
- 25.90 Transitional Bilingual Certificate and Examination
- 25.92 Visiting International Teacher Certificate
- 25.95 Majors, Minors, and Separate Fields for the Illinois High School Certificate (Repealed)
- 25.99 Endorsing Teaching Certificates (Repealed)
- 25.100 Endorsing Teaching Certificates (2004)
- 25.105 Temporary Substitute Teaching Permit

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

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|---------|---|
| Section | |
| 25.110 | System of Approval: Levels of Approval (Repealed) |
| 25.115 | Recognition of Institutions, Accreditation of Educational Units, and Approval of Programs |
| 25.120 | Standards and Criteria for Institutional Recognition and Program Approval (Repealed) |
| 25.125 | Accreditation Review of the Educational Unit |
| 25.127 | Review of Individual Programs |
| 25.130 | Mid-Cycle Intervention Special Provisions for Institutions Subject to Conditions for Continuing Accreditation (Repealed) |
| 25.135 | Interim Provisions for Continuing Accreditation and Approval -- July 1, 2000, through Fall Visits of 2001 (Repealed) |
| 25.136 | Interim Provisions for Continuing Accreditation -- Institutions Visited from Spring of 2002 through Spring of 2003 (Repealed) |
| 25.137 | Interim Provisions for Continuing Accreditation and Approval -- July 1, 1999, through June 30, 2000 (Repealed) |
| 25.140 | Requirements for Educational Unit Assessment Systems |
| 25.142 | Assessment Requirements for Individual Programs |
| 25.145 | Approval of New Programs Within Recognized Institutions |
| 25.147 | Approval of Programs for Foreign Language Beginning July 1, 2003 |
| 25.150 | The Periodic Review Process (Repealed) |
| 25.155 | Initial Recognition Procedures |
| 25.160 | Notification of Recommendations; Decisions by State Board of Education |
| 25.165 | Discontinuation of Programs |

SUBPART D: SCHOOL SERVICE PERSONNEL

Section	
25.200	Relationship Among Credentials in Subpart D
25.210	Requirements for the Certification of School Social Workers (Repealed)
25.215	Certification of School Social Workers (2004)
25.220	Requirements for the Certification of Guidance Personnel (Repealed)
25.225	Certification of School Counselors (2004)
25.227	Interim Certification of School Counselor Interns (2004)
25.230	Requirements for the Certification of School Psychologists (Repealed)
25.235	Certification of School Psychologists (2004)
25.240	Standard for School Nurse Endorsement (Repealed)
25.245	Certification of School Nurses (2004)
25.252	Certification of Non-Teaching Speech-Language Pathologists
25.255	Interim Certification of Speech-Language Pathologist Interns
25.275	Renewal of the School Service Personnel Certificate

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE AND SUPERVISORY STAFF

Section	
25.300	Relationship Among Credentials in Subpart E
25.310	Definitions (Repealed)
25.311	Administrative Certificate (Repealed)
25.313	Alternative Route to Administrative Certification
25.314	Alternative Route to Administrative Certification for Teacher Leaders
25.315	Renewal of Administrative Certificate
25.320	Application for Approval of Program (Repealed)
25.322	General Supervisory Endorsement (Repealed)
25.330	Standards and Guide for Approved Programs (Repealed)
25.333	General Administrative Endorsement (Repealed)
25.335	General Administrative Endorsement (2004)
25.338	Designation as Master Principal
25.344	Chief School Business Official Endorsement (Repealed)
25.345	Chief School Business Official (2004)
25.355	Superintendent Endorsement (Repealed)
25.360	Superintendent (2004)

25.365 Director of Special Education

SUBPART F: GENERAL PROVISIONS

Section

- 25.400 Registration of Certificates; Fees
- 25.405 Military Service
- 25.410 Revoked Certificates
- 25.415 Credit in Junior College (Repealed)
- 25.420 Psychology Accepted as Professional Education (Repealed)
- 25.425 Individuals Prepared in Out-of-State Institutions
- 25.427 Three-Year Limitation
- 25.430 Institutional Approval (Repealed)
- 25.435 School Service Personnel Certificate - Waiver of Evaluations (Repealed)
- 25.437 Equivalency of General Education Requirements (Repealed)
- 25.440 Master of Arts NCATE (Repealed)
- 25.442 Illinois Teacher Corps Programs
- 25.444 Illinois Teaching Excellence Program
- 25.445 College Credit for High School Mathematics and Language Courses (Repealed)
- 25.450 Lapsed Certificates
- 25.455 Substitute Certificates
- 25.460 Provisional Special and Provisional High School Certificates (Repealed)
- 25.464 Short-Term Authorization for Positions Otherwise Unfilled
- 25.465 Credit (Repealed)
- 25.470 Meaning of Experience on Administrative Certificates (Repealed)
- 25.475 Renewal Requirements for Holders of Multiple Types of Certificates
- 25.480 Credit for Certification Purposes (Repealed)
- 25.485 ~~Provisional Recognition of Institutions (Repealed)~~ Certification of Persons with Certificates Previously Denied, Suspended, or Revoked
- 25.486 Certification of Persons Who Are Delinquent in the Payment of Child Support
- 25.487 Certification of Persons with Illinois Tax Noncompliance
- 25.488 Certification of Persons Named in Reports of Child Abuse or Neglect
- 25.489 Certification of Persons Who Are in Default on Student Loans
- 25.490 ~~Rules for~~ Certification of Persons Who Have Been Convicted of a Crime
- 25.493 Part-Time Teaching Interns (Repealed)
- 25.495 Approval of Out-of-State Institutions and Programs (Repealed)
- 25.497 Supervisory Endorsements

SUBPART G: ~~THE UTILIZATION OF PARAPROFESSIONALS AND~~

OTHER NONCERTIFIED PERSONNEL

Section	
25.510	Paraprofessionals; Teacher Aides
25.520	Other Noncertificated Personnel <u>(Repealed)</u>
25.530	Specialized Instruction by Noncertificated Personnel <u>(Repealed)</u>
25.540	Approved Teacher Aide Programs <u>(Repealed)</u>
25.550	Approval of Educational Interpreters

SUBPART H: CLINICAL EXPERIENCES

Section	
25.610	Definitions
25.620	Student Teaching
25.630	Pay for Student Teaching (Repealed)

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section	
25.705	Purpose - Severability
25.710	Definitions
25.715	Test Validation
25.717	Test Equivalence
25.720	Applicability of Testing Requirement and Scores
25.725	Applicability of Scores (Repealed)
25.728	Use of Test Results by Institutions of Higher Education
25.730	<u>Registration – Paper-Based Testing</u>
25.731	<u>Registration – Computer-Based Testing</u>
25.732	Late Registration
25.733	Emergency Registration
25.735	Frequency and Location of Examination
25.740	Accommodation of Persons with Special Needs
25.745	Special Test Dates
25.750	Conditions of Testing
25.755	<u>Cancellation of Scores; Voiding of Scores</u>
25.760	Passing Score
25.765	Individual Test Score Reports
25.770	Re-scoring
25.775	Institution Test Score Reports

25.780 Fees

SUBPART J: RENEWAL OF STANDARD AND MASTER TEACHING CERTIFICATES

Section

25.800 Professional Development Required
25.805 Continuing Professional Development Options
25.810 State Priorities
25.815 Submission and Review of the Plan (Repealed)
25.820 Review of Approved Plan (Repealed)
25.825 Progress Toward Completion (Repealed)
25.830 Application for Renewal of Certificate(s)
25.832 Validity and Renewal of Master Certificates
25.835 Review of and Recommendation Regarding Application for Renewal
25.840 Action by State Teacher Certification Board; Appeals
25.845 Responsibilities of School Districts
25.848 General Responsibilities of LPDCs
25.850 General Responsibilities of Regional Superintendents
25.855 Approval of Illinois Providers
25.860 Out-of-State Providers
25.865 Awarding of Credit for Activities with Providers
25.870 Continuing Education Units (CEUs) (Repealed)
25.872 Special Provisions for Interactive, Electronically Delivered Continuing Professional Development
25.875 Continuing Professional Development Units (CPDUs)
25.880 “Valid and Exempt” Certificates; Proportionate Reduction; Part-Time Teaching
25.885 Funding; Expenses (Repealed)

SUBPART K: REQUIREMENTS FOR RECEIPT OF THE STANDARD TEACHING CERTIFICATE

Section

25.900 Applicability of Requirements in this Subpart
25.905 Choices Available to Holders of Initial Certificates
25.910 Requirements for Induction and Mentoring
25.915 Requirements for Coursework on the Assessment of One’s Own Performance
25.920 Requirements for Coursework Related to the National Board for Professional Teaching Standards (NBPTS)
25.925 Requirements Related to Advanced Degrees and Related Coursework

- 25.930 Requirements for Continuing Professional Development Units (CPDUs)
- 25.935 Additional Activities for Which CPDUs May Be Earned
- 25.940 Examination
- 25.942 Requirements for Additional Options
- 25.945 Procedural Requirements

- 25.APPENDIX A Statistical Test Equating - Certification Testing System
- 25.APPENDIX B Certificates Available Effective February 15, 2000
- 25.APPENDIX C Exchange of Certificates
- 25.APPENDIX D Criteria for Identification of Teachers as “Highly Qualified” in Various Circumstances
- 25.APPENDIX E Endorsement Structure Beginning July 1, 2004

AUTHORITY: Implementing Article 21 and Section 14C-8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21, 14C-8, and 2-3.6].

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982; amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. 5097, effective February 27, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 11767, effective June 25, 1998; amended at 22 Ill. Reg. 19745, effective October 30, 1998; amended at 23 Ill. Reg. 2843, effective February 26, 1999; amended at 23 Ill. Reg. 7231, effective June 14, 1999; amended at 24 Ill. Reg. 7206, effective May 1, 2000; emergency amendments at 24 Ill. Reg. 9915, effective June 21, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12930, effective August 14, 2000; peremptory amendment at 24 Ill. Reg. 16109, effective October 12, 2000; peremptory amendment suspended at 25 Ill. Reg. 3718, effective February 21, 2001; peremptory amendment repealed by joint resolution of the General Assembly, effective May 31, 2001; emergency amendments at 25 Ill. Reg. 9360, effective July 1, 2001, for a maximum of 150 days; emergency expired November 27, 2001; emergency amendments at 25 Ill. Reg. 11935, effective August 31, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 16031, effective November 28, 2001; amended at 26 Ill. Reg. 348, effective January 1, 2002; amended at 26 Ill. Reg. 11867, effective July 19, 2002;

amended at 26 Ill. Reg. 16167, effective October 21, 2002; amended at 27 Ill. Reg. 5744, effective March 21, 2003; amended at 27 Ill. Reg. 8071, effective April 28, 2003; emergency amendments at 27 Ill. Reg. 10482, effective June 26, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 12523, effective July 21, 2003; amended at 27 Ill. Reg. 16412, effective October 20, 2003; emergency amendment at 28 Ill. Reg. 2451, effective January 23, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 8556, effective June 1, 2004; emergency amendments at 28 Ill. Reg. 12438, effective August 20, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1212, effective January 4, 2005; amended at 29 Ill. Reg. 10068, effective June 30, 2005; amended at 29 Ill. Reg. 12374, effective July 28, 2005; emergency amendment at 29 Ill. Reg. 14547, effective September 16, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 15831, effective October 3, 2005; amended at 30 Ill. Reg. 1835, effective January 26, 2006; amended at 30 Ill. Reg. 2766, effective February 21, 2006; amended at 30 Ill. Reg. 8494, effective April 21, 2006; amended at 31 Ill. Reg. 10645, effective July 16, 2007; amended at 32 Ill. Reg. 3413, effective February 22, 2008; amended at 32 Ill. Reg. 13263, effective July 25, 2008; emergency amendment at 32 Ill. Reg. 18876, effective November 21, 2008, for a maximum of 150 days; amended at 33 Ill. Reg. 5462, effective March 24, 2009; amended at 33 Ill. Reg. _____, effective _____.

SUBPART A: DEFINITIONS

Section 25.10 Accredited Institution

As used in this Part, “institution” means a regionally accredited institution of higher learning as specified in Section 21-21 of the School Code [105 ILCS 5/21-21] when referring to an institution located within the United States. Accordingly, any coursework required for, or counted towards fulfilling the requirements for, a credential issued pursuant to this Part, if completed at an institution located within the United States, shall be completed at or accepted by a regionally accredited institution, and approval of preparation programs under Subpart C of this Part shall be available only to regionally accredited institutions. Coursework completed in another country shall be subject to the provisions of Section 25.425 of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART B: CERTIFICATES

Section 25.25 Requirements for “Full” Certification

The requirements of this Section shall apply to the issuance of early childhood, elementary, secondary, special K-12, and special preschool–age 21 certificates.

- a) Each applicant shall:
 - 1) have completed an approved Illinois teacher preparation program for the type of certificate sought (see Subpart C of this Part), including coursework addressing *the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation the learning disabled* (Section 21-2a of the School Code [105 ILCS 5/21-2a]) (see Subpart C of this Part); or
 - 2) have completed a comparable program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part), including the coursework discussed in subsection (a)(1) of this Section; or
 - 3) hold a valid certificate of another type issued by Illinois, submit his or her credentials for evaluation under Section 21-11.2 of the School Code [105 ILCS 5/21-11.2], and complete such additional coursework and/or experiences as may be required pursuant to Section 25.37 of this Part.
- b) Each applicant shall have completed 32 semester hours, or a major as identified by the accredited institution on the individual’s official transcript, in early childhood education, elementary education, or a field of specialization, as applicable to the type of certificate sought.
- c) Each applicant shall have completed pre-student teaching field experiences at the grade level level(s) and in the area of specialization relevant to the certificate sought (see Section 25.610 of this Part). However, applicants with teaching experience at the applicable level, as verified by the employer, need not complete pre-student teaching field experience, except as may be required under Section 25.37 of this Part.

- d) Each applicant shall have completed student teaching in conformance with the requirements of Section 25.620 of this Part, except that: ~~–However,~~
- 1) applicants presenting the required credit in student teaching and evidence of teaching experience, as verified by the employer, need not complete another student teaching experience, except as may be required under Section 25.37 of this Part; and
 - 2) one full year’s teaching experience on a valid certificate in the public schools of another state shall be accepted in lieu of student teaching if the applicant was certified in a state where student teaching was not required.
- e) Each applicant shall be required to pass the tests required for the certificate as specified in Section 25.720 of this Part.
- f) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code [105 ILCS 5/21-10].

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.65 Alternative Certification

- a) Section 21-5b of the School Code [105 ILCS 5/21-5b] provides for the issuance of provisional alternative teaching certificates and initial alternative teaching certificates to eligible candidates, as defined in that Section, who successfully complete a program consisting of:
- 1) a course of study approved by the State Board of Education;
 - 2) one year’s full-time teaching on the provisional alternative certificate:
 - A) in the public schools; or
 - B) in a nonpublic school, provided that:
 - i) it meets the recognition criteria set forth in rules governing Voluntary Registration and Recognition of Nonpublic Schools (23 Ill. Adm. 425);

- ii) the majority of individuals who provide non-religious instruction to students hold a valid Illinois teaching certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25);
 - iii) the individual who serves as the principal holds a valid Illinois administrative certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25); and
 - iv) as of January 1, 2010, the school has a written policy stating that all new teachers hired to provide non-religious instruction to students will hold a valid Illinois teaching certificate in accordance with Article 21 of the School Code [105 ILCS 5/Art. 21] and rules governing Certification (23 Ill. Adm. Code 25); or
 - C) in the case of the early childhood certificate, in a position for which an early childhood certificate was required pursuant to the rules of the State Board of Education at 23 Ill. Adm. Code 235 (Early Childhood Block Grant); and
- 3) a comprehensive assessment of the candidate's teaching performance, culminating in a favorable recommendation by the institution of higher education responsible for the course of study.
- b) Proposals seeking to establish programs meeting the specifications of subsection (a) of this Section shall be addressed as follows:
 - State Board of Education
Alternative Certification Program
100 North First Street
Springfield, Illinois 62777-0001
- c) Each proposal shall indicate the maximum number of teaching candidates to be served by the proposed program in each of its sessions.

- d) Each proposal, simultaneously with State Board of Education staff's review, will be reviewed by the State Teacher Certification Board, which shall provide its recommendation to the State Board of Education so that the State Board of Education may comply with the timeline set forth in Section 21-5b of the School Code.
- e) A proposed course of study will be approved by the State Board of Education if the proposal demonstrates how candidates will acquire the knowledge of the content and the skills equivalent to the content and skills contained in the participating institution's program approved pursuant to Subpart B of this Part with regard to:
 - 1) educational theory;
 - 2) instructional methods; and
 - 3) practice teaching.
- f) The assessment of the candidate's teaching performance for the year referred to in this Section shall include components that are designed to demonstrate that the candidate is:
 - 1) knowledgeable about specific subject matter and strategies for teaching that subject matter to students with differing needs; and
 - 2) skilled in managing and monitoring students' learning.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.67 Alternative Route to Teacher Certification

- a) Section 21-5c of the School Code [105 ILCS 5/21-5c] provides for the issuance of provisional alternative teaching certificates to eligible candidates, as defined in that Section, who successfully complete an intensive course of study approved by the State Board of Education.
- b) Section 21-5c of the School Code further provides for the issuance of initial teaching certificates to candidates who, after completing the course of study

referred to in subsection (a) of this Section, complete an alternative program that also includes:

- 1) one year's full-time teaching on the provisional alternative certificate, in the public schools or in nonpublic schools that meet the requirements set forth in Section 25.65(a)(2)(B) of this Part; and
 - 2) a comprehensive assessment of the candidate's teaching performance, culminating in a favorable recommendation by the institution of higher education responsible for the course of study.
- c) Proposals for the establishment of programs meeting the specifications of subsections (a) and (b) of this Section shall be approved if they comply with Section 21-5c of the School Code and this Section. Proposals shall be addressed as follows:

State Board of Education
Alternative Certification Program
100 North First Street
Springfield, Illinois 62777-0001

- d) Proposal Requirements
- 1) Each proposal shall describe the role and responsibilities of each cosponsor of the alternative program.
 - 2) Each proposal shall demonstrate how the participating institution of higher education will evaluate the congruence of a candidate's baccalaureate education, his or her employment experience in a field requiring application of that education, and the teaching area for which the candidate seeks preparation and certification.
 - 3) Each proposal shall state that all candidates must:
 - A) pass the test of basic skills required pursuant to Section 21-1a of the School Code [105 ILCS 5/21-1a] prior to beginning the proposed course of study; and

- B) pass the content-area test required pursuant to Section 21-1a of the School Code prior to beginning the teaching assignment that is a part of the alternative program.
- 4) Each proposal shall describe the proposed course of study.
- A) Each proposal shall demonstrate how candidates will acquire knowledge of content and skills equivalent to the content and skills contained in a preparation program approved pursuant to Subpart C of this Part with regard to:
 - i) educational theory;
 - ii) instructional methods; and
 - iii) practice teaching.
 - B) Each proposal shall include provisions for determining the amount of time individual candidates will need in order to complete the proposed course of study, based upon such factors as their experience and the type of program offered. In all cases, the amount of time needed shall be less than that required to complete the institution's program approved pursuant to Subpart C of this Part.
 - C) Each program shall include a preservice assessment of each candidate's performance, to be conducted by the institution of higher education at the conclusion of the course of study in order to determine the candidate's readiness for the year-long teaching assignment. Each proposal shall state the criteria for the institution's determination of candidates' readiness.
- 5) Each proposal shall describe the proposed arrangements for candidates' teaching assignments under this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school ~~districts~~ ~~district(s)~~ where candidates will practice. Each such agreement shall address:

- A) the nature and intensity of the support to be provided to candidates by experienced teachers and other staff members of the district, including:
 - i) the qualifications and experience of the assisting teachers and staff; and
 - ii) the estimated amount of time assisting teachers and staff will devote to advising and assisting candidates; and
 - iii) the specific roles of the assisting teachers and staff; and
 - B) provisions enabling candidates to compensate for teaching time lost due to emergencies.
- 6) Each proposal shall describe the proposed method of assessing candidates' teaching performance for the year referred to in this Section and shall provide for such methods to be set forth in a formal, written agreement between the participating institution of higher education and the school ~~districts~~ ~~district(s)~~ where candidates will practice. Each such agreement shall describe:
- A) the roles of all parties who will participate in the evaluation of candidates; and
 - B) assessment methods capable of demonstrating whether a candidate is:
 - i) knowledgeable about specific subject matter and strategies for teaching that subject matter to students with differing needs; and
 - ii) skilled in managing and monitoring students' learning.
- 7) Each proposal shall delineate the criteria by which candidates will be recommended for initial certification by the participating institution of higher education.

- e) Each alternative program established pursuant to this Section shall be subject to the Accreditation Review described in Subpart C of this Part.
- f) The sponsoring institutions of programs established pursuant to this Section shall provide annual reports to the State Teacher Certification Board that describe the programs offered, the number and categories of the candidates who apply to each program, the completion rate for each program, and data regarding placement of individuals who complete each program.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.70 Provisional Vocational Certificate

- a) Each applicant for a provisional vocational certificate shall present evidence of having completed 60 semester hours of college coursework from a regionally accredited institution and 2,000 hours of work experience outside the field of education in each area to be taught. The required evidence of this work experience shall be written statements from former supervisors who can be reached for verification or, in cases in which supervisors are no longer available to verify the individual's employment, affidavits by the applicant describing the work experience.
- b) Each provisional vocational certificate issued on or after July 1, 2009 shall be valid for five years and shall be renewable contingent upon the certificate-holder's fulfillment of the applicable requirements set forth in this Section.
- c) Each provisional vocational certificate issued on or before June 30, 2009 shall be valid for five years from the date of issue or the date of its most recent registration, whichever is later. When any such certificate is next registered after June 30, 2009, the registration shall be for a five-year period of validity, and renewal of the certificate after that five-year period shall be contingent upon the certificate-holder's fulfillment of the applicable requirements of this Section.
- d) For purposes of this subsection (d), coursework shall be considered "related to education" if it leads to teaching, administrative, or school service personnel certification or endorsement or if it relates to the field of an individual's current teaching assignment or any other field of teaching assignment. Each affected certificate-holder shall complete:

- 1) eight semester hours of undergraduate or graduate-level coursework related to education, of which no fewer than two semester hours must address advancing the certificate-holder's knowledge and skills as a teacher in relation to the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24.100) and the content-area standards in his or her area of certification, endorsement, or assignment; or
 - 2) 120 ~~one hundred twenty~~ continuing professional development units (CPDUs) in accordance with Section 25.875 of this Part; or
 - 3) any combination of the types of activities described in subsections (a)(1) and (2) of this Section, provided that the total effort represents the equivalent of 120 CPDUs, and provided that one semester hour of college credit shall be considered the equivalent of 15 CPDUs; or
 - 4) an advanced degree from a regionally accredited institution in an education-related field; or
 - 5) all required activities in pursuit of certification or recertification by the National Board for Professional Teaching Standards (NBPTS); or
 - 6) four semester hours of graduate-level coursework on the assessment of one's own performance in relation to the Illinois Professional Teaching Standards; or
 - 7) four semester hours of graduate-level coursework in preparation for meeting the requirements for certification by the National Board for Professional Teaching Standards.
- e) Each professional development activity used to fulfill the requirements of this Section, other than those identified in subsections (d)(4)-(7) of this Section, shall be required to address one or more of the purposes identified for the renewal of standard and master certificates in Section 21-14(e)(2) of the School Code [105 ILCS 5/21-14(e)(2)]. At least 20 percent of the units required must address the purpose identified in Section 21-14(e)(2)(E) of the School Code.
- f) CPDUs shall be generated for completion of activities in accordance with provisions of Section 25.875 of this Part, provided that the activity described in subsection (h) of that Section shall not be used to generate CPDUs for holders of

the provisional vocational certificate and references to Section 21-14 of the School Code [105 ILCS 5/21-14] are not applicable in the case of the provisional vocational certificate.

- g) The provisions of Sections 25.855, 25.860, 25.865, and 25.872 of this Part shall apply to the awarding of CPDUs for activities offered by providers, provided that:
 - 1) the references to Section 21-14 of the School Code are not applicable to the provisional vocational certificate;
 - 2) references to Subpart J of this Part shall be understood as referring to this Section where necessary to the context; and
 - 3) references to continuing education units (CEUs) shall not apply in the case of the provisional vocational certificate.
- h) Each provisional vocational certificate shall be maintained as “valid and active” or “valid and exempt” for each semester of its validity. Periods of exemption and proportionate reductions in the requirements for continuing professional development shall be determined as discussed in Section 25.880(a) of this Part. In addition, the number of continuing professional development units needed to renew the certificate shall be reduced by 50 percent for any amount of time during which the certificate-holder has been employed and performing services on a part-time basis, i.e., for less than 50 percent of the school day or school term.
- i) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate’s validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.
- j) Each certificate-holder shall:
 - 1) maintain the required form of evidence of completion for each activity throughout the period of validity that follows the renewal of the certificate based on completion of the activities documented; and

- 2) present the evidence of completion upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under Section 25.840 of this Part.
- k) Each holder of a provisional vocational certificate shall apply for renewal of that certificate as set forth with respect to standard teaching certificates in Section 25.830 of this Part, including the submission of a statement of assurance that conforms to the requirements of subsection (b) of that Section, except that:
- 1) each application for certificate renewal shall be submitted to the regional superintendent of schools, regardless of whether a local professional development committee is in operation in the employing district; and
 - 2) references to standard certificates in that Section shall be understood to apply to provisional vocational certificates as necessary to the context.
- l) Within 14 days after receiving an application for the renewal of a provisional vocational certificate, the regional superintendent shall forward to the State Teacher Certification Board a recommendation for renewal or nonrenewal on a form prescribed by the State Superintendent of Education.
- 1) The regional superintendent shall transmit a list identifying all the certificate-holders with respect to whom the regional superintendent is recommending renewal of provisional vocational certificates, along with verification that:
 - A) each certificate-holder has completed professional development or otherwise qualifies for certificate renewal in accordance with this Section; and
 - B) each certificate-holder has submitted the statement of assurance required in accordance with subsection (k) of this Section.
 - 2) If the recommendation is not to renew the certificates held, or if information provided on the application makes indicates the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part ~~is or may be out of compliance with Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] with regard to child support payments,~~ the certificate-holder's copy shall be sent concurrently

by certified mail, return receipt requested. Each recommendation for nonrenewal shall include the regional superintendent's rationale.

- m) A certificate-holder with respect to whom a regional superintendent has recommended nonrenewal of the provisional vocational certificate may appeal to the State Teacher Certification Board in accordance with the provisions of Section 25.835(h) of this Part, except that references to the requirements of Section 21-14 of the School Code shall not apply in the case of the provisional vocational certificate.
- n) The State Teacher Certification Board shall review regional superintendents' recommendations regarding the renewal of provisional vocational certificates and notify the affected certificate-holders in writing as to whether their certificates have been renewed or not renewed. This notification shall take place within 90 days after the State Teacher Certification Board receives regional superintendents' recommendations, subject to the right of appeal set forth in this subsection (n).
 - 1) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent's recommendation for nonrenewal, the State Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
 - 2) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
 - 3) The State Teacher Certification Board may request that the certificate-holder appear before it. The certificate-holder shall be given at least ten days' notice of the date, time, and place of the hearing.
 - 4) In verifying whether the certificate-holder has met the renewal criteria set forth in this Section, the State Teacher Certification Board shall review the recommendation of the regional superintendent of schools and all relevant documentation.
- o) The State Teacher Certification Board shall notify the certificate-holder in writing, within seven days after completing its review, as to whether the certificate has been renewed. Upon receipt of notification of renewal, the certificate-holder shall

pay the applicable registration fee to the regional superintendent. If the decision is not to renew the certificate, the notice to the certificate-holder shall be transmitted by certified mail, return receipt requested, and shall state the reason for the decision. The decision of the State Teacher Certification Board is final and subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

- p) An individual whose certificate is not renewed because of his or her failure to meet the requirements of this Section may apply for a reinstated certificate valid for one year. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable provisional vocational certificate only if he or she presents evidence of having:
 - 1) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and
 - 2) earned five additional semester hours of credit from a regionally accredited institution of higher learning relevant to the field of certification.
- q) The provisions of Section 25.840(d) of this Part shall apply to the renewal of the provisional vocational certificate.
- r) An individual who performs services on a provisional vocational certificate and concurrently also on some other type of certificate that is subject to renewal requirements shall be subject to the provisions of Section 25.475 of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.72 Temporary Provisional Vocational Certificate

Pursuant to Section 21-10(C)(2) of the School Code [105 ILCS 5/21-10(C)(2)], the temporary provisional vocational certificate is renewable for a one-year period after any year in which the certificate-holder earns three semester hours of college credit. Coursework presented as part of any application submitted for a renewal that will be effective on or after July 1, 2011, shall be accepted only in the career and technical education content area of the individual's assignment (i.e., agricultural education; business, marketing, and computer education; family and consumer sciences; health careers; or technology education) or in pedagogy.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.100 Endorsing Teaching Certificates (2004)

Beginning July 1, 2004, the structure of endorsements available on Illinois certificates was changed. Appendix E to this Part provides a list of the available endorsements, other than the endorsements in special education that are the subject of federal court orders of February 27 and August 15, 2001, in the matter of Corey H., et al., v. Board of Education of the City of Chicago, et al. Appendix E shows for each new endorsement the related endorsements that were previously issued and were will be discontinued or replaced. Any semester hours of credit presented toward fulfillment of the requirements of this Section may be earned in on-line or electronically-mediated courses, provided that college credit is awarded for the coursework by a regionally accredited institution of higher education. All professional education and content-area coursework that forms part of an application for certification, endorsement, or approval that is received on or after February 1, 2012, must have been passed with a grade no lower than “C” or equivalent in order to be counted towards fulfillment of the applicable requirements.

- a) Subject-area “designations” shall be required in conjunction with some endorsements, as shown in Appendix E to this Part. Except in the case of foreign language, a certificate-holder shall be authorized to teach all the subjects encompassed by a particular endorsement, regardless of the designation or designations received in conjunction with that endorsement. However, a certificate-holder may not teach honors courses, as these are defined by the employing district, or Advanced Placement courses in a subject for which he or she does not hold the specific designation, unless he or she holds an applicable master certificate. For example, a secondary science teacher with a biology designation may not teach honors physics or chemistry unless he or she holds a master certificate endorsed for sciences.

- b) Endorsements at Time of Issuance

Pursuant to Section 21-1b of the School Code [105 ILCS 5/21-1b], all certificates initially issued under this Article...shall be specifically endorsed by the State Board of Education for each subject the holder of the certificate is legally qualified to teach.

- 1) For each application for certification received on or before September 30, 2004, the certificate issued shall be endorsed in keeping with the program completed and the related test passed by the candidate, as well as for any

additional subject in which the candidate completed the required coursework.

- 2) For each application received on or after October 1, 2004, but no later than January 31, 2012, the certificate issued shall be endorsed in keeping with the program completed and the related content-area test or test of subject matter knowledge passed by the candidate and, except as provided in subsections (g), (h), (i), (j), (k), and (m) of this Section:
 - A) any additional area in which the individual has completed a major area of concentration, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual's official transcript; and
 - B) any additional area in which the individual presents evidence of having accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge); and
 - C) any additional area for which the individual has met the applicable requirements of subsection (e) of this Section.
- 3) For each application received on or after February 1, 2012, the certificate issued shall be endorsed in keeping with the program completed and the related content-area test or test of subject matter knowledge passed by the candidate and for any other subject in which the individual:
 - A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or
 - B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined

by the institution offering the coursework, and has passed the applicable content-area test.

~~An individual who passes a test of subject matter knowledge prior to July 1, 2004, and applies for the related certificate no later than five years after the date on which the test was taken shall receive an endorsement valid only for the specific subjects covered under the prior system, unless the institution that offered the program completed by the candidate certifies to the State Board of Education that the candidate completed a program that met the applicable standards set forth at 23 Ill. Adm. Code 27 (Standards for Certification in Specific Teaching Fields). An endorsement under the new structure will be issued to an individual who either passes the applicable new content area test or completes a program based upon the applicable standards for the content area.~~

- ~~4) To account for the differing stages of preparation attained by candidates who were already enrolled in approved programs as of July 1, 2004, each institution may, through June 30, 2006, recommend to the State Board of Education the issuance of one or more endorsements under the structure in effect prior to July 1, 2004, to a candidate who has completed the coursework required for those endorsements and, in the judgment of the institution's certification officer, did not have a sufficient opportunity to complete the requirements for the comparable new endorsements instead.~~
- c) Pursuant to Section 21-4 of the School Code [105 ILCS 5/21-4], an individual who is eligible to receive a special certificate may elect to receive both an elementary and a secondary certificate, each endorsed as the special or special preschool-age 21 certificate would have been endorsed. An individual who elects to hold a special certificate may add endorsements to it by submitting an application pursuant to Section 21-12 of the School Code and demonstrating that he or she has met the applicable requirements of subsection (f)(3) of this Section.
- d) Endorsements issued under the system used prior to July 1, 2004, shall continue to be valid only for the specific subjects covered. An individual who wishes to teach other subjects in the same field shall be required to apply for the relevant new endorsement in keeping with Section 21-12 of the School Code and meet the applicable requirements of this Section.

- e) Each endorsement or designation indicated by an asterisk in Appendix E to this Part has no corresponding content-area test. The provisions of this subsection (e) shall apply to the issuance of these endorsements and designations.
- 1) For an applicant who is receiving an Illinois teaching certificate, the institution that offered the approved program completed by the applicant shall indicate that the applicant has met the standards applicable to the endorsement or the particular designation, except that the requirements of subsection (n) of this Section shall apply to the issuance of endorsements in safety and driver education beginning with applications received on or after February 1, 2012.
 - 2) An applicant prepared out of state, or an applicant who is already certified in Illinois and is seeking to add a new endorsement or designation in one of these subjects, other than an endorsement in safety and driver education, shall:
 - A) present verification from an institution with an approved teacher preparation program that he or she is prepared in the area covered by the endorsement or designation sought; or
 - B) present evidence of completion of nine semester hours of coursework in the area covered by the endorsement or designation sought; or
 - C) present evidence of at least one year's teaching experience on a valid certificate in the area covered by the endorsement or designation sought.
 - 3) An applicant prepared out of state or an applicant who is already certified in Illinois and is seeking to add a new endorsement in safety and driver education shall be subject to the requirements set forth at 23 Ill. Adm. Code 1.730(q) through January 31, 2012. Beginning with applications received on or after February 1, 2012, the requirements stated in subsection (n) of this Section shall apply.
- f) Addition of Endorsements to Previously Issued Certificates

Individuals seeking to endorse previously issued certificates shall apply for such endorsements, using a format specified by the State Superintendent Board of Education, in accordance with the provisions of Section 21-12 of the School Code [105 ILCS 5/21-12].

- 1) When an applicant who qualifies for an endorsement, its issuance shall be reflected on the electronic certification system that is maintained by the State Superintendent of Education for use by applicants, school districts, and regional superintendents of schools shall receive a new copy of the original certificate with the endorsement and date of the endorsement affixed.
- 2) ~~Applications received through June 30, 2005, shall, at the request of the applicant, be reviewed against the requirements in place immediately prior to July 1, 2004, except that applications received through June 30, 2006, for endorsements in reading and library information shall be reviewed on this basis. Deficiency statements shall be issued when an applicant does not qualify for the requested endorsements. Each deficiency statement shall be honored by the State Board of Education for a period of one year from the date of issue. Applicants will receive the endorsements only if they remove the identified deficiencies within one year after the date of the deficiency statement. Subsequent applications for the same endorsements shall be accompanied by another fee and shall be subject to any new requirements.~~
- 3) Except as provided in subsections (g), (h), (i), (j), (k), and (m) of this Section, for applications received on or after July 1, 2005, but no later than January 31, 2012, an endorsement will be issued to each applicant who:
 - A) has completed a major area of concentration, totaling 32 semester hours or as otherwise identified by a regionally accredited institution on the individual's official transcript; or
 - B) presents evidence of having accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge); or

C) has met the applicable requirements of subsection (e) of this Section.

3) For applications received on or after February 1, 2012, an endorsement will be issued for any subject in which the individual:

A) meets the requirements of subsection (e), (g), (h), (i), (j), (k), (m), or (n) of this Section; or

B) has accumulated 24 semester hours of college credit demonstrably related to the subject area, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, and has passed the applicable content-area test.

- g) Special provisions shall apply to the addition of endorsements in self-contained general education. An individual who holds a secondary, special K-12, or special preschool–age 21 certificate, or an individual who holds an elementary certificate endorsed in some other field by virtue of having “split” a special or special preschool–age 21 certificate, may qualify for the endorsement in self-contained general education on that certificate only by completing an approved program for the elementary certificate in accordance with Section 25.37 of this Part and passing the elementary/middle grades test. Fulfillment of these requirements qualifies the individual for an elementary certificate with this endorsement. However, an individual with an early childhood or a secondary certificate may choose whether to receive the elementary certificate or to add the endorsement to his or her existing certificate, thereby restricting his or her capacity for assignment to the grade levels encompassed by that certificate. An individual who elects to receive a separate certificate pursuant to this subsection (g) shall be required to pass the test of basic skills and/or the applicable assessment of professional teaching if passage of one or both of these tests would be required for receipt of a subsequent certificate as explained in Section 25.720 of this Part.
- h) Special provisions shall apply to the issuance of endorsements in the sciences and social sciences. The requirements of subsections (h)(1) through (h)(4) of this Section relate to endorsements and designations based on the standards found at

23 Ill. Adm. Code 27.140 through 27.260, while the requirements of subsection (h)(5) make subject-specific credentials available to out-of-state applicants whose preparation has been structured to address individual disciplines within the sciences or social sciences.

- 1) An individual seeking to add an endorsement and a designation in either of these fields who does not already hold that endorsement with one of its other available designations shall be required to pass the content-area test for the designation sought and either:
 - A) be recommended for the endorsement and the designation by an institution with an approved program in the subject area based on having completed coursework sufficient to address the applicable content-area standards; or
 - B) present evidence of having accumulated 32 semester hours of college coursework in the field, from one or more regionally accredited institutions, that meets the following requirements:
 - i) at least 12 semester hours of credit must have been earned in the subject area of the designation sought; and
 - ii) some portion of the coursework completed must have addressed at least two additional designations within the field; and
 - iii) in the case of the sciences, the coursework completed must have included both biological and physical science.
- 2) The requirement stated in subsection (h)(1) of this Section shall apply whenever an individual seeks to add his or her first endorsement in one of these fields.
- 3) An individual may receive a subsequent designation in the same field if he or she has:
 - A) passed the applicable content-area test and, effective with applications received on or after February 1, 2012, completed 12

semester hours of coursework in the subject area of the designation; or

- B) completed a major in the content area of the designation.
- 4) An individual who holds an endorsement in the sciences or social sciences under the structure that was in effect prior to July 1, 2004, may receive an endorsement and a designation in that field under the new structure by passing the content-area test for the designation sought and, effective with applications received on or after February 1, 2012, completing 12 semester hours of coursework in the subject area of the designation. He or she may then qualify for additional designations in the field pursuant to subsection (h)(3) of this Section.
- 5) ~~An out-of-state applicant who is eligible to receive an Illinois teaching certificate may receive an endorsement limited to a specific discipline among the social sciences (e.g., history) or the sciences (e.g., biology), provided that he or she presents evidence of having completed a major in that discipline.~~
- i) Special provisions shall apply to the issuance of endorsements for reading teachers and reading specialists. A reading teacher is one whose assignment involves teaching reading to students, while a reading specialist is one whose assignment involves the provision of technical assistance and/or professional development to other teachers and may also include teaching reading to students.
- 1) Reading Teacher
- This endorsement shall not be issued alone as an individual's first teaching credential. An individual who holds ~~or receives~~ an Illinois early childhood, elementary, secondary, or special certificate, or who receives one of these certificates endorsed for some field other than reading, shall be eligible to receive this additional endorsement on that certificate (and on any other certificate held or subsequently earned) when he or she presents evidence of:
- A) having passed the applicable content-area test (or test of subject matter knowledge) and having been recommended for the endorsement by virtue of completing an approved reading teacher's

preparation program based on the standards set forth at 23 Ill. Adm. Code 27.110 that requires at least 24 semester hours of graduate or undergraduate coursework in reading, including a practicum, at an institution that is recognized to offer teacher preparation programs in Illinois; or

B) having passed the applicable content-area test (or test of subject matter knowledge) and having completed 24 semester hours of graduate or undergraduate coursework in reading, including a practicum, at one or more regionally accredited institutions of higher education, provided that all the following areas were addressed:

- i) foundations of reading,
- ii) content-area reading,
- iii) assessment and diagnosis of reading problems,
- iv) developmental and remedial reading instruction and support,
- v) developmental and remedial materials and resources, and
- vi) literature appropriate to students across all grade ranges; or

C) having completed, on or before June 30, 2006, the 18 semester hours of college coursework in reading described at 23 Ill. Adm. Code 1.740(a), in which case the individual shall apply for the endorsement no later than December 31, 2009, and passage of the content-area test or test of subject matter knowledge shall not be required.

2) Reading Specialist

A) Each candidate for the ~~The~~ reading specialist's endorsement shall hold ~~require two years of teaching experience. An individual who holds~~ an Illinois early childhood, elementary, secondary, or special certificate and have a least two years of teaching experience in an

Illinois school. Each candidate shall be eligible to receive this endorsement on that certificate or on a separate special K-12 certificate when he or she presents evidence of having completed the required teaching experience and:

B) Each candidate shall hold a master's degree or higher degree awarded by a regionally accredited institution of higher education.

C)A) Each candidate shall have ~~having~~ completed a K-12 reading specialist's program approved pursuant to Subpart C of this Part that includes a practicum and leads to the issuance of a master's or higher degree, provided that a person who holds one master's degree shall not be required to obtain a second one. Each candidate shall have been recommended for the endorsement by the institution offering the program; ~~and~~

D) Each candidate shall be required to pass the content-area test for reading specialist.

~~B) Each candidate shall having been recommended for the endorsement by the institution offering the program; and~~

~~C) having passed the content area test for reading specialist.~~

3) An individual who qualifies for the reading specialist's endorsement may receive the endorsement on his or her early childhood, elementary, secondary, or special certificate or may elect ~~elects~~ to receive a separate special K-12 certificate, pursuant to subsection (i)(2) of this Section In the latter instance, the individual shall be required to pass the test of basic skills and/or the applicable assessment of professional teaching if passage of one or both of these tests would be required for receipt of a subsequent certificate as explained in Section 25.720 of this Part.

j) Special provisions shall apply to the addition of endorsements and designations in foreign languages.

1) An endorsement and a designation for a foreign language may be added to an existing certificate when an individual has completed a major area of concentration in the language, totaling 32 semester hours or as otherwise

identified by a regionally accredited institution on the individual's official transcript.

- 2) An endorsement and a designation for a foreign language may be added to an existing certificate when an individual presents evidence of having accumulated 20 semester hours of college credit in the language, either as a subset of an approved program at an Illinois institution or from one or more regionally accredited institutions of higher education, and has passed the applicable content-area test (or test of subject matter knowledge). The 20 semester hours may be calculated by including semester hours of study that were waived by the institution offering the coursework based on the individual's prior learning, provided that the individual presents verification issued by the institution to this effect (i.e., a statement on the official transcript or a letter signed by the certification officer identifying the number of hours involved).
 - 3) Each additional designation for a foreign language shall be subject to the requirements of this subsection (j).
 - 4) Sections 25.85 and 25.86 of this Part set forth additional provisions for certification in foreign languages under specified circumstances.
- k) The requirements of 23 Ill. Adm. Code 1.720 (Requirements for Teachers of Middle Grades), rather than the requirements of this Section, shall apply to credentials and assignments in the middle grades, except that Section 1.720 shall be read in conjunction with this Section with respect to reading and library information specialist assignments in the middle grades. The requirements of 23 Ill. Adm. Code 1.780, 1.781, and 1.782, rather than the requirements of this Section, shall apply to credentials and assignments in the areas of bilingual education and English as a Second (New) Language ~~second (new) language~~.
- l) Each individual who is first assigned to teach a particular subject on or after July 1, 2004, based on completion of the minimum requirements for college coursework in that subject that are set forth at 23 Ill. Adm. Code 1.737(b), 1.745(b)(3), or 1.755(c), as applicable, but who has not met the requirements of this Section for an endorsement in that subject area shall have three years after the date of first assignment to meet those requirements and receive the relevant endorsement. An individual who does not do so shall become ineligible to teach

the subject in question in any subsequent semester, unless he or she later receives the endorsement.

- m) An additional endorsement for “technology specialist” shall be issued only upon presentation of evidence that the applicant has completed at least 24 semester hours of college coursework demonstrably related to the subject area at one or more regionally accredited institutions of higher education and has passed the relevant content-area test.

- n) Beginning with applications received on or after February 1, 2012, an endorsement in safety and driver education shall be issued when the applicant provides evidence of having completed 24 semester hours of college credit in the field, with at least 12 semester hours at the upper-division or graduate level, as defined by the institution offering the coursework, distributed as follows:
 - 1) 3 semester hours in injury prevention or safety;
 - 2) 12 semester hours in driver education that include:
 - A) driving task analysis (introduction to driver education);
 - B) teaching driver education in the classroom;
 - C) teaching the laboratory portion of the driver education course, including:
 - i) on-street teaching under the supervision of a qualified driver education teacher;
 - ii) the equivalent of at least one semester hour’s preparation in and use of driving simulation;
 - iii) the equivalent of at least one semester hour’s preparation in and use of multiple-car programs; and
 - D) advanced driver education and emergency evasive driving;
 - 3) 3 semester hours in first aid and cardiopulmonary resuscitation; and

- 4) 6 semester hours chosen in any combination from:
 - A) the use of technology in instruction;
 - B) safety issues related to alcohol and other drugs;
 - C) driver education for students with disabilities; and
 - D) any other safety-related area.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.105 Temporary Substitute Teaching Permit

An individual who holds a bachelor's degree and who resided in an area outside Illinois that has been declared a disaster area by a federal or state authority Louisiana, Mississippi, or Alabama ~~but was displaced by the effects of Hurricane Katrina, or an individual from another state contiguous to the Gulf of Mexico whose displacement is demonstrably due to Hurricane Katrina,~~ shall be eligible for an Illinois temporary substitute teaching permit as provided in this Section.

- a) In recognition of the unavailability of written or electronic records in this situation, the State Board of Education shall require an individual seeking a permit under this Section only to:
 - 1) supply one form of personal identification, which may include not only a passport, driver's license, or other government-issued document but also a credit card, a bill, or any other piece of correspondence showing the individual's name;
 - 2) provide a notarized written affirmation that he or she has received a bachelor's degree from a regionally accredited institution of higher education; and
 - 3) identify the institution and the year when the degree was issued.
- b) No application fee shall be charged for a temporary substitute teaching permit, and no registration fee shall apply to its use.

- c) A permit issued under this Section shall be valid for teaching in all grades of the common schools and shall be subject to the limitations set forth in Section 21-9 of the School Code [105 ILCS 5/21-9].
- d) A permit issued under this Section shall be valid for the remainder of the school year in which it is issued ~~through June 30, 2006,~~ and shall be renewable for subsequent six-month periods only if the State Superintendent of Education determines that conditions in the permit-holder's home state continue to be such that the individual cannot reasonably be expected to supply records substantiating the field of his or her certification in that state so that a corresponding Illinois provisional certificate or a substitute teaching certificate can be issued.
- e) A temporary substitute teaching permit may be rescinded at any time if the State Superintendent of Education determines, in his sole discretion, that the individual has misrepresented his or her eligibility under this Section or that other sufficient cause exists.
- f) Employment of an individual holding a temporary substitute teaching permit shall be subject to the requirements of Section 10-21.9 of the School Code [105 ILCS 5/10-21.9].

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

Section 25.115 Recognition of Institutions, Accreditation of Educational Units, and Approval of Programs

In order for an Illinois institution of higher education to offer one or more programs that prepare professional educators, that institution must be recognized, and the educational unit responsible for such programs must be accredited, by the State Board of Education in consultation with the State Teacher Certification Board. "Educational unit" means the institution or college, school, department, or other administrative body within the institution that is primarily responsible for the initial and continuing preparation of teachers and other education professionals. Each program that is offered by a recognized institution must also be individually approved by the State Board of Education in consultation with the State Teacher Certification Board. "Program" or "preparation program" means a program that leads to certification. Electronic transmission of

written materials required pursuant to this Subpart C may be authorized or required by the State Superintendent of Education when this method may be more cost effective or feasible.

- a) An institution shall be recognized if it is regionally accredited and:
 - 1) is approved as a degree-granting institution by the Illinois Board of Higher Education, if the institution is subject to provisions of the Institution of Learning Powers Act [110 ILCS 50];
 - 2) sponsors a course of study leading to an appropriate baccalaureate or higher degree and awards the degree; and
 - 3) conducts or proposes to conduct at least one approved program that will prepare professional educators.
- b) An educational unit shall be accredited if its accreditation visit occurs prior to the fall of 2008 and the institution meets the standards enumerated in “Professional Standards for the Accreditation of Schools, Colleges, and Departments of Education” (2002), published by the National Council for the Accreditation of Teacher Education (NCATE), 2010 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20036-1023 (no later amendments to or editions of these standards are incorporated by this Section). Beginning with accreditation visits in the fall of 2008, the 2008 edition of these standards shall apply; no later amendments or editions are incorporated.
- c) A preparation program shall be approved if it meets the applicable content standards established by the State Board of Education and the standards set forth at 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) or 23 Ill. Adm. Code 29.100 (Illinois Professional School Leader Standards), as applicable, ~~except as provided in Section 25.135 of this Part.~~
- d) The accreditation of an educational unit and the approval of its programs shall be subject to review five years after the unit’s original State accreditation and every seven years thereafter, except that no accreditation reviews shall be conducted in 2009 and each institution’s first scheduled review after January 1, 2009, shall be deferred for one additional year. For an institution already accredited by the State that subsequently receives accreditation from NCATE, the next accreditation review shall be due five years after receipt of that accreditation, after which review the institution shall be returned to a seven-year cycle. Accreditation

Review shall be conducted as provided in Sections 25.125 and 25.127 of this Part and decisions regarding continued accreditation and approval shall be made as provided in those Sections. The State Superintendent shall alter the timing of an institution's review at the institution's request if the Superintendent determines that the request is based on unforeseen circumstances that were beyond the institution's control and were demonstrably related to the institution's ability to prepare for the review.

- e) Beginning in 2010, eEach accredited educational unit shall annually submit to the State Superintendent of Education, in a format defined by the State Superintendent and no later than August 30 according to a timeline announced at least six months in advance:
- 1) a report that describes any ~~significant~~ changes or planned changes in the unit or its programs, updates any information previously provided as needed, and provides institutional data that describe the results of unit and program assessments and the actions taken or planned to address areas identified for improvement;
 - 2) an annual report specific to each approved program offered by the institution that conveys summary data about the program's overall structure, faculty, and candidates, and the results of various assessments; and
 - 3) as relevant to the institution, a report on all programs provided by the institution that have been approved as an alternative route to certification under ~~Sections~~ Section 25.65 and 25.67 of this Part.
- f) If relevant to the institution, the report required under subsection (e) of this Section shall include a description of how the unit has addressed any applicable standards identified during the most recent review of the unit and its programs as "not met" or "met with areas for improvement". However, for institutions that have been assigned "Continuing Accreditation with Conditions" or "Probation", this description shall not be required in those years in which the institution is required to submit a special report or is subject to a focused or full visit as discussed in Section 25.125(j) of this Part.
- g) No later than April 7 of each year, each institution shall report to the State Board of Education, using a form supplied by the Board, on its program completers' pass

rates on the examinations required for initial certification pursuant to this Part and other information required by Title II of the Higher Education Act [20 USCA 1027]. Further, each institution shall make this information readily available to the public on an annual basis and shall include it in or with publications routinely sent to potential applicants, guidance counselors, and prospective employers of the institution's program completers.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.125 Accreditation Review of the Educational Unit

The requirements of this Section shall apply to Accreditation Reviews that take place on or after July 1, 2003. The review visits conducted pursuant to this Section shall be scheduled during the academic year for the mutual convenience of the affected institution and the review team. When an institution located in Illinois is governed by an out-of-state institution, the out-of-state institution shall also be visited as part of the accreditation review if, in the judgment of the State Superintendent of Education, firsthand observation of the administration and resources of the governing institution is essential to an accurate evaluation of the institution's capacity for meeting relevant Illinois standards and preparing educators to serve in Illinois schools.

- a) No later than one year before its Accreditation Review will be held, the institution shall submit to the State Superintendent of Education five copies of each of the reports specified in this subsection (a) that is applicable. However, an institution that is also seeking initial accreditation from NCATE will need to comply with NCATE's submission timelines as well.
 - 1) For its first review in light of the standards incorporated by Section 25.115(b) of this Part, the institution shall submit a report providing an overview of the unit's conceptual frameworks, which shall include a description of each framework and its development. The discussion of the frameworks shall address each of the "structural elements" found in the standards referred to in Section 25.115(b) of this Part. For each subsequent review, the institution shall describe any changes in the conceptual frameworks that have been made since the institution's previous Accreditation Review.
 - 2) If at least 80 percent of an institution's teacher preparation program completers have passed the applicable form of the assessment of professional teaching (APT) in each of the preceding three years, the

institution shall be deemed to be adequately addressing the Standards for All Illinois Teachers set forth at 23 Ill. Adm. Code 24. For any form of the APT for which this criterion has not been met, the institution shall submit a composite report covering all programs for whose candidates that form is required. This report shall describe how those preparation programs address those standards.

- 3) If at least 80 percent of an institution's administrative certification program completers have passed the applicable content-area examinations for administrative certification in each of the preceding three years, the institution shall be deemed to be adequately addressing the Illinois Professional School Leader Standards (see 23 Ill. Adm. Code 29.100). For any administrative certification program for which this criterion has not been met, the institution shall submit a report describing how the program addresses these standards.
- b) A panel established by the State Superintendent shall review the overview of the unit's conceptual frameworks no more than 60 days after the overview is submitted. No later than 30 days after the panel completes its review, and if the institution is to be reviewed under subsection (d)(1) of this Section, the State Board of Education shall notify the institution either that the description of its conceptual frameworks is adequate or that certain structural elements were not adequately addressed and will undergo additional scrutiny by the review team during the visit described in subsection (e) of this Section.
 - c) No later than 60 days before its review visit, the institution shall submit either to the State Superintendent the number of copies specified in light of the review team's size or to NCATE the number of copies required by NCATE, with two copies to the State Superintendent, of an institutional report presented in a format prescribed by the State Board of Education and incorporating:
 - 1) an overview of the institution;
 - 2) an overview of the unit's conceptual frameworks; and
 - 3) evidence that it is meeting each of the standards referred to in Section 25.115(b) of this Part.

d) A review team shall be empanelled to conduct an on-site review to verify the information provided by the institution as required by subsection (c) of this Section. The review team shall be constituted as provided in subsection (d)(1) or (d)(2) of this Section, depending upon whether the institution is also seeking to achieve or retain accreditation of its educational unit by NCATE.

1) Institutions Seeking State Accreditation Only

From a pool of individuals who have been trained in the applicable standards and procedures, the State Superintendent shall empanel a team to conduct the on-site review and shall appoint the team's chair. A staff member of the State Board of Education or another individual designated by the State Superintendent who has been trained in the applicable standards and procedures shall accompany the review team, serving as a consulting, ex officio member to ensure that applicable standards, procedures, rules, and statutes are addressed.

2) Institutions Also Seeking to Achieve or Retain NCATE Accreditation

A staff member of the State Board of Education or another individual designated by the State Superintendent who has been trained in the applicable standards and procedures shall accompany the review team appointed by NCATE's Board of Examiners, serving as a consulting, ex officio member to ensure that applicable Illinois standards, procedures, rules, and statutes are addressed.

e) The review team shall visit the institution and verify the degree to which the educational unit and its programs meet the standards referred to in Section 25.115(b) of this Part.

f) The review team shall prepare a draft report during the on-site visit, incorporating an overview of the unit and its conceptual frameworks, summarizing data on the performance of candidates and graduates, and taking into account the recommendations arising from the review of program reports as outlined in Section 25.127 of this Part. This draft report shall be provided to the institution within 30 business days after the conclusion of the visit for the purpose of allowing the institution 30 days to correct any factual errors. The team chair shall review the institution's suggested revisions and make appropriate corrections in consultation with the ex officio consultant who is serving pursuant to subsection

(d) of this Section. The final report shall be submitted to the State Superintendent of Education by the team's chair or by NCATE, as applicable, within 30 days after the chair's receipt of the institution's suggested corrections. The State Superintendent shall provide the final report to the institution within ten business days after receiving it.

- g) Within 30 days after receipt of the final report, the institution shall submit to the State Superintendent and to NCATE, if applicable, either a letter stating agreement with the report's findings or a rejoinder to those findings that meets the following requirements:
 - 1) The rejoinder must indicate the grounds for disagreement with one or more of the team's findings and include documentation to support the institution's position.
 - 2) All documentation must describe conditions that existed at the time of the on-site review. (Changes made by the unit after the visit will not be considered.)
 - 3) All documentation must relate directly to the standards and procedures that applied at the time of the on-site visit.
- h) Staff of the State Board of Education shall convey to the State Teacher Certification Board the institutional report, the review team's report, the institution's letter of agreement or rejoinder, a response to that rejoinder provided by the team's chair, the results of the review of the program reports, any other relevant documentation that was available to the review team, and the decision of NCATE's Unit Accreditation Board (UAB), if applicable.
- i) After consideration of the information submitted pursuant to subsection (h) of this Section, the State Teacher Certification Board shall convey to the State Board of Education a recommendation regarding the accreditation of the educational unit as appropriate to the circumstances, in keeping with the provisions of subsection (j) of this Section. The State Teacher Certification Board shall also convey recommendations regarding approval of the unit's individual programs (see Section 25.127 of this Part).
- j) The possible outcomes of Accreditation Review shall align with those used in the NCATE system of review, so that Illinois institutions desiring both national

accreditation through NCATE and the State recognition, accreditation, and program approval required pursuant to this Subpart C will generally not be caused to duplicate their efforts or undergo duplicate reviews.

- 1) If the educational unit has met all the applicable standards, the State Teacher Certification Board shall recommend that the State Board of Education continue the accreditation of the educational unit (which may include the identification of areas for improvement), thereby authorizing the institution to conduct its approved programs and to recommend candidates for certification by entitlement.
- 2) If the educational unit has failed to meet one or more of the applicable standards, the State Teacher Certification Board shall recommend that the State Board of Education assign accreditation of the educational unit with conditions, thereby authorizing the institution to conduct its approved programs and to recommend candidates for certification by entitlement. An institution to which accreditation with conditions has been assigned shall, within 30 days after receipt of the State Board's decision, provide written notification to the candidates enrolled in the unit's programs to this effect.
 - A) If the State Teacher Certification Board believes that the unit can make adjustments so as to satisfy the conditions expressed within six months, the Board shall recommend that the State Board of Education request submission of documentation that addresses the unmet standards as well as any other areas for improvement within that time. However, the affected unit may choose to undergo a focused visit pursuant to subsections (j)(2)(C) and (D) of this Section instead.
 - B) If documentation is submitted pursuant to subsection (j)(2)(A) of this Section, the State Board of Education shall either continue the institution's accreditation, if the conditions expressed have been satisfied, or require a focused visit addressing the unmet standards and any additional areas for improvement, which shall occur within one year after the semester in which the documentation was submitted.

- C) If the State Teacher Certification Board believes that the conditions expressed cannot be satisfied within six months, the Board shall recommend that the State Board of Education require a focused visit addressing the unmet standards and any additional areas for improvement within two years after the semester when the conditions were issued.
- D) Each focused visit shall be conducted by a team established by the State Superintendent of Education or the NCATE Board of Examiners, as applicable, and trained in the review process. The provisions of subsection (d)(2) of this Section shall also apply. The team conducting a focused visit shall forward to the State Teacher Certification Board a report indicating whether the conditions expressed have been satisfied.
 - i) Within 30 days after receipt of this report, the institution shall submit either a rejoinder to the team's findings that meets the requirements of subsection (g) of this Section or a letter acknowledging receipt of the report.
 - ii) Staff of the State Board of Education shall convey to the State Teacher Certification Board the review team's report, the institution's letter of agreement or rejoinder, a response to that rejoinder provided by the team's chair, any other relevant documentation that was available to the review team, and the decision of NCATE's Unit Accreditation Board, if applicable.
- E) After reviewing the materials submitted pursuant to subsection (j)(2)(D) of this Section, the State Teacher Certification Board shall recommend that the State Board of Education continue or revoke the unit's accreditation.
- F) A unit to which continued accreditation is granted as a result of a six-month report or a focused visit shall next be due for Accreditation Review according to its original schedule (see Section 25.115(d) of this Part).

- 3) If the educational unit has failed to meet one or more of the applicable standards and exhibits areas for improvement that may limit its candidates' ability to meet the standards for certification (meaning, for an NCATE institution, if national accreditation has been revoked), the State Teacher Certification Board shall recommend that the State Board of Education assign accreditation of the educational unit with probation. An institution to which accreditation with probation has been assigned shall, within 30 days after receipt of the State Board's decision, provide written notification to the candidates enrolled in the unit's programs to this effect. If accreditation with probation is assigned, the unit must schedule an on-site visit within two years after the semester in which the decision was rendered. As part of this visit, the unit must address all the standards in effect at the time of the review that resulted in probation.
- A) An on-site review required pursuant to this subsection (j)(3) shall be subject to the requirements of subsections (a) through (g) of this Section.
 - B) Following the on-site review, the State Teacher Certification Board shall review the team's report and, based on its assessment of the degree to which the unit has achieved compliance with the applicable standards, shall recommend to the State Board of Education that it either continue or revoke the institution's recognition and the educational unit's accreditation.
 - C) A unit whose accreditation has been continued pursuant to this subsection (j)(3) shall next be subject to Accreditation Review according to its original schedule (see Section 25.115(d) of this Part).
- k) The provisions of subsection (j) of this Section notwithstanding, an institution not accredited by NCATE may decide to seek NCATE accreditation at any time, thus becoming subject to NCATE's initial review cycle. (If NCATE accreditation is sought other than in conjunction with a scheduled Accreditation Review, an Accreditation Review shall be conducted as described in this Section, and the schedule for subsequent Accreditation Reviews shall be altered accordingly.) Conversely, an institution may choose to become disaffiliated with NCATE so that its next Accreditation Review will be conducted under subsection (d)(1) of this Section, provided that the institution notifies the State Superintendent of

Education of this intention no later than 18 months prior to the scheduled date of the review visit. The State Superintendent may make an exception to the 18-month timeframe upon determining that circumstances beyond the control of an institution prevented its meeting the deadline for this notification.

- l) Actions following upon the recommendation of the State Teacher Certification Board shall be as described in Section 25.160 of this Part. Revocation of recognition and accreditation shall be subject to the provisions of Section 25.165(b) of this Part.

- m) Each institution shall pay a portion of the costs related to State participation in its accreditation reviews and any focused visits, subject to the rules of the Travel Regulation Council (see 80 Ill. Adm. Code 3000).
 - 1) When only State accreditation is involved and the institution is located in Illinois, the institution shall pay for:
 - A) lodging for each team member, including the consulting, ex officio member referred to in subsection (d)(1) of this Section; and
 - B) a meeting room for the team in the hotel where the team members are housed.

 - 2) When NCATE accreditation is also involved and the institution is located in Illinois, the institution shall pay for the lodging of the consulting, ex officio team member referred to in subsection (d)(2) of this Section.

 - 3) When only State accreditation is involved and the institution is located outside Illinois, the institution shall pay all travel costs associated with the team members' visit, including:
 - A) transportation, lodging, and meals or per diem for each team member, including the consulting, ex officio member referred to in subsection (d)(1) of this Section; and
 - B) a meeting room for the team in the hotel where the team members are housed.

- 4) When NCATE accreditation is also involved and the institution is located outside Illinois, the institution shall pay all travel costs for the consulting, ex officio team member referred to in subsection (d)(2) of this Section and, at the discretion of the State Superintendent of Education, for one additional individual representing the Illinois State Board of Education, including transportation, lodging, and meals or per diem.
- 5) When an institution located in Illinois is governed by an out-of-state institution and the out-of-state institution is visited as part of the accreditation review, the travel costs associated with the out-of-state visit shall be borne by the institution under subsection (m)(3) or (m)(4) of this Section, as applicable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.130 Mid-Cycle Intervention

The provisions of this Section shall apply when the State Superintendent of Education or the State Teacher Certification Board receives information indicating that any educational unit accredited pursuant to this Subpart C or any approved preparation program may not be addressing any applicable standard or may otherwise be failing to offer candidates any of the learning opportunities that are necessary to their preparation as professional educators. The State Superintendent shall inform the affected educational unit of the areas of concern and offer the unit's representatives an opportunity to submit a written response addressing the points raised, unless the affected institution will be undergoing either a regularly scheduled accreditation review or a focused visit during the upcoming semester.

- a) If an accreditation review or focused visit is to be conducted, the State Superintendent shall inform the review team of the areas of concern. In the case of a focused visit, the areas of concern shall be considered "additional areas for improvement" that the institution must address, as discussed in Section 25.125(j)(2) of this Part.
- b) If the unit's representatives are invited to provide a response, any material submitted shall be considered by the State Teacher Certification Board at the next available opportunity. The Certification Board may also invite representatives of the institution to appear before it to present any additional information that may be relevant.

- c) If the Certification Board concludes that further information is necessary, or if the institution has not responded within 60 days after receiving notification of the issues from the State Superintendent, the Certification Board shall recommend to the State Superintendent that an inquiry be conducted, which may include an on-site review at the discretion of the State Superintendent.
- d) If the State Teacher Certification Board determines at any point that the concerns raised were unfounded or that the issues have been remedied in the interval, the Certification Board shall notify the State Superintendent that no further action is needed with regard to the matter, and the State Superintendent shall notify the institution accordingly.
- e) If, after considering all information presented by the institution's representatives, the standards and requirements that apply to the unit or the program in question, and the results of the inquiry, if one was conducted, the State Teacher Certification Board determines that cause for concern continues to exist, the Certification Board shall convey to the State Superintendent of Education a recommendation for action by the State Board of Education regarding the status of the unit or the program, as applicable.
 - 1) In the case of an individual preparation program, the Certification Board shall recommend that the program's approval status be made provisional. If provisional approval is assigned by the State Board of Education, the Certification Board shall review the next annual program report to determine whether the required improvements have been made and the applicable standards are being met. If so, the Certification Board shall notify the State Superintendent that no further action is needed.
 - A) If the required improvements have been initiated by the institution and there is a reasonable expectation that the areas of concern will be resolved within the following 12 months, the Certification Board shall recommend continued provisional approval for the program.
 - i) The Certification Board shall review the subsequent annual program report to determine whether the applicable standards are being met and shall either notify the State Superintendent that no further action is needed or recommend that the State Board of Education place the

program on probation for a specified period not to exceed 12 months.

ii) If the program is placed on probation, no new candidates may be accepted into it. While the program is on probation, the institution shall submit to the State Superintendent a complete, new program report, with emphasis on the unmet standards. At the end of the probationary period, the State Teacher Certification Board shall recommend either continuing approval of the affected program or revocation of the program's approval, according to whether all applicable standards are being met.

B) If the institution has not initiated changes that can be expected to address the identified concerns within the following 12 months, the Certification Board shall recommend a specified probationary period for the program not to exceed 12 months. If the State Board of Education places the program on probation, the provisions of subsection (e)(1)(A)(ii) of this Section shall apply.

2) In the case of an educational unit, the Certification Board shall recommend that conditions be attached to the unit's accreditation and that the provisions of Section 25.125(j)(2) of this Part be made applicable, except that any focused visit would be conducted by a team established by the State Superintendent.

f) Actions following upon the recommendation of the State Teacher Certification Board shall be as described in Section 25.160 of this Part. Discontinuation of a program pursuant to revocation of its approval shall be subject to the requirements of Section 25.165(b) of this Part.

(Source: Old Section repealed at 32 Ill. Reg. 13263, effective July 25, 2008; new Section adopted at 33 Ill. Reg. _____, effective _____)

Section 25.145 Approval of New Programs Within Recognized Institutions

The procedures set forth in this Section shall apply to the initial approval of additional teacher preparation programs established by institutions that are already recognized, as well as to the approval of programs proposed by consortia. A consortium is a partnership involving two or more teacher education institutions with accredited educational units, or one or more such institutions and one or more not-for-profit organizations in the State which support excellence in teaching and/or one or more school districts. Each consortium shall designate from among its members a recognized institution of higher education whose schedule for Accreditation Reviews shall apply to the consortium's programs also.

- a) The institution shall submit to the State Superintendent of Education a program report meeting the requirements of Section 25.127(a) of this Part, showing how each proposed program meets the applicable professional education and content-area standards established by the State Board of Education.
- b) No later than 60 ~~30~~ days after the State Superintendent receives a program report, staff shall notify the affected institution as to whether the report is complete and identify any required component not adequately addressed. An institution may provide additional material to complete a program report within 60 ~~30~~ days after receiving a notification to the effect that it is incomplete.
- c) At the institution's request, staff of the State Board of Education shall convey the report to the State Teacher Certification Board.
- d) After consideration of the report, the State Teacher Certification Board shall convey to the State Superintendent its recommendation that the State Board of Education:
 - 1) Provisionally approve the proposed new teacher education programs, thereby authorizing the educational unit to conduct the programs and to recommend candidates for certification by entitlement until the time of the institution's next scheduled Accreditation Review; or
 - 2) Deny approval of the proposed programs, thereby prohibiting the conduct of the affected programs.
- e) Actions following upon the recommendation of the State Teacher Certification Board shall be as described in Section 25.160 of this Part.

- f) When a unit submits a proposal for an alternative program under any of Sections 21-5b, 21-5c, and 21-5d of the School Code [105 ILCS 5/21-5b, 21-5c, and 21-5d], that proposal shall not be considered a new program subject to this Section. The review of such a proposal shall be as delineated in Section 25.65, 25.67, or 25.313 of this Part, as applicable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.160 Notification of Recommendations; Decisions by State Board of Education

- a) The State Superintendent of Education shall notify an affected institution in writing not later than 30 days after receipt of a recommendation from the State Teacher Certification Board pursuant to the provisions of this Subpart C and, except as provided in this subsection (a), shall await the institution's response (see subsection (b) of this Section) prior to forwarding that recommendation to the State Board of Education. The State Superintendent shall not await a response from an institution if, as applicable to the nature of the review:
- 1) the State Teacher Certification Board has recommended the initial recognition of the institution, the accreditation of its educational unit, and the approval of all of its proposed programs under Section 25.155(l)(1) of this Part; or
 - 2) the State Teacher Certification Board has recommended continuing the accreditation of the educational unit under Section 25.125(j)(1) of this Part and the approval of all the unit's existing preparation programs under Section 25.127(j)(1) of this Part; ~~or~~
 - 3) the State Teacher Certification Board has recommended provisional approval of each proposed new preparation program under Section 25.145(d)(1) of this Part; or
 - 4) the State Teacher Certification Board has recommended continuing approval of a preparation program under Section 25.130(e)(1)(A)(ii) of this Part.
- b) Within 30 days after receipt of written notification from the State Superintendent, an affected institution may submit a notice of objection to the State Teacher

Certification Board's recommendation. The institution's narrative explanation of its objections shall conform to the requirements for rejoinders stated in Section 25.125(g) of this Part but may also be based upon an objection to the State Teacher Certification Board's review; this narrative and any supporting documentation shall be submitted to the State Superintendent not later than 30 days after the institution submits its notice of objection.

- c) The State Superintendent shall forward to the State Board of Education for consideration at its next available meeting the recommendation made by the State Teacher Certification Board and the institution's presentation of its objections and shall inform the State Teacher Certification Board that these materials have been submitted for the State Board's consideration.
- d) No more than 30 days after the State Board of Education makes its decision, the State Superintendent shall notify the institution in writing of the State Board's action.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.165 Discontinuation of Programs

- a) An institution that intends to discontinue an approved program or cease offering preparation programs altogether shall so notify the State Superintendent of Education no later than 30 days prior to taking that ~~such~~ action, except that voluntary discontinuation of a program shall also be subject to the following additional requirements:
 - 1) The institution shall assure the State Superintendent that all candidates currently enrolled in any program scheduled for discontinuation will have an opportunity to complete the program.
 - 2) The institution shall supply to the State Superintendent the names and Social Security numbers of all candidates currently enrolled in any program scheduled for discontinuation.
- b) When approval of a program is revoked, the State Board of Education may require its continued operation for one additional academic year to permit currently enrolled candidates either to complete the program or to seek enrollment in another institution for that purpose. However, if the State Board determines in

consultation with the State Teacher Certification Board that the program is unable to offer candidates learning opportunities that contribute to their ~~teaching~~ competence as professional educators, the Board shall require that the program cease operating at the end of the then-current semester. The institution shall supply to the State Superintendent the names and Social Security numbers of all candidates currently enrolled in any program whose approval is revoked.

- c) A program in which no candidates have been enrolled for a consecutive three-year period shall be considered to have been discontinued. An institution desiring to resume offering such a program shall be required to comply with the requirements for initial approval stated in Section 25.145 of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART D: SCHOOL SERVICE PERSONNEL

Section 25.215 Certification of School Social Workers (2004)

- a) Each candidate for the school service personnel certificate endorsed for school social work shall hold a master's or higher degree in social work with a specialization in school social work awarded by a graduate school of social work accredited by the Council on Social Work Education.
- b) Each candidate shall have completed an Illinois program approved for the preparation of school social workers pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have completed both a supervised field experience of at least 400 contact hours, supervised by a field instructor holding a master's or higher degree in social work, and a school social work internship of at least 600 contact hours in a school setting or have one year's professional experience as a school social worker on a valid out-of-state school social work certificate or an Illinois provisional school service personnel certificate endorsed for school social work.
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part. (See also 23 Ill. Adm. Code 23.140.)

- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.225 Certification of School Counselors (2004)

An individual who qualifies for an Illinois master school service personnel certificate in school counseling under Section 21-25(d) of the School Code shall not be subject to the requirements of this Section.

- a) Each applicant for the school service personnel certificate endorsed for school counseling shall hold a master's or higher degree awarded by a regionally accredited institution of higher education in school counseling, another counseling or related field (e.g., social work or psychology), or an educational field. ~~(See subsection (h) of this Section.)~~
- b) Each applicant shall have completed an Illinois program approved for the preparation of school counselors pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have completed a supervised counseling practicum of at least 100 clock hours that provided interaction with individuals and groups of school age and included at least 40 hours of direct service work. Except as provided in subsection (e) of this Section, each applicant shall have completed a structured and supervised internship that is part of an approved program.
 - 1) The internship shall be of a length that is determined by the approved program to be adequate to enable candidates to meet the standards set forth at 23 Ill. Adm. Code 23.110 but shall entail at least 600 hours and last no less than one semester, during which the candidate shall engage in the performance of various aspects of the counseling role and shall be gradually introduced to the full range of responsibilities associated with that role. However, the internship for an individual with at least two years of teaching experience may, at the discretion of the institution offering the approved program, consist of no fewer than 400 hours. In each case at least 240 hours of the internship shall involve direct service work with individuals and groups of school age.

- 2) The internship shall occur in a school setting except that, at the discretion of the institution, a maximum of one-third of the hours required may be credited for experiences in other related settings such as hospitals or day care settings that, in the judgment of the institution, expose the candidate to the needs of school-aged children and prepare the candidate to function as a school counselor.
 - 3) An institution may recommend certification of a candidate who was enrolled in an approved program prior to July 1, 2004, and has completed an internship meeting the requirements applicable at the time of his or her enrollment.
- d) Except as provided in subsections (e) and (f) of this Section, each applicant shall either:
- 1) hold or be qualified to hold a teaching certificate; or
 - 2) have completed, as part of an approved program, coursework addressing:
 - A) the structure, organization and operation of the educational system, with emphasis on P-12 schools;
 - B) the growth and development of children and youth, and their implications for counseling in schools;
 - C) the diversity of Illinois students and the laws and programs that have been designed to meet their unique needs; and
 - D) effective management of the classroom and the learning process.
- e) An applicant who holds another state's certification in school counseling shall not be subject to the requirements of subsection (c) or subsection (d) of this Section if he or she presents evidence of at least one year's ~~two years'~~ full-time experience as a school counselor on a valid out-of-state school counseling certificate or an Illinois provisional school service personnel certificate endorsed for school counseling.

- f) An applicant who has completed an approved school counseling program in another state that includes an internship meeting the requirements of subsection (c) of this Section shall not be subject to the requirements of subsection (d) of this Section.
- g) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part. (See also 23 Ill. Adm. Code 23.110.)
- h) ~~An applicant who holds a master's degree in any field other than school counseling, or who holds a bachelor's degree only, shall be required to complete the equivalent of all requirements of an approved school counseling preparation program. The Illinois institution offering the program shall review the individual's educational and experiential background and identify any of the standards set forth at 23 Ill. Adm. Code 23.110 or other applicable requirements of this Section that the individual's preparation has not addressed. Upon successful completion of the coursework and experiences offered by the institution that address the identified standards, the applicant shall be eligible to be recommended for certification by entitlement.~~
- h) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.227 Interim Certification of School Counselor Interns (2004)

- a) An individual who wishes to participate in an internship enabling him or her to meet the requirements described in Section 25.225 of this Part may obtain interim certification as a school counselor intern. Each applicant for this certification shall either:
 - 1) have completed, as part of an approved program, all the coursework described in Section 25.225(d)(2) of this Part; or
 - 2) hold a master's or higher degree in the a field of community agency counseling ~~other than school counseling~~ and be working toward completion of all requirements necessary for certification as a school counselor as described in Section 25.225(h) of this Part.

- b) Each applicant shall be in good health and of sound moral character and shall be a citizen of the United States or be legally present in the United States and possess legal authorization for employment.
- c) Each applicant shall submit the required fee along with an application to the State Board of Education and a transcript indicating compliance with subsection (a) of this Section.
- d) Interim certification as a school counselor intern shall be valid for three years, subject to Section 21-22 of the School Code, and shall not be renewable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.235 Certification of School Psychologists (2004)

- a) Each candidate for the school service personnel certificate endorsed for school psychology shall hold a master's or higher degree in psychology or educational psychology with a specialization in school psychology.
- b) Each candidate shall have completed an Illinois program approved for the preparation of school psychologists pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have completed both a supervised field experience of at least 250 hours in a school setting and/or child study center and either a one-year, full-time an internship of at least 1200 contact hours and lasting a full school year under the direction of an intern supervisor or one year's full-time work experience as a school psychologist on a valid out-of-state school psychology certificate or an Illinois provisional school service personnel certificate endorsed for school psychology.
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills, subject to the provisions of Section 25.720 of this Part. (See also 23 Ill. Adm. Code 23.130.)
- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.275 Renewal of the School Service Personnel Certificate

The requirements set forth in this Section apply to renewal of school service personnel (SSP) certificates in accordance with Section 21-25 of the School Code [105 ILCS 5/21-25].

- a) Pursuant to Section 21-25 of the School Code, the renewal of school service personnel certificates held by individuals employed and performing services in certain types of public schools is contingent upon certificate-holders' presentation of evidence of continuing professional development. Renewal of any affected SSP certificate whose period of validity begins on or after July 1, 2008 shall require the certificate-holder's:
 - 1) possession of one of the State licenses identified in Section 21-25(e) of the School Code, that is:
 - A) current licensure as either a clinical professional counselor or a professional counselor under the Professional Counselor and Clinical Professional Counselor Licensing Act [225 ILCS 107];
 - B) current licensure as either a clinical social worker or a social worker under the Clinical Social Work and Social Work Practice Act [225 ILCS 20]; or
 - C) current licensure as a speech-language pathologist under the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110]; or
 - 2) possession of one of the national certifications identified in Section 21-25(e) of the School Code; or
 - 3) completion of sufficient professional development activities to satisfy the requirements of Section 21-25 of the School Code.
- b) An individual who wishes to qualify for certificate renewal based on licensure or national certification as permitted by Section 21-25 of the School Code shall maintain documentation related to the relevant license or certificate, including its

date of issue, period of validity, and issuing body. This information shall be included in the individual's application for certificate renewal in place of the statement of assurance called for in subsection (k) of this Section.

- c) Completion of the certification process conducted by the National Board for Professional Teaching Standards (NBPTS) may be used to fulfill the entire requirement for professional development under subsection (a)(2) of this Section for the renewal cycle during which completion occurs. Evidence of completion of this process shall be the inclusion of the certificate-holder's name on NBPTS' composite list of those who have completed the certification process (as distinct from having received certification).
- d) Except as provided in subsections (b) and (c) of this Section, *each professional development activity used to fulfill the requirements of this Section shall be required to address one or more of the purposes set forth in Section 21-25(e) of the School Code, and three of the four purposes must be addressed.* No later than 60 days after the State Board of Education votes to establish or change the list of *areas determined by the Board to be critical for all school service personnel* (Section 21-25 of the School Code), the State Superintendent of Education shall notify each school district superintendent, each regional superintendent of schools, and any organization that requests this notification. The notice shall include a list of the areas and state the date upon which the list takes effect.
- e) CPDUs shall be generated for completion of activities in accordance with the provisions of Section 25.875 of this Part, provided that, as necessary to the context:
 - 1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;
 - 2) references to teachers, teaching, and instruction shall be understood to mean holders of the school service personnel certificate and their performance of services;
 - 3) references to the classroom shall be understood to mean the setting where services are provided;

- 4) references to classes directly taught by the certificate-holder (Section 25.875(e) and (n) of this Part) shall be understood to mean students directly served by the certificate-holder;
 - 5) references specific to the supervision or preparation of candidates for teaching certificates (Section 25.875(h) and (m) of this Part) shall be understood to mean the supervision or preparation of candidates for the school service personnel certificate;
 - 6) references to content-area standards (Section 25.875(i) of this Part) shall be understood to mean the relevant standards set forth at 23 Ill. Adm. Code 23 (Standards for the School Service Personnel Certificate); and
 - 7) the reference to State priorities (Section 25.875(k) of this Part) shall be understood to mean the critical areas identified by the State Board of Education pursuant to Section 21-25(e)(2) of the School Code.
- f) The provisions of Sections 25.855, 25.860, 25.865, and 25.872 of this Part shall apply to the awarding of CPDUs for activities offered by providers, provided that, as necessary to the context:
- 1) references to Section 21-14 of the School Code shall be understood to mean the comparable provisions of Section 21-25 of the School Code;
 - 2) references to Subpart J of this Part shall be understood as referring to this Section;
 - 3) references to teachers shall be understood to include holders of the school service personnel certificate; and
 - 4) references to continuing education units (CEUs) shall not apply.
- g) Each school service personnel certificate shall be maintained as “valid and active” or “valid and exempt” for each semester of its validity. Periods of exemption and proportionate reductions in the requirements for continuing professional development shall be determined as discussed in Section 25.880(a) of this Part. In addition:

- 1) *the number of continuing professional development units needed to renew the certificate shall be reduced by 50 percent for any amount of time during which the certificate-holder has been employed and performing services on a part-time basis, i.e., for less than 50 percent of the school day or school term; and*
 - 2) *a certificate-holder who is employed as a substitute on a part-time basis or a day-to-day basis shall only be required to pay the registration fee in order to renew his or her certificate (Section 21-25(e) of the School Code).*
- h) Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate's validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.
- i) Each certificate-holder shall:
- 1) maintain the required form of evidence of completion for each activity throughout the period of validity that follows the renewal of the certificate based on completion of the activities documented; and
 - 2) present the evidence of completion upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section.
- j) An Illinois master SSP certificate shall have a ten-year period of validity. When an individual receives an Illinois master SSP certificate, any other SSP certificate held by the same individual shall be renewed as of the date of issuance of the master certificate. Any other SSP certificate shall automatically qualify for renewal at the end of its five-year period of validity, as long as the individual continues to hold the master certificate.
- 1) When an Illinois certificate-holder successfully renews his or her National Board certification, he or she shall be entitled to renew the Illinois master SSP certificate and any other SSP certificate held if the applicable requirements of this Section have also been met.

- 2) The holder of an Illinois master certificate whose certification through the NBPTS is not renewed shall nevertheless be entitled to renew the master certificate when it expires, provided that the applicable requirements of this Section have been met during the master certificate's period of validity.
- k) Each holder of an SSP certificate shall apply for renewal of that certificate as set forth with respect to teaching certificates in Section 25.830 of this Part, including the submission of a statement of assurance that conforms to the requirements of subsection (b) of that Section, except that:
- 1) each application for certificate renewal shall be submitted to the regional superintendent of schools, regardless of whether a local professional development committee is in operation in the employing district; and
 - 2) references to "standard" certificates in that Section shall be understood to apply to SSP certificates.
- l) Within 14 days after receiving an application for the renewal of a school service personnel certificate, the regional superintendent shall forward to the State Teacher Certification Board a recommendation for renewal or nonrenewal on a form prescribed by the State Superintendent of Education.
- 1) The regional superintendent shall transmit a list identifying all the certificate-holders with respect to whom the regional superintendent is recommending renewal of SSP certificates, along with verification that:
 - A) each certificate-holder has completed professional development or otherwise qualifies for certificate renewal in accordance with the requirements of Section 21-25 of the School Code and this Section; and
 - B) each certificate-holder has submitted the statement of assurance required in accordance with subsection (k) of this Section.
 - 2) If the recommendation is not to renew the certificates held, or if information provided on the application makes indicates the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part ~~is or may be out of compliance with Section 10-65 of the Illinois~~

~~Administrative Procedure Act with regard to child support payments~~, the certificate-holder's copy shall be sent concurrently by certified mail, return receipt requested. Each recommendation for nonrenewal shall include the regional superintendent's rationale.

- m) A certificate-holder with respect to whom a regional superintendent has recommended nonrenewal of the SSP certificate may appeal to the State Teacher Certification Board in accordance with the provisions of Section 25.835(h) of this Part, except that the requirements of Section 21-25 of the School Code shall be understood to apply rather than those established by Section 21-14 of the School Code.
- n) The State Teacher Certification Board shall review regional superintendents' recommendations regarding the renewal of SSP certificates and notify the affected certificate-holders in writing as to whether their certificates have been renewed or not renewed. This notification shall take place within 90 days after the State Teacher Certification Board receives regional superintendents' recommendations, subject to the right of appeal set forth in this subsection (n).
 - 1) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent's recommendation for nonrenewal, the State Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
 - 2) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
 - 3) The State Teacher Certification Board may request that the certificate-holder appear before it. The certificate-holder shall be given at least ten days' notice of the date, time, and place of the hearing.
 - 4) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-25 of the School Code, the State Teacher Certification Board shall review the recommendation of the regional superintendent of schools and all relevant documentation.

- o) The State Teacher Certification Board shall notify the certificate-holder in writing, within seven days after completing its review, as to whether the SSP certificate has been renewed. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the certificate, the notice to the certificate-holder shall be transmitted by certified mail, return receipt requested, and shall state the reason for the decision. The decision of the State Teacher Certification Board is final and subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

- p) An individual whose certificate is not renewed because of his or her failure to meet the requirements of Section 21-25 of the School Code and this Section may apply for a reinstated certificate valid for one year. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable SSP certificate only if he or she presents evidence of having:
 - 1) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and
 - 2) earned five additional semester hours of credit from a regionally accredited institution of higher learning relevant to the field of certification.

- q) The provisions of Section 25.840(d) of this Part shall apply to the renewal of the school service personnel certificate.

- r) If fewer than five years remain in the period of a certificate's validity as of July 1, 2008, the number of CPDUs required in order to renew the certificate at the conclusion of that period shall be proportionately reduced.

- s) An individual who performs services both on an SSP certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF ADMINISTRATIVE AND SUPERVISORY STAFF

Section 25.313 Alternative Route to Administrative Certification

The purpose of the administrative route established under Section 21-5d of the School Code [105 ILCS 5/21-5d] is to provide an expedited means by which experienced administrators may acquire the knowledge and skill that will enable them to serve as public school administrators in positions other than principal and assistant principal. For purposes of this Section, and beginning with candidates who begin the course of study on or after January 1, 2010, the one year's full-time administrative assignment that makes up the second phase of this program shall not consist of work performed as a principal or assistant principal and must include a range of tasks that are inherent to the roles covered by the endorsement sought.

- a) Section 21-5d of the School Code [~~105 ILCS 5/21-5d~~] provides for the issuance of provisional alternative administrative certificates to eligible candidates, as defined in that Section, who successfully complete a course of study approved by the State Board of Education in consultation with the State Teacher Certification Board.
- b) Section 21-5d of the School Code further provides for the issuance of standard administrative certificates to candidates who, after completing the course of study referred to in subsection (a) of this Section, complete an alternative program that also includes:
 - 1) one year's full-time administrative work in a school district's central office;
 - 2) a comprehensive assessment of the candidate's performance; and
 - 3) a favorable recommendation by the institution of higher education responsible for the course of study.
- c) Proposals for the establishment of programs meeting the specifications of subsections (a) and (b) of this Section shall be approved if they comply with Section 21-5d of the School Code and this Section. In making this determination, the State Board of Education shall consult with the State Teacher Certification Board and the advisory panel established pursuant to Section 21-5d of the School Code. Proposals shall be addressed as follows:

State Board of Education
Alternative Certification Program
100 North First Street
Springfield, Illinois 62777-0001

d) Proposal Requirements

- 1) Each proposal shall describe the roles and responsibilities of the participating university and the school districts in which candidates will be assigned for the year of practice as full-time administrators.
- 2) Each proposal shall indicate how candidates who do not possess master's degrees in management shall be determined eligible for the program based on life experience equivalent to a master's degree. In making this determination, institutions shall take into consideration candidates' length and breadth of experience in such areas as:
 - A) personnel management, supervision, and evaluation;
 - B) long-range planning and evaluation of program effectiveness;
 - C) community and public relations;
 - D) organizational development and improvement;
 - E) finance and budgeting; and
 - F) work involving public schools and other educational units.
- 3) Each proposal shall describe the proposed course of study.
 - A) Each proposal shall describe how individual candidates' education and experience will be used in determining the portions of the course of study he or she will be required to complete.
 - B) Each proposal shall demonstrate how candidates will acquire knowledge of content and skills equivalent to the content and skills contained in the participating institution's program approved pursuant to Subpart C of this Part with regard to:
 - i) educational management;
 - ii) governance and organization; and

- iii) planning.
 - C) Each program shall include a preservice assessment of each candidate's performance to be conducted by the institution of higher education at the conclusion of the course of study in order to determine the candidate's readiness for the year-long administrative assignment. Each proposal shall state the criteria for the institution's determination of candidates' readiness.
- 4) Each proposal shall describe the proposed arrangements for candidates' assignment to administrative positions under this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school districts where candidates will practice. Each such agreement shall address the nature and intensity of the support to be provided to candidates by experienced district-level administrators, university staff, and/or other professionals with relevant experience, including at least:
- A) the qualifications and experience of such individuals;
 - B) the estimated amount of time these individuals will devote to advising and assisting candidates; and
 - C) the specific roles of the assisting individuals.
- 5) Each proposal shall describe the proposed method of assessing candidates' performance for the year referred to in this Section and shall provide for these to be set forth in a formal, written agreement between the participating institution of higher education and the school districts where candidates will practice. Each such agreement shall include:
- A) the roles of all parties who will participate in the evaluation of candidates; and
 - B) assessment methods capable of demonstrating whether a candidate has acquired knowledge and skills equivalent to those required of candidates pursuing the respective institution's program approved pursuant to Subpart C of this Part.

- 6) Each proposal shall delineate the criteria by which candidates will be recommended for certification by the participating institution of higher education.
- e) Each alternative program established pursuant to this Section shall be subject to the Accreditation Review described in Subpart C of this Part.
- f) The sponsoring institutions of programs established pursuant to this Section shall provide annual reports to the State Teacher Certification Board that describe the programs offered, the number and categories of the candidates who apply to each program, the completion rate for each program, and data regarding placement of individuals who complete each program.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.315 Renewal of Administrative Certificate

The requirements set forth in this Section apply to renewal of administrative certificates in accordance with Section 21-7.1 of the School Code [105 ILCS 5/21-7.1].

- a) Professional Development Required

Pursuant to Section 21-7.1 of the School Code, renewal of administrative certificates held by public school administrators who are serving in positions requiring administrative certification is contingent upon certificate-holders' presentation of evidence of continuing professional education. For the purposes of this Section, the terms "continuing professional education" and "continuing professional development" shall be considered synonymous. Renewal of any affected administrative certificate whose period of validity begins on or after July 1, 2003, shall require the certificate-holder's completion of professional development activities sufficient to satisfy the requirements of Section 21-7.1 of the School Code and presentation, upon request by the regional superintendent or a representative of the State Board of Education or if required as part of an appeal under this Section, of evidence of completion of the activities.

- b) Each activity shall be required to address one or more of the following purposes:

- 1) *improving the administrator's knowledge of instructional practices and administrative procedures;*
 - 2) *maintaining the basic level of competence required for initial certification; and*
 - 3) *improving skills and knowledge regarding the improvement of teaching performance in clinical settings and assessment of levels of student performance. (Section 21-7.1 of the School Code)*
- c) Activities selected to fulfill the requirement for 100 hours of professional development (see Section 21-7.1(c-10) of the School Code) shall be subject to the provisions of this subsection (c).
- 1) Activities chosen for this purpose may include but need not be limited to:
 - A) Completion of college/university courses;
 - B) Participation in state and national conferences of professional organizations or in workshops, seminars, symposia, or other, similar training events;
 - C) Teaching college/university courses or making presentations at conferences, workshops, seminars, symposia, or other, similar training events;
 - D) Providing formal mentoring to one or more other administrators;
 - E) Independent study; and
 - F) Other activities related to the Illinois School Leader Standards and other applicable standards (see 23 Ill. Adm. Code 29) such as developing or revising school programs, participating in Administrators' Academy courses, research, and other, similar projects.
 - 2) Continuing professional development hours for the activities chosen pursuant to this subsection (c) shall be credited as follows.

- A) Fifteen hours shall be credited for each semester hour of college credit earned.
- B) One hour shall be credited for each hour of the administrator's direct participation in a relevant activity other than college coursework, as verified by a log the administrator shall maintain and present upon request by the regional superintendent or a representative of the State Board of Education, or if required as part of an appeal under this Section, describing what was done with respect to each activity, with dates and amounts of time spent in each case.

d) Required Administrators' Academy Courses

- 1) An individual who fails to complete an Administrators' Academy course in a given year as required by Section 21-7.1(c-10)(B) of the School Code shall be required to complete two courses for each one missed. He or she may make these up at any time during the remainder of the certificate's validity or while holding a reinstated certificate pursuant to subsection (e)(5) of this Section.
- 2) Each administrator who completes an Administrators' Academy course shall receive written, dated verification that indicates the title of the course and the number of hours to be credited toward the applicable requirement.

e) Application for Renewal of Certificate

- 1) Each application for renewal of an administrative certificate, other than an application of a regional superintendent of schools, shall be submitted to the regional superintendent and shall be accompanied by *a verification format developed by the State Board of Education certifying that the required number of hours of professional development activities and the required number of Administrators' Academy courses have been completed.* (Section 21-7.1(c-10) of the School Code) A certificate-holder who fails to submit this material so as to ensure its receipt by the regional superintendent no later than April 30 may not be able to preserve his or her right of appeal under subsection (f) of this Section.

- 2) Based on the available information regarding the individual's compliance with the requirements for certificate renewal set forth in this Section, the regional superintendent shall, within 30 days after receipt of an individual's application, forward a recommendation for renewal or non-renewal of the administrative certificate to the State Superintendent of Education and notify the certificate-holder in writing of that recommendation.
- 3) A certificate-holder who is a regional superintendent of schools shall submit the verification format referred to in subsection (e)(1) of this Section to the State Superintendent of Education along with his or her application for certificate renewal.
- 4) Within 30 days after receiving an application, the State Superintendent of Education shall notify the affected certificate-holder as to whether the administrative certificate has been renewed or not renewed, including the rationale for nonrenewal. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region's institute fund.
- 5) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Section may apply for a reinstated certificate valid for one year. With respect to the year of reinstatement, completion of one Administrators' Academy course and one or more additional professional development activities meeting the requirements of subsections (b) and (c) of this Section and totaling no fewer than 20 hours shall be required. After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable administrative certificate only if he or she also presents evidence of having made up activities missed during the preceding renewal cycle by completing the requirements of subsection (e)(5)(A) of this Section, subsection (e)(5)(B) of this Section, or both, as applicable.
 - A) The certificate-holder shall complete two Administrators' Academy courses for each year during which he or she failed to complete one, if not already made up as discussed in subsection (d)(1) of this Section.

B) If the certificate-holder failed to complete the applicable number of professional development activities or hours, he or she shall complete the balance of that requirement and ten additional hours of professional development meeting the requirements of subsections (b) and (c) of this Section.

6) The period of validity of an administrative certificate issued after a year of reinstatement or held after the reinstatement of a teaching certificate shall be adjusted to coincide with the validity of the holder's teaching certificate.

f) Appeal to State Teacher Certification Board

Within 14 days after receipt of notice from the State Superintendent that his or her administrative certificate will not be renewed based upon failure to complete the requirements of this Section, a certificate-holder may appeal that decision to the State Teacher Certification Board, using a form made available by the State Board of Education.

1) Each appeal shall state the reasons why the State Superintendent's decision should be reversed and shall be sent by certified mail, return receipt requested.

A) Appeals shall be addressed to:

State Teacher Certification Board
Secretary
100 North First Street
Springfield, Illinois 62777

B) No electronic or facsimile transmissions will be accepted.

C) Appeals postmarked later than 14 calendar days after receipt of the non-renewal notice will not be processed.

2) In addition to the appeal letter, the certificate-holder shall submit the following material when the appeal is filed:

- A) evidence that he or she has satisfactorily completed the required types and quantity of activities; and
 - B) any other relevant documents.
- 3) The State Teacher Certification Board shall review each appeal regarding renewal of an administrative certificate in order to determine whether the certificate-holder has met the requirements of this Section. The Certification Board may hold an appeal hearing or may make its determination based upon the record of review, which shall consist of:
- A) the regional superintendent's rationale for recommending nonrenewal of the certificate, if applicable;
 - B) any evidence submitted to the State Superintendent along with the individual's application for renewal; and
 - C) the State Superintendent's rationale for non-renewal of the certificate.
- 4) If the Certification Board holds an appeal hearing, it may request the certificate-holder to appear before it, in which case no less than ten days' notice of the date, time, and place of the hearing shall be given to the affected individual.
- 5) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
- 6) The State Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal by certified mail, return receipt requested, no later than 30 days after reaching a decision. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent, except that a regional superintendent shall deposit his or her own fee in the region's institute fund.
- 7) The State Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the

requirements of any of Sections 25.485 through 25.490 of this Part. The decision of the State Teacher Certification Board is a final administrative decision and shall be subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

g) Proportionate Reduction; Part-Time Service

The requirements of this Section regarding continuing professional development are subject to reduction in accordance with Section 21-7.1(c-15) of the School Code.

- 1) The requirements of this Section shall be subject to reduction on the same annual basis as provided in Section 21-7.1(c-15) of the School Code in relation to years when a certificate-holder is not employed in a position requiring administrative certification.
- 2) The number of hours required under subsection (c) of this Section shall also be reduced by 50 percent with respect to periods of time when a certificate-holder is serving on an administrative certificate only and performing services for less than 50 percent of the school day or school term, unless the individual is one whose continued retirement status is subject to the limitations of Section 16-118 of the Illinois Pension Code. Each such individual shall be subject only to the requirement for completion of one Administrators' Academy course for each year during which he or she is employed on the administrative certificate, provided that his or her employment does not exceed the limitations of Section 16-118.

h) An individual who performs services on an administrative certificate and concurrently also on some other type of certificate to which renewal requirements apply shall be subject to the provisions of Section 25.475 of this Part.

i) Section 21-7.1(c-10) of the School Code provides that *those persons holding administrative certificates on June 30, 2003 who are renewing those certificates on or after July 1, 2003 shall be issued new administrative certificates.* The certificates that are subject to this provision include:

- 1) Limited Supervisory (Type 60);

- 2) All-Grade Supervisory (Type 61);
- 3) Limited Elementary Supervisory (Type 62);
- 4) Limited High School Supervisory (Type 63);
- 5) Life General Supervisory (Type 70); and
- 6) Life Supervisory (Type 71).

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.335 General Administrative Endorsement (2004)

This endorsement is required for principals, assistant principals, assistant or associate superintendents, and staff filling other similar or related positions as indicated in 23 Ill. Adm. Code 1.705. (See also 23 Ill. Adm. Code 29.120.) The requirements of this Section shall apply to the issuance of this endorsement except as otherwise provided in Sections 21-5d and 21-5e of the School Code [105 ILCS 5/21-5d and 5/21-5e] and Sections 25.313 and 25.314 of this Part.

- a) Each candidate for the general administrative endorsement shall hold a master's degree awarded by a regionally accredited institution of higher education and shall have completed the coursework in educational administration and supervision required by Section 21-7.1(e)(2) of the School Code [105 ILCS 5/21-7.1(e)(2)].
- b) Each candidate shall have completed an Illinois program approved for the preparation of administrators pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have *two years' full-time teaching or school service personnel experience in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Human Services, or nonpublic schools recognized by the State Board of Education or meeting comparable out-of-state recognition standards* (Section 21-7.1(e)(2) of the School Code). Beginning with applications submitted on or after February 1, 2012, in order to be acceptable toward fulfillment of this requirement:

- 1) teaching experience shall have been accrued while the individual held a valid early childhood, elementary, secondary, special K-12, or special preschool – age 21 certificate; and
 - 2) school service personnel experience shall have been accrued while the individual held a valid school service personnel certificate.
- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a standard certificate pursuant to Section 25.720(a) of this Part.
 - e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.360 Superintendent (2004)

This endorsement is required of school district superintendents. (See also 23 Ill. Adm. Code 29.130.)

- a) Each candidate for the superintendent's endorsement shall hold a master's degree awarded by a regionally accredited institution of higher education.
- b) Each candidate shall have completed an Illinois program approved for the preparation of superintendents pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part).
- c) Each candidate shall have *at least two years' full-time administrative or supervisory experience in schools*, ~~on at least a half-time basis~~, on a general supervisory, general administrative, director of special education's, or all-grade supervisory endorsement on an administrative certificate, or a comparable out-of-state credential. (See Section 21-7.1(e)(4) of the School Code [105 ILCS 5/21-7.1(e)(4)]; the superintendent's endorsement shall not be issued as an individual's first endorsement on the administrative certificate unless issued on the basis of a comparable out-of-state credential.) Experience as a dean of students shall count toward fulfillment of this requirement only for time when the individual had

authority for, and performed administrative functions such as, evaluation of certified staff or suspension of students.

- d) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a standard certificate pursuant to Section 25.720(a) of this Part.
- e) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.365 Director of Special Education

This endorsement shall be required for directors and assistant directors of special education beginning July 1, 2005.

- a) Each candidate for the director of special education endorsement shall hold a master's degree or a higher degree awarded by a regionally accredited institution of higher education.
- b) The requirements of this subsection (b) shall apply to applications received on or before January 31, 2012. Later applications shall be subject to the requirements set forth in subsection (c) of this Section. Each candidate shall:
 - 1) have completed an Illinois program approved for the preparation of directors of special education pursuant to Subpart C of this Part or a comparable approved program in another state or country or hold a comparable certificate issued by another state or country (see Section 25.425 of this Part); or
 - 2) submit, along with the application for the endorsement and the applicable fee, a copy of a letter of approval as an administrator of special education issued by the State Board of Education at any time; or
 - 3) submit, along with the application for the endorsement and the applicable fee, evidence of holding an administrative certificate, and having

completed 30 semester hours of coursework, distributed among all the areas listed in this subsection (b)(3).

- A) Survey of exceptional children.
- B) Special methods courses covering at least three areas of disability.
- C) Educational and psychological diagnosis and remedial techniques.
- D) Guidance and counseling.
- E) Supervision of programs for children with disabilities.

c) The requirements of this subsection (c) shall apply to applications received on or after February 1, 2012. Each candidate shall:

- 1) have completed an Illinois program approved for the preparation of directors of special education pursuant to Subpart C of this Part or a comparable approved program specific to directors of special education in another state or country or hold a comparable certificate issued by another state or country, provided that the requirements met by the applicant for the out-of-state program or certificate included completion of at least one course each in:
 - A) special education law;
 - B) special education finance;
 - C) supervision of programs for children with disabilities; and
 - D) cross-categorical special education methods; or
- 2) submit, along with the application for the endorsement and the applicable fee, a copy of a letter of approval as an administrator of special education issued by the State Board of Education at any time; or
- 3) submit, along with the application for the endorsement and the applicable fee, evidence of holding an administrative certificate and having

completed 30 semester hours of coursework, distributed as specified in this subsection (c)(3).

A) at least one course in each of the areas described in subsection (c)(1) of this Section; and

B) additional coursework to reach the required total of 30 semester hours, chosen from the areas of:

i) curricular adaptations/modifications and assistive technology;

ii) facilitation of the least restrictive environment for all students;

iii) characteristics of students with disabilities;

iv) collaboration with parents and school personnel;

v) transition services for students with disabilities; and

vi) educational and psychological diagnosis and remedial techniques.

d) The requirements of this subsection (d) shall apply to applications received on or before January 31, 2012. Later applications shall be subject to the requirements set forth in subsection (e) of this Section. Each candidate shall have two years' full-time teaching experience or school service personnel experience in a field other than school nursing in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Human Services, or nonpublic schools recognized by the State Board of Education or meeting comparable out-of-state recognition standards.

e) The requirements of this subsection (e) shall apply to applications received on or after February 1, 2012. Each candidate shall have two years' full-time experience providing special education services:

1) in the public schools, as either a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist; or

- 2) in a nonpublic school, if the candidate holds the appropriate corresponding Illinois certificate as either a special education teacher, a speech-language pathologist, a school social worker, or a school psychologist.
- f) Each candidate shall be required to pass the applicable content-area test (see Section 25.710 of this Part), as well as the test of basic skills if its passage would be required for receipt of a subsequent certificate pursuant to Section 25.720 of this Part.
- g) Nothing in this Section is intended to preclude the issuance of a provisional certificate under Section 21-10 of the School Code.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART F: GENERAL PROVISIONS

Section 25.400 Registration of Certificates; Fees

Section 21-16 of the School Code [105 ILCS 5/21-16] requires the registration of an individual's teaching certificates ~~certificate(s)~~ and establishes the amount of the registration fee to be paid for each type of certificate. Registration fees and requirements applicable in specified situations shall be as set forth in this Section.

- a) Any fee paid to register a certificate for a given year shall cover the registration of all other certificates held by the same individual. An individual shall be required to register all certificates held but shall pay only one registration fee for any year.
- b) An individual is required to register his or her certificate in each region where he or she teaches but, except as provided in Section 21-9 of the School Code [105 ILCS 5/21-9], is required to pay a registration fee in only one region. Therefore, an individual who moves from one region to another after paying a registration fee for a particular period of time:
- 1) shall be required to register his or her certificates ~~certificate(s)~~ in the new region, but
 - 2) shall not be required to pay any additional registration fee except as provided in subsection (c) of this Section.

- c) Under Section 21-16 ~~21-9~~ of the School Code, a holder of a substitute certificate is required to pay a registration fee in each region where the certificate is used. Therefore, a holder of such a certificate who moves from one region to another after paying a registration fee for a particular period of time:
- 1) shall be required to register his or her certificates ~~certificate(s)~~ in the new region, and
 - 2) shall be required to pay a registration fee for the remaining years of the substitute certificate's validity.
- d) When a registration fee is paid, the amount due shall be the amount required to register the certificate for its entire period of validity, except that a life certificate may be registered for a maximum of five years (see Section 21-16 of the School Code).
- e) Except as provided in subsection (f) of this Section, an individual who receives and registers one or more additional certificates after paying a registration fee for a particular period of time shall not be required to pay an additional registration fee until the period covered by the original fee has elapsed. That is, no registration fee shall be charged for a new certificate as long as the current registration period of another certificate covers a portion of the new certificate's registration period.
- f) An individual who receives a standard certificate after paying a registration fee covering four years of teaching on an initial certificate without "using" all four of those years (e.g., an individual from another state who came to Illinois already having accumulated some teaching experience) shall be required to pay the registration fee for the new standard certificate's five-year period of validity, less "credit" equaling the amount paid for the unused years for which the initial certificate was registered.
- g) Pursuant to Section 25.450 of this Part, a certificate that has lapsed may be reinstated by payment of all accumulated registration fees. The amount due for each year shall be the fee that was in effect at that time, rather than the annual amount applicable at the time when the fees are paid.

- h) The amount of the fee that was in effect for any given year shall remain in effect for that year, regardless of when the fee is paid.
- i) The other provisions of this Section notwithstanding, no fee paid in connection with the registration of one or more certificates shall have the effect of extending the period of validity of any other certificate that is subject to additional renewal requirements that have not been met.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.425 Individuals Prepared in Out-of-State Institutions

An applicant who holds or is eligible to hold another state's or another country's teacher, school service personnel, or administrative certificate may be granted a corresponding Illinois certificate if he or she meets all the generally applicable requirements of Article 21 of the School Code (e.g., age; good character; or citizenship or legal presence) and the requirements for the certificate sought, as specified in the applicable Sections of this Part. As used in each of those Sections, a "comparable program" is one that leads to eligibility for service in the same specific capacity in the public schools of the state where the program was completed. A program completed in the United States shall be considered comparable only if it was offered by a regionally accredited institution of higher education.

- a) The certificate sought must be comparable to the out-of-state certificate for which the applicant is eligible. A comparable Illinois certificate is that which is most nearly like that of the other state (e.g., a K-6 certificate from another state most nearly approximates the Illinois elementary (K-9) certificate).
- b) Each out-of-state applicant for an Illinois teaching certificate must have met certification requirements that are similar to Illinois requirements.
 - 1) For those who have completed traditional preparation programs, these requirements include college coursework in professional education, including pre-student teaching clinical experiences or equivalent experience, student teaching or equivalent experience, and a major in a subject area that is relevant to the area of certification.
 - 2) For those who have completed alternative certification programs, these requirements include graduation from a regionally accredited institution with a bachelor's degree, an intensive course of study approved by that

state for this purpose, and student teaching or another structured teaching experience that forms part of the approved alternative program.

- 3) An applicant who holds a certificate from another state, territory, or possession of the U.S. but has not completed a preparation program approved by that state shall be required to present a written statement, signed by a representative of the agency issuing the certificate indicating that, at the time when the applicant was certified, the state of certification had certification requirements related to general education, professional education, and an area of specialization for the certificate issued and the applicant met the requirements in all three areas.
- c) An individual may receive additional endorsements on a teaching certificate by meeting the applicable requirements of Section 25.100 of this Part.
- d) Special provisions apply to applicants from states that do not require certification of school psychologists or school social workers or do not require any certificate for administrative positions for which certification is required in Illinois. When an applicant presents evidence of having served in such a position in a state where certification for the position is not required, eligibility for the Illinois certificate sought shall be contingent upon evidence that the applicant:
 - 1) has met all applicable requirements of Illinois law relative to the certificate and endorsement sought;
 - 2) has passed the Illinois test of basic skills and the relevant Illinois content-area test; and
 - 3) has met any three of the conditions described in subsections (d)(3)(A) through (E) of this Section.
 - A) The individual has completed a degree program that prepares candidates for service in the endorsement area sought in the public schools of the state where the program was completed or the state where the service was provided.
 - B) The individual has completed a program at an institution that was accredited by NCATE at the time of completion.

- C) The individual has completed a program that formerly served as a basis for certification in the state where the program was completed.
 - D) The titles or content descriptions of courses listed on the individual's official transcript indicate that the courses were designed to address standards substantially comparable to those that apply to the Illinois certificate or endorsement sought.
 - E) The individual presents evidence of work experience in the public schools in the position for which Illinois certification is sought.
- e) A candidate whose credentials were earned at an institution outside the United States shall submit the documents prepared by the foreign institution to a service whose evaluations are accepted by the State Board pursuant to subsection (f) of this Section.
- 1) After reviewing the documents submitted, the service shall provide to the State Superintendent of Education a statement identifying the degree held by the individual and indicating whether or not the individual has been prepared as an educator. The service shall also provide a list of the courses completed, with the credits earned equated to semester hours.
 - 2) The transcript provided by the service pursuant to subsection (e)(1) of this Section shall be reviewed to determine whether the individual qualifies for a certificate; if so, he or she shall receive such a certificate with all endorsements indicated by the coursework completed.
 - 3) If the review of the individual's transcript indicates that he or she does not qualify for a certificate, he or she shall receive a notification of the deficiencies for the certificate.
- f) Evaluation services shall be approved to review foreign credentials for purposes of Illinois certification if they demonstrate experience working on behalf of either the National Association of Foreign Student Affairs or the American Association of Collegiate Registrars and Admissions Officers. However, the State Board of Education may discontinue acceptance of evaluations from any service based on evidence of material inconsistencies in reviews. The State Board shall maintain

an up-to-date list of all organizations whose reviews are being accepted and shall make this list readily available.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.427 Three-Year Limitation

- a) An evaluation for purposes of issuing a certificate (rather than an additional endorsement on a previously held certificate) will be binding on the State Board of Education for only three years after it is given. At the close of that time, the evaluation and all relevant material will be discarded unless a certificate has been issued. However, should an individual apply for a certificate of a type for which a previously requested evaluation is still pending pursuant to this Section, the earlier application shall be invalidated and the relevant materials discarded immediately.

- b) A recommendation for certification of a candidate by entitlement shall be valid for only three years after its issuance by the institution. An individual who wishes to rely upon completion of a program after the relevant recommendation has expired shall provide either:
 - 1) verification from the institution that the program has not changed in the intervening time and a new recommendation by that institution for certification of the candidate by entitlement; or

 - 2) a program completion form indicating that the program has changed and identifying the changes, which shall be reviewed by the State Superintendent of Education to determine whether any deficiencies must be remedied by the individual in order to qualify for the certificate sought.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.444 Illinois Teaching Excellence Program

The annual payments and incentives established under Section 21-27 of the School Code [105 ILCS 5/21-27] shall be subject to the requirements of this Section and shall be contingent upon the appropriation of sufficient funds (see subsection (a)(~~f~~) of this Section). For purposes of this Section, ~~“outside the regular school term” means during hours when school is not in session or on days when school is not in session and~~ “State Superintendent of Education” means the State Superintendent or a designee, and an “eligible individual” is one who holds the certificate or

certificates specified in the portion of Section 21-27 of the School Code that applies to the payment sought. When permitted or required by the State Superintendent, documentation called for in this Section may be submitted via electronic means.

- a) When the funding available in any fiscal year is inadequate to cover all the payments described in this Section, payments shall be prioritized as specified in this subsection (a). No funds shall be allotted for use under any subsection of this Section until all higher-priority expenditures have been covered. Therefore, although a “qualifying individual” is someone who meets the requirements for a particular payment, not all qualifying individuals in any given year will be assured of receiving the applicable payments.
 - 1) As a first priority, funds shall be allotted for the annual stipends described in subsection (b) of this Section.
 - 2) As a second priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(3) of the School Code.
 - 3) As a third priority, funds shall be allotted for the incentive payments for the first 30 hours of service described in Section 21-27(2) of the School Code.
 - 4) As a fourth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(3) of the School Code.
 - 5) As a fifth priority, funds shall be allotted for the incentive payments for the additional 30 hours of service described in Section 21-27(2) of the School Code.
 - 6) If funds remain after accounting for all the payments described in subsections (a)(1) through (5) of this Section, funds shall be allotted for the expenditures described in subsections (g) through (j) of this Section, in accordance with the order of priority established in Section 21-27(a)(4) of the School Code. The State Superintendent shall use funds appropriated for a given fiscal year to reimburse only individuals whose fees were paid during that fiscal year, as reflected in the electronic database maintained for this purpose on behalf of the State Board of Education.

- 7) If funds are available for use under a particular subsection of this Section but are insufficient to cover all the payments that would be due under that subsection, the State Superintendent shall pro-rate the amount available among all those who qualify, except as further specified in subsection (i) of this Section.
- 8) In order to facilitate the use of funds for payments in priority order for each fiscal year, the State Superintendent may establish deadlines for the submission of forms and other documentation required under this Section. An individual who fails to comply with any relevant deadline may forfeit his or her claim to the affected payment.
- b) An eligible individual ~~who holds Illinois master certificate pursuant to Section 21-2(d) or Section 21-25(d) of the School Code [105 ILCS 5/21-25(d)]~~ shall qualify ~~be eligible~~ for an annual payment as called for in Section 21-27(a)(1) ~~21-27(1)~~ of the School Code for each school year during which:
- 1) he or she is employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, as the individual originally assigned to in a full-year, full-time position whose functions:
 - A) are specifically authorized by a teaching certificate and include the provision of instruction to students; or
 - B) are specifically authorized by a school service personnel certificate endorsed for a school counseling and include the provision of counseling services to students position; and
 - 2) he or she was certified by NBPTS prior to October 1 and, as of October 1, was employed as specified in subsection (b)(1) of this Section, or was certified by NBPTS on or after October 1 and, as of January 1, was employed as specified in subsection (b)(1) of this Section ~~works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education, which shall be submitted by the individual as documentation of eligibility for the payment.~~

~~c)b)~~ An eligible ~~In addition to the payment received pursuant to subsection (a) of this Section, an individual who holds an Illinois master certificate pursuant to Section 21-2(d) of the School Code shall~~ qualify be eligible for one or more an annual incentive payments payment ~~under Section 21-27(a)(2) 21-27(2) or Section 21-27(a)(3) of the School Code for each year during which:~~

- 1) he or she is either:
 - A) employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special education, in a position that meets the requirements of subsection (b)(1) of this Section, as verified by the employer using a format specified by the State Superintendent of Education; or
 - B) retired (i.e., drawing an annuity from either the Teachers' Retirement System of the State of Illinois pursuant to Article 16 of the Illinois Pension Code [40 ILCS 5/Art. 16] or the Public School Teachers' Pension and Retirement Fund -- Cities Over 500,000 Inhabitants -- pursuant to Article 17 of the Illinois Pension Code [40 ILCS 5/Art. 17]); and whose functions are specifically authorized by a teaching certificate and include the provision of instruction to students;
- 2) ~~he or she works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education; and~~
- 3) ~~he or she agrees in writing, using a format prescribed by the State Superintendent Board of Education, to provide at least 30 60 hours of mentoring to classroom teachers that conforms to the requirements of Section 21-27(a)(2) 21-27(2) or Section 21-27(a)(3) of the School Code and consists of:~~
 - A) high-quality professional development for new and experienced teachers or school counselors, as applicable; and/or
 - B) assistance to candidates for certification by the National Board for Professional Teaching Standards in completing that certification

process. (Section ~~21-27(a)(2)~~ ~~21-27(2)~~ of the School Code;
Section 21-27(a)(3) of the School Code)

~~d)~~e) Requirements for Professional Development and Assistance to NBPTS
Candidates

- 1) As verification ~~that he or she qualifies of his or her eligibility~~ for the applicable incentive payment, an eligible individual ~~the holder of the master certificate~~ who provides professional development to new or experienced teachers or school counselors under subsection ~~(c)(b)~~ of this Section shall submit to the State Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent, demonstrating that he or she addressed one or more of the standards set forth in 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) as relevant to the classroom-based needs of the recipient teachers, or one or more of the standards set forth in 23 Ill. Adm. Code 23.110 (Standards for the School Counselor), as applicable. Each recipient of professional development shall be identified by name, shall be working in an Illinois public educational setting, and shall sign the log as verification of the dates and hours of service indicated.
- 2) As verification ~~that he or she qualifies of his or her eligibility~~ for the applicable incentive payment, an eligible individual ~~the holder of the master certificate~~ who assists other Illinois educators ~~others~~ in preparing for certification by the National Board for Professional Teaching Standards under subsection ~~(c)(b)~~ of this Section shall submit to the State Superintendent of Education a written log of the assistance provided, using a format specified by the State Superintendent. This record shall identify the activities performed and verify that these activities addressed specific requirements candidates must meet for NBPTS certification.

~~d)~~ ~~In addition to the payment received pursuant to subsection (a) of this Section, an individual who holds an Illinois master certificate pursuant to Section 21-2(d) of the School Code shall be eligible for an annual incentive payment under Section 21-27(3) of the School Code for each year during which:~~

- 1) ~~he or she is employed by a school district or other public entity providing early childhood, elementary, or secondary education, including special~~

~~education, in a position whose functions are specifically authorized by a teaching certificate and include the provision of instruction to students;~~

- 2) ~~he or she works for no less than the equivalent of half the school year, as verified by the employer at or near the conclusion of the school year using a format specified by the State Superintendent of Education; and~~
- 3) ~~he or she agrees in writing, using a format prescribed by the State Board of Education, to provide, outside the regular school term, at least 60 hours of mentoring to classroom teachers in schools on the Academic Early Warning List or in schools in which 50% or more of the students receive free or reduced-price lunches, or both. (Section 21-27(3) of the School Code)~~

e) Requirements for Mentoring

- 1) Mentoring provided in accordance with subsection ~~(c)(d)~~ of this Section shall be conducted either:
 - A) as part of and in conformance with a mentoring program formally established by a school district; or
 - B) under the terms of a written agreement among the mentor ~~teacher~~, the building administrator, mentor coordinator, or other responsible official of the school district employing one or more recipients ~~recipient teachers~~, and those recipients, that describes the goals of the mentoring, the duration of the mentor's ~~mentor teacher's~~ involvement, and the amount of time expected to be devoted to each recipient ~~teacher~~.
- 2) Mentoring may be provided to recipients either individually or in groups, provided that the mentor must address one or more of the areas of ~~teaching~~ practice enumerated in subsection ~~(d)(1)(e)(1)~~ of this Section as relevant to the ~~classroom-based~~ needs of each recipient ~~teacher~~.
- 3) An individual who provides mentoring under ~~subsection (d)~~ of this Section shall notify his or her employing district (if different from that of the recipients ~~recipient teacher or teachers~~) to this effect and, as verification that he or she qualifies ~~of his or her eligibility~~ for the applicable incentive

payment, shall submit to the State Superintendent of Education a written log that:

- A) meets the requirements of subsection ~~(d)(1)(e)(1)~~ of this Section; and
- B) discusses how the mentoring was related to the academic needs of the recipient teachers' students or the needs of the students served by the recipient counselors, as applicable.

f) Certified teachers shall receive incentive payments only for providing mentoring and professional development to other teachers, and certified school counselors shall receive incentive payments only for providing mentoring and professional development to other school counselors. In any given school year, and in addition to the annual payment discussed in Section 21-27(a)(1) of the School Code, a particular individual may qualify for any combination of the payments discussed in Sections 21-27(a)(2) and 21-27(a)(3) of the School Code, provided that the logs submitted by the individual demonstrate that no portion of the individual's service to other teachers or school counselors is counted toward more than one incentive payment.

~~f) Insufficient Appropriations~~

~~When the funding available in any fiscal year is inadequate to cover all the payments described in this Section, payments will be prioritized.~~

- ~~1) No annual stipends as described in subsection (a) of this Section shall be paid until all other payments pursuant to subsection subsections (b) and (d) of this Section have been made.~~
- ~~2) The incentive payments described in subsection (d) of this Section shall take precedence over those described in subsection (b) of this Section.~~

g) First-Time Application Fees

If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$2,000 or the actual amount of the application fee, whichever is less.

h) Take One! Subsidy

NBPTS permits an individual to submit one portfolio entry for review and scoring before making the decision to become a candidate for National Board certification. For purposes of reimbursement under this subsection (h), the schools deemed to be a priority by the State Board of Education (Section 21-27(a)(4)(B) of the School Code) shall be those in academic watch status, and teachers shall be considered members of cohorts whenever at least three from the same school sign up for Take One! If sufficient funds are available for all the qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$395 or the actual amount of the Take One! fee, whichever is less.

i) Retake Subsidy

NBPTS permits a candidate to submit portfolio entries and assessment exercises as “retakes” if the required fee for each has been paid by the January 31 that follows the release of original scores in November. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual for the fees paid for as many as three portfolio entries or assessment exercises, in any combination. However, all qualifying individuals shall receive reimbursement for one retake before any individual receives reimbursement for a second retake, and all qualifying individuals shall receive reimbursement for two retakes, as applicable, before any individual receives reimbursement for a third retake.

j) Renewal Subsidy

NBPTS establishes a schedule for certificate renewal and for payment of the required fee. If sufficient funds are available for all qualifying individuals who have submitted timely requests, the State Superintendent shall reimburse each individual in the amount of \$850 or the actual amount of the NBPTS renewal fee, whichever is less.

k) In the event that funds remain available for any fiscal year after accounting for all payments described in subsections (a) through (j) of this Section and for necessary expenditures related to the electronic system identified in Section 21-27(c) of the School Code, those remaining funds shall be devoted to one or more initiatives

under Section 21-27(d) of the School Code, as the State Superintendent may deem appropriate in light of the amount available and the needs of Illinois public schools.

- 1) “Candidate support” shall include efforts designed to support candidates in completing NBPTS’ certification process, such as mentoring and observation.
- 2) “Candidate recruitment” shall include efforts designed to increase the pool of candidates for certification by NBPTS, particularly in areas of shortage identified by the State Board of Education.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.464 Short-Term Authorization for Positions Otherwise Unfilled

Subject to the provisions of this Section, an entity that is required to employ certified teachers may receive short-term approval to employ an individual who does not hold the qualifications required for a vacant teaching position, other than a special education teaching position, when the employing entity has been unable to recruit a fully qualified candidate for that position. Short-term authorization as described in this Section shall be available not only with respect to individuals who lack full qualifications in a subject area, but also with respect to individuals who have not completed the six semester hours of coursework specified at 23 Ill. Adm. Code 1.720 for teachers of middle grades (see Section 1.720(a)(2)(A) and (B)). The requirement expressed in subsection (a)(2) of this Section shall not apply when the employing entity’s need for short-term authorization has arisen due to the unforeseen departure of a teacher who was fully qualified for the assignment in question.

- a) The employing entity shall file with the regional superintendent:
 - 1) a description of the vacant position, including the subject area and the grade level;
 - 2) evidence of inability to fill the position with a fully qualified individual, ~~including a list of the candidates who applied, a list of those who were interviewed, and the reason each was not interviewed or was not selected,~~ as applicable;

- 3) a statement that the employing entity has not honorably discharged anyone in the past year who was fully qualified for the position;
- 4) the name and Social Security number of the individual the entity wishes to employ for the position, as well as a list of the certificate numbers and types held by that individual;
- 5) a written assurance that the district will provide the teacher to be employed with mentoring and high-quality professional development each year in the subject area to be taught;
- 6) one of the following:
 - A) a written assurance from an institution of higher education that operates a program approved pursuant to Subpart C of this Part that leads to certification in the subject area to be taught that the individual who will be employed is enrolled in coursework that is designed to meet the standards applicable to that subject area, or
 - B) a written assurance from the certification officer of another institution of higher education that offers one or more approved educator preparation programs that the individual is enrolled in courses that will enable him or her to qualify for the endorsement, or
 - C) other evidence of enrollment in relevant coursework supplied by the individual who will be employed, or
 - D) a written assurance signed by the individual who will be employed, indicating his or her intention to enroll in one or more identified courses at a specified institution of higher education in the next semester; and
- 7) a statement of intent, signed and dated by the individual who will be employed, stipulating that he or she will complete all requirements for an endorsement in the subject to be taught (see Section 25.100 of this Part or 23 Ill. Adm. Code 1.720, as applicable) within three school years after the issuance of authorization under this Section.

- b) Short-term authorization pursuant to this Section shall be issued only when the individual identified by the employing entity:
 - 1) holds an initial, standard, or master certificate that is valid for the grade level of the proposed assignment;
 - 2) has successfully completed at least nine semester hours of college coursework in the subject area to be taught; and
 - 3) has filed the statement of intent called for in subsection (a)(7) of this Section.
- c) When the requirements of this Section have been met, the State Superintendent of Education shall issue to the employing entity a letter granting short-term authorization for the named individual to teach in the specific position for which the application was made.
 - 1) Such a letter shall constitute an authorization to the employing entity and not a credential issued to the individual. As such it shall not be transferable to any other individual, employing entity, or teaching assignment.
 - 2) Each employing entity that receives an authorization pursuant to this Section shall maintain the State Superintendent's letter on file and make it available for inspection by representatives of the State Board of Education upon request.
- d) Short-term teaching authorization issued pursuant to this Section shall be issued with respect to a specific school year and shall expire on June 30 of the third school year following the date of issuance.
- e) After the end of the validity of authorization received under this Section, the individual shall not be eligible to teach in the subject area for which approval was granted unless he or she has received an endorsement for that subject.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.485 Provisional Recognition of Institutions (Repealed) Certification of Persons with Certificates Previously Denied, Suspended, or Revoked

A previous denial of certification or another action against an individual's certificate may indicate that issuance, renewal, or registration of a certificate would also currently be inappropriate. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has ever had a certificate denied, suspended or revoked in Illinois or any other state.

- a) Each individual providing an affirmative response to this question shall be required to submit a copy of the notice issued by the responsible agency in the state where the action occurred that includes:
 - 1) the date of the action;
 - 2) the reasons for the action;
 - 3) any penalties that were imposed; and
 - 4) the ending date of each penalty, if applicable.

- b) The State Superintendent of Education shall review the information submitted pursuant to subsection (a) of this Section and shall determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate in light of the circumstances surrounding the previous denial, suspension, or revocation (including the applicant's age and the background of the applicant at the time of the action), any penalty that was imposed, and any evidence the applicant has provided concerning his or her good character that may mitigate the defect in his or her record.

(Source: Old Section repealed at 23 Ill. Reg. 7231, effective June 14, 1999; new Section adopted at 33 Ill. Reg. _____, effective _____)

Section 25.486 Certification of Persons Who Are Delinquent in the Payment of Child Support

Pursuant to Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65], each State agency must require an applicant for a license to affirm on the application form, under penalty of perjury, that he or she is not more than 30 days delinquent in complying with a child support order. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to make this affirmation on the relevant form.

- a) Each individual who fails to provide the affirmation required pursuant to this Section shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education a statement from the Illinois Department of Healthcare and Family Services, issued on that agency's letterhead, indicating the status of the current child support arrangements.
- b) The State Superintendent shall review the documentation provided by the applicant and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the individual has remedied the delinquency and made satisfactory arrangements to meet future obligations.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.487 Certification of Persons with Illinois Tax Noncompliance

Pursuant to Section 21-23(a) of the School Code [105 ILCS 5/21-23(a)], the State Board may refuse to issue or may suspend the certificate of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied. Accordingly, each applicant for the issuance, renewal, or registration of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has failed to comply with any of these requirements.

- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education either:
- 1) a tax clearance form issued by the Illinois Department of Revenue, indicating that the individual has remedied the failure; or
 - 2) a statement from the Illinois Department of Revenue, issued on that agency's letterhead, that includes an explanation of the matter, including the relevant tax year, the amount owed, and the status of any disputed amount.
- b) If an individual provides the tax clearance form referred to in subsection (a)(1) of this Section, he or she shall no longer be ineligible for certification, certificate registration, certificate renewal, or the issuance of one or more additional credentials based on the tax matter at issue. If an individual provides a statement under subsection (a)(2) of this Section, the State Superintendent shall review the documentation provided and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the individual has made arrangements to remedy the failure that are satisfactory to the Department of Revenue.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.488 Certification of Persons Named in Reports of Child Abuse or Neglect

Pursuant to Section 21-23(b) of the School Code [105 ILCS 5/21-23(b)], a certificate may be suspended for an appropriate length of time upon evidence that the holder has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act and upon proof that the holder has caused a child to be an abused child or neglected child as defined in the Act. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has been named as a perpetrator by a state agency responsible for child welfare in Illinois or any other state if the report was not reversed after exhaustion of any appeal.

- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education:
- 1) an official copy of the report, including the child's age and sex, the report number assigned by the Department of Children and Family Services or comparable out-of-state agency, the date of the report, and the status of the report ("indicated", "unfounded", or other) with supporting documentation for the determination;
 - 2) an explanation of the event in his or her own words, including a detailed explanation of his or her relationship to the child;
 - 3) original, signed statements from employers, civic leaders, college instructors, and others clearly indicating that they have knowledge that the applicant has been found to be a perpetrator of child abuse or neglect but can also attest to the individual's good character and rehabilitation; and
 - 4) an explanation of the status of any request to expunge, amend, or remove the report from the responsible state agency's records.
- b) The State Superintendent shall review the documentation provided by the applicant pursuant to subsection (a) of this Section and determine whether issuance, renewal, or registration of a certificate or issuance of one or more additional credentials, as applicable, is appropriate based on whether the evidence of good character and rehabilitation provided is convincing when taken together with the gravity of the offense, the individual's age and background at the time of the offense, and any criminal penalty that was imposed.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.489 Certification of Persons Who Are in Default on Student Loans

Pursuant to Section 21-23(a) of the School Code, a certificate may be suspended for failure to establish satisfactory repayment on an educational loan guaranteed by the Illinois Student Assistance Commission. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she is in default on an Illinois student loan for which

no satisfactory repayment plan has been established with the Commission. Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential until he or she provides to the State Superintendent of Education a statement from the Commission, issued on the Commission's letterhead, indicating that the individual has entered into a satisfactory payment plan.

Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.490 ~~Rules for~~ Certification of Persons Who Have Been Convicted of a Crime

Pursuant to Section 21-23a of the School Code [105 ILCS 5/21-23a], convictions related to certain offenses lead to revocation of certificates. Further, convictions related to certain other offenses may lead to refusal of certification if they demonstrate individuals not to be of good character as required by Section 21-1 of the School Code [105 ILCS 5/21-1]. Accordingly, each applicant for the issuance, registration, or renewal of an Illinois certificate or for the addition of another credential (e.g., endorsement, approval, designation), including any credential issued under Subpart G of this Part, shall be required to indicate on the relevant form whether he or she has ever been convicted of a felony or of any sex, narcotics, or drug offense in Illinois or any other state.

- a) Each individual providing an affirmative response to this question shall be ineligible to receive, register, or renew a certificate or to receive an additional credential if the offense was one of those enumerated in Section 21-23a of the School Code or, if the offense was not one of those enumerated, until he or she provides to the State Superintendent of Education:
- 1) a certified court record of the conviction;
 - 2) evidence that at least one year has elapsed since the end of the sentence for the criminal offense, where "sentence" includes any period of probation that was imposed either alone or in combination with a period of incarceration; and
 - 3) an explanation of the event in his or her own words; and
 - 4) original, signed statements from employers, civic leaders, college instructors, and others clearly indicating that they have knowledge of the conviction but can also attest to the individual's good character and rehabilitation.

- b) The State Superintendent shall review the information submitted pursuant to subsection (a) of this Section and determine whether certification, certificate registration, certificate renewal, or issuance of one or more additional credentials, as applicable, is appropriate, based on whether the offense was one of those enumerated in Section 21-23a of the School Code and, if not, whether the evidence of good character and rehabilitation provided is convincing when taken together with the gravity of the offense, the individual's age and background at the time of the offense, and any criminal penalty that was imposed.
- a) ~~Applicants shall complete their applications truthfully and honestly. Each application shall be reviewed separately. The gravity of the offense (misdemeanor, felony or other infamous nature), the circumstances surrounding its commission (including age and background of the applicant at the time of the offense), and any criminal penalty that was imposed shall be considered. An applicant with a criminal history shall be provided an opportunity to provide evidence of good character and/or rehabilitation to prove that he or she has overcome a defect in his or her record.~~
- b) ~~The State Teacher Certification Board will review evidence provided by the applicant and render a decision as to good character by weighing the evidence of bad character (the criminal conviction) against that of good character and rehabilitation. In making this determination, the State Teacher Certification Board may consider, without limitation, a personal statement from the applicant and letters from university instructors, employers, and any other persons with knowledge of the applicant's criminal history and rehabilitation.~~
- e) ~~The State Teacher Certification Board shall require a waiting period of one year from the time the sentence for the criminal offense ends before an application for certification will be considered, excluding minor traffic offenses.~~
- d) ~~For purposes of this Section, a "sentence" shall include any probationary period imposed either alone or in combination with a period of incarceration.~~

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.493 Part-Time Teaching Interns (Repealed)

- a) ~~The entitlement officer of the college or university with an approved program leading to a master's degree of which a part time teaching internship is a component, such as the Master of Arts in Teaching (MAT) program, shall submit a list of the students and the districts in which the part time teaching internship is to occur to the State Superintendent of Education. Upon verification of the approved program, the Superintendent shall transmit a letter to the district superintendent authorizing the school board to employ such interns.~~
- b) ~~The colleges shall verify the student's bachelor's degree as one from a recognized institution of higher learning and shall specify the exact nature of the part time teaching internship assignment in reporting to the State Superintendent.~~
- e) ~~Only those students who are enrolled in programs leading to a master's degree approved by the State Board of Education shall be eligible for employment as part time teaching interns, and an individual's part time teaching must be done in a field for which he or she is being prepared.~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

~~SUBPART G: THE UTILIZATION OF PARAPROFESSIONALS AND
OTHER NONCERTIFIED PERSONNEL~~

Section 25.510 Paraprofessionals; Teacher Aides

- a) The terms "paraprofessionals" and "teacher aides" shall be used to refer to the noncertificated personnel authorized by Section 10-22.34 of the School Code [105 ILCS 5/10-22.34] to be employed to assist in instruction. The terms "paraprofessional" and "teacher aide" shall be considered synonymous.
- b) Approval of Paraprofessionals
 - 1) Employment Service as a paraprofessional requires a statement of approval issued by the State Board of Education, in consultation with the State Teacher Certification Board, any certificate indicative of completion of at least a bachelor's degree, or a provisional vocational certificate. Paraprofessionals first employed in programs for students with disabilities on or before June 30, 2005, shall be subject to this requirement as of July 1, 2007.

- 2) Each individual who is required to hold a statement of approval shall submit an application to the State Superintendent of Education, accompanied by evidence that he or she meets the requirements of subsection (c) of this Section. Each individual who wishes to serve as a paraprofessional in a targeted assistance program and is paid with federal funds provided under Title I, Part A, or in a school-wide program that is supported with those such funds, other than an individual who holds a certificate indicative of completion of at least a bachelor's degree or a provisional vocational certificate, shall submit an application for approval accompanied by evidence that he or she meets the requirements of subsection (d) of this Section. Each applicant who qualifies shall be issued a statement of approval, which shall indicate whether it applies to programs supported with federal Title I, Part A, funds.
- c) Each paraprofessional shall be of good character and shall be a citizen of the United States or legally present and authorized for employment. Each paraprofessional shall be subject to that portion of Section 24-5 of the School Code [105 ILCS 5/24-5] that requires physical fitness and freedom from communicable disease, including evidence of freedom from tuberculosis. Each paraprofessional shall hold a high school diploma or its recognized equivalent. To receive approval to serve as a teacher aide, an individual shall:
- 1) present evidence of having completed 30 semester hours of college credit at a regionally accredited institution of higher education; or
 - 2) ~~complete a training program for paraprofessionals that has been approved either by the Illinois Community College Board or by the State Board of Education in consultation with the State Teacher Certification Board; or~~
 - 3) pass the ParaPro test offered by the Educational Testing Service (ETS) with at least the score identified by the State Board of Education in consultation with the State Teacher Certification Board; or
 - 3)4) pass the Work Keys test offered by ACT with at least the score identified by the State Board of Education in consultation with the State Teacher Certification Board ~~and present verification by the employing district or other entity that:~~

- A) ~~the individual's classroom performance was observed as part of a formal evaluation that yielded a satisfactory rating; or~~
 - B) ~~the individual's classroom performance was observed prior to employment and the district's representative has concluded that the individual was effective in performing the assigned duties.~~
- d) In addition to meeting the requirements of subsection (c) of this Section, each paraprofessional employed to assist with instruction in a targeted assistance program and paid with federal funds provided under Title I, Part A, or employed in a school-wide program that is supported with such funds is subject to the additional requirements of Section 1119 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (P.L. 107-110; see also 34 CFR 200.58 (2003), no later editions of or revisions to these regulations are included). No paraprofessional may be assigned to serve in such a capacity after the deadline established in federal law for the group of which he or she is a member unless he or she holds a statement of approval that is specific for this purpose, any certificate indicative of completion of at least a bachelor's degree, or a provisional vocational certificate. To qualify for this approval purpose, an individual shall either have completed two years of study at an institution of higher education, hold an associate's or higher degree, or successfully complete a formal State or local assessment.
- 1) Completion of "two years of study at an institution of higher education" means completion of at least 60 semester hours of college coursework at an accredited institution of higher education.
 - 2) "Formal State assessment" means:
 - A) either of the tests discussed in subsections (c)(3) and (c)(4) of this Section; or
 - B) possession of a statement of approval issued under subsection (c)(1) or (c)(2) of this Section and presentation to the State Superintendent of Education of evidence that the individual has accumulated 300 Professional Training Points (PTPs).
 - i) Work experience as a paraprofessional in a public or nonpublic school shall be credited at the rate of 30 PTPs

per year, up to a maximum of 150 PTPs. The required evidence of completion for this experience shall be a letter signed by the chief administrator or other designated official of the employing district, other public entity, or nonpublic school documenting the nature and duration of the individual's employment.

- ii) College coursework shall be credited at the rate of 15 PTPs per semester hour. The required evidence of completion for college coursework shall be official transcripts issued by the institutions at which it was completed.
- iii) Completion of the Paraprofessional Test Preparation Curriculum developed by the Illinois Community College Board in partnership with the Illinois State Board of Education shall be credited as 15 PTPs. The required evidence for completion of this curriculum shall be a certificate of completion issued to the individual.
- iv) Additional training activities shall be credited at the rate of one PTP per hour of the individual's direct participation, provided that training activities shall be creditable only if they address or enhance the paraprofessional's ability to assist in the academic content areas of reading/language arts, writing, or mathematics or in reading readiness, writing readiness, or mathematics readiness. The required evidence of completion for each training activity that occurred prior to July 1, 2004, shall include a description of the event, including its subject, date, location, and provider if known; and, if available, a program, outline, or completion form supplied by the provider to indicate the individual's attendance at the event. The required evidence of completion for each training activity that occurred on or after July 1, 2004, shall include a description of the event, including its subject, date, location, and provider; a program or outline if available; and a completion form supplied by the provider to indicate the individual's attendance at the event. In all cases the required evidence shall include a signed statement by the individual indicating

the length of his or her participation and verifying that the activity addressed one of the areas required by this subsection (d)(2)(B)(iv).

- 3) “Formal local assessment” means a local assessment that conforms to the guidelines established in section C-5 of the Draft Non-Regulatory Guidance of November 15, 2002, published on the subject of Title I Paraprofessionals by the United States Department of Education, Office of Elementary and Secondary Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

e) Revocation of Approval

- 1) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or paraprofessional has been designated as a “sex offender” as defined in Section 2 of the Sex Offender Registration Act [730 ILCS 150/2] or as a “child sex offender” as defined in Section 11-9.3 of the Criminal Code of 1961 [720 ILCS 5/11-9.3], or has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act [325 ILCS 5/Art.1], the State Superintendent may revoke an individual’s approval after the individual has had an opportunity for a hearing before the State Teacher Certification Board pursuant to 23 Ill. Adm. Code 475 (Contested Cases and Other Formal Hearings). The State Superintendent’s decision shall be considered an “administrative decision” for purposes of the Administrative Review Law [735 ILCS 5/Art. III].
- 2) When the State Superintendent of Education receives information indicating that an individual who holds approval as a teacher aide or paraprofessional has been convicted of any sex offense or narcotics offense as defined in Section 21-23a of the School Code [105 ILCS 5/21-23a] or has been convicted of first degree murder, attempted first degree murder, or a Class X felony, the State Superintendent shall forthwith revoke the individual’s approval. The State Superintendent’s decision shall be considered an “administrative decision” for purposes of the Administrative Review Law.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.520 Other Noncertificated Personnel (Repealed)

- a) ~~In accordance with Sections 10-22.34 and 10-22.34a of the School Code [10 ILCS 5/10-22.34 and 10-22.34a], noncertificated personnel may be employed or utilized on a volunteer basis, and may be utilized for school activities not directly connected with the academic program of the schools. Such areas of utilization include:~~
 - 1) ~~Clerical duties, as in an office or library;~~
 - 2) ~~Chaperones or sponsors;~~
 - 3) ~~Playgrounds, during free play and not during part of an organized physical education period.~~

- b) ~~In accordance with Section 10-22.34(d) of the School Code [105 ILCS 5/10-22.34(d)], school districts may utilize noncertificated persons who are completing their clinical experiences and/or student teaching.~~
 - 1) ~~All requirements affecting utilization of noncertificated personnel are waived for candidates participating in clinical experiences as part of a preparation program when the following conditions are met:~~
 - A) ~~The candidate is an enrolled student at a recognized Illinois teacher education institution;~~
 - B) ~~The candidate engages in clinical experience as part of an approved teacher education program; and~~
 - C) ~~Agreements involving public schools as clinical sites incorporate the requirements in Section 10-22.34 of the School Code:~~
 - i) ~~When noncertificated candidates assist in instruction, they must be under the immediate supervision of a teacher holding a valid certificate and who is directly engaged in teaching the subject matter or conducting other learning activities; and~~

- ii) ~~The cooperating teacher must constantly evaluate the candidate's activities and be able to control or modify them.~~
- 2) ~~Noncertificated personnel enrolled in a student teaching course at a college or university are not required to be under the constant supervision of a teacher, provided that such activity has the prior approval of the representative of the higher education institution, that teaching plans have been previously discussed with and approved by the supervising teacher, and such teaching is performed in accordance with Section 25.620 of this Part (see Section 10-22.34 of the School Code [105 ILCS 5/10-22.34]).~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

Section 25.530 Specialized Instruction by Noncertificated Personnel (Repealed)

- a) ~~The School Code authorizes the use of noncertificated persons, under the direction of a certificated teacher, to provide specialized instruction not otherwise readily available in the immediate school environment in the fields for which they are particularly qualified by reason of specialized knowledge or skill.~~
- b) ~~The following guidelines shall be used by the Superintendent of an Educational Service Region to determine whether specialized instruction should be approved:~~
 - 1) ~~The certificated person in charge of the educational setting associated with the specialized instruction must specify the material to be covered and the amount of time to be allotted for the specialized instruction.~~
 - 2) ~~Specialized instruction may be provided in the school or away from the school facility provided that the school district has ascertained that the environment for the student is safe and wholesome.~~
 - 3) ~~Before specialized instruction by a noncertificated person may be initiated, the superintendent of the district must receive written approval from the Superintendent of the Educational Service Region as to the qualifications of the particular noncertificated person, the specific instruction to be provided, the precise functions to be served, the total number of hours for such instruction, and any compensation to be paid that person.~~

- 4) ~~Professional competence or outstanding proficiency in the specialization area to be taught must be identified by the district superintendent.~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

Section 25.540 Approved Teacher Aide Programs (Repealed)

~~The State Teacher Certification Board approves the Illinois Community College Board supervision and recommendations of Community College teacher aide training programs.~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section 25.705 Purpose – Severability

- a) This Subpart establishes procedures and requirements for the Illinois Certification Testing System, as required by Section 21-1a of the School Code [105 ILCS 5/21-1a].
- b) When specific tests are made available both as paper-based tests and as computer-based tests, certain testing procedures shall differ according to the format selected by a particular examinee, as described in the relevant provisions of this Subpart I.
- c) If any provision of this Subpart or application of that provision thereof to any person or circumstance is held invalid, its invalidity shall not affect other provisions or applications of this Subpart that can be given effect without the invalid provision or application, and to this end the provisions of this Subpart are declared to be severable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.710 Definitions

For the purposes of this Subpart, the following definitions apply:

"Passing raw score" is the minimum number of multiple choice items that must be answered correctly on a given test or the combination of required correct

responses to multiple choice items and required numerical value of constructed responses.

"Passing score" is the minimum scaled score a person must obtain in order to pass a test.

"Re-scoring" means the process of reviewing an examinee's answers and the scores assigned to them to confirm that a test score reported to an examinee is the score earned by him or her.

"Retake" is the opportunity for a person who has taken a test of the Illinois Certification Testing System at one test administration to take the test in the same area as given at subsequent administrations.

"Scaled score" is the person's test score after the mathematical transformation of the number of test items the person answered correctly to a scale of numbers on which the minimum score, the maximum score, and the passing score are set. Through May 31, 2006, for the tests of subject matter knowledge and language proficiency, the minimum scaled score is 0, the maximum score 100, and passing score 70. Beginning in June 2006, for the tests of subject matter knowledge (content-area tests) and language proficiency, the minimum scaled score is 100, the maximum score 300, and the passing score 240. For the assessment of professional teaching, the basic skills test, and any new content-area test first administered after December 31, 2002, the minimum scaled score is 100, the maximum score 300, and the passing score 240.

"Subarea score" is the scaled score for the subset of test items on a subject matter test or content-area test which measures specific content, and the "subarea score" is the scaled score for each subset of test items on the basic skills test which measures specific content in reading comprehension, writing, language arts, and mathematics.

"Test" or "Tests" refers to the test of basic skills, the assessment of professional teaching, the language proficiency tests, and the tests of subject matter knowledge (or "content-area tests") for the Illinois Certification Testing System. Through June 30, 2004, these tests are:

Agriculture
Art (K-12)

Art (6-12)
Assessment of Professional Teaching – Early Childhood
Assessment of Professional Teaching – Elementary
Assessment of Professional Teaching – Secondary
Assessment of Professional Teaching – Special
Basic Skills
 Language Arts
 Mathematics
 Reading Comprehension
 Writing
Biological Science
Blind and Partially Sighted
Business/Marketing/Management
Chemistry
Chief School Business Official
Computer Science
Dance
Deaf and Hard of Hearing
Early Childhood
Educable Mentally Handicapped
Elementary/Middle Grades (K-9)
English
English as a Second Language
English Language Proficiency
French
General Administrative
General Science
General Supervisory (available through June 30, 2003)
German
Guidance
Health
Health Occupations
Hebrew
History
Family and Consumer Sciences
Industrial Technology Education
Italian
Latin
Learning Disabilities

Mathematics
Media
Music (K-12)
Music (6-12)
Physical Education (K-12)
Physical Education (6-12)
Physically Handicapped
Physical Science
Physics
Reading
Russian
School Nurse
School Psychology
School Social Work
Social/Emotional Disorders
Social Science
Spanish
Speech
Speech and Language Impaired
Superintendent
Theatre Arts
Trainable Mentally Handicapped
Transitional Bilingual Education
 Arabic
 Cantonese
 Greek
 Gujarati
 Hindi
 Japanese
 Korean
 Lao
 Mandarin
 Polish
 Russian
 Spanish
 Urdu
 Vietnamese

Beginning July 1, 2004, the Illinois Certification Testing System shall consist of the following tests in addition to the content-area tests applicable to certification in special education:

- Agricultural Education
- Assessment of Professional Teaching
 - Early Childhood
 - Elementary
 - Secondary
 - Special
- Basic Skills
- Business, Marketing, and Computer Education
- Chief School Business Official
- Dance
- Director of Special Education (required beginning July 1, 2005)
- Drama/Theatre Arts
- Early Childhood
- Early Childhood Special Education
- Elementary/Middle Grades (K-9)
- English Language Arts
- English Language Proficiency
- English as a New Language
- Family and Consumer Sciences
- Foreign Languages
 - Arabic (available in September 2008)
 - Chinese (Cantonese or Mandarin)
 - French
 - German
 - Hebrew
 - Italian
 - Japanese
 - Korean
 - Latin
 - Russian
 - Spanish
- General Administrative
- Guidance (through June 30, 2005)
- Health Education
- Health Careers

Library Information Specialist
Mathematics
Music
Physical Education
Reading Teacher
Reading Specialist
School Counselor (beginning July 1, 2005)
School Nurse
School Psychologist
School Social Worker
Sciences
 Biology
 Chemistry
 Earth and Space Science
 Environmental Science
 Physics
Social Sciences
 Economics
 Geography
 History
 Political Science
 Psychology
 Sociology and Anthropology
Superintendent
Technology Education
Technology Specialist
Transitional Bilingual Education – Language Proficiency
 Arabic
 Cantonese
 Greek
 Gujarati
 Hindi
 Japanese
 Korean
 Lao
 Mandarin
 Polish
 Russian
 Spanish

Urdu
Vietnamese
Visual Arts

"Test items" are specific questions asked on a test that require a person either to select the correct response from those alternative responses provided or to produce a written or oral response.

"Test objective" is a statement of the behavior or performance measured by test items.

"Unauthorized aids" are materials and devices that candidates are prohibited from bringing to a test administration. These include notes, calculators, calculator watches, calculator manuals, cellular phones, electronic communication devices, visual or audio recording or listening devices, and any other items whose use may compromise the security or validity of a test. However, any material or device that is permitted as part of an accommodation arranged pursuant to Section 25.740 of this Part shall not be considered an unauthorized aid. Furthermore, a calculator shall not be considered an unauthorized aid when its use is authorized pursuant to the current ICTS registration bulletin and the contractor's web site.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.720 Applicability of Testing Requirement and Scores

- a) It is the individual's responsibility to take the appropriate tests. Upon request, the State Board of Education shall assist individuals in identifying appropriate tests.
- b) Basic Skills Test

Except as provided in subsections (b)(1) and (3) of this Section, each candidate seeking his or her first Illinois certificate (teaching, administrative, or school service personnel) shall be required to pass the test of basic skills. Further, Section 21-1a(d) of the School Code requires passage of this test as a prerequisite to enrollment in an Illinois teacher preparation program beginning with the 2002-2003 academic year.

- 1) A person who has passed the test of basic skills as a condition of admittance to an Illinois preparation program approved pursuant to Subpart C of this Part shall not be required to retake that test.
 - 2) A person who has passed the basic skills test and has been issued an Illinois certificate on the basis of the test shall not be required to retake the basic skills test when seeking any subsequent certificate.
 - 3) *A person who holds a valid and comparable out-of-state certificate is not required to take a test of basic skills.* (Section 21-1a of the School Code [105 ILCS 5/21-1a]) For purposes of this subsection (b)(3), a “comparable certificate” is one that either:
 - A) was issued on or before June 30, 2004; or
 - B) was issued on or after July 1, 2004, based on the individual’s passage of a test of basic skills.
 - 4) The provisions of subsection (b)(3) of this Section notwithstanding, any individual who has attempted the Illinois basic skills test without passing it shall be required to pass it in order to qualify for an Illinois certificate.
 - 5) When a person who was not required to take the basic skills test pursuant to subsection (b)(3)(A) of this Section seeks a subsequent Illinois certificate, he or she shall be required to pass the Illinois test of basic skills. However, a person applying for another Illinois certificate based on an additional out-of-state certificate or qualifications shall be treated as an out-of-state applicant and shall be subject to subsection (b)(3) of this Section.
- c) Content-Area Tests
- 1) Except as provided in subsection (c)(2) of this Section, each candidate seeking an Illinois certificate, whether his or her first certificate or a subsequent certificate, shall be required to pass a content-area test. The required content-area test is that which corresponds to the approved program completed or the endorsement for which the applicant otherwise qualifies. Further, Section 21-1a(d) of the School Code requires passage of this test for program completion.

- 2) *A person who holds a valid and comparable out-of-state certificate is not required to take the applicable content-area test if he or she has passed a certification test in another state or territory that is directly related in content to the specific area of certification.* (Section 21-1a of the School Code) For purposes of this Section, a test is “directly related in content” if it covered material encompassed by any of the subject areas in which the individual otherwise qualifies for an Illinois endorsement.
- 3) A person who has passed a test of language proficiency in order to qualify for a transitional bilingual certificate and received that certificate shall not be required to retake that test in order to qualify for a bilingual education credential on another certificate received later. A person who has passed a test of language proficiency as a condition of admission to an Illinois preparation program shall also not be required to retake that test.

d) Assessment of Professional Teaching (APT)

Each candidate seeking his or her first Illinois early childhood, elementary, secondary, or special certificate shall be required to pass the APT relevant to the certificate sought (see Section 25.710 of this Part). A candidate seeking a subsequent teaching certificate of one of these types must also pass the APT relevant to the certificate sought, unless he or she either:

- 1) has already passed an APT that encompasses the grade levels of the subsequent certificate sought; or
- 2) already holds another Illinois teaching certificate that encompasses the grade levels of the certificate sought.

e) Except as provided in subsections (b)(1), (c) (3), and (d)(1) of this Section, for each person seeking an Illinois certificate, no score on a required test may be more than ten years old at the time application is made. The ten-year period shall be calculated from the date the test was taken and passed to the date of receipt of the application by the State Board of Education. Scores more than ten years old will not be accepted as part of an application.

- 1) The ten-year period discussed in this subsection (e) shall apply to each score that forms part of an application received on or after July 1, 2008.

- 2) The ten-year period discussed in this subsection (e) shall also apply to each score that forms part of an application that is pending as of June 30, 2008, and to each score that forms part of an application for which an evaluation is still valid as of that date pursuant to Section 25.427 of this Part.
- f) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (h) of this Section, an individual who has taken a paper-and-pencil ~~Any person may retake any~~ test may retake that test during any subsequent, regularly scheduled administration of that test in paper-and-pencil format and may retake that test by computer during any subsequent computer-based test administration, subject only to registration in accordance with the provisions of this Subpart I.
- g) Subject to registration in accordance with the provisions of this Subpart I, the provisions of Section 25.755(g)(1) of this Part, and the limitations of subsection (h) of this Section, an individual who has taken a computer-based test may retake that test by computer after no fewer than 120 days but also may retake that test during any subsequent, regularly scheduled administration of the test in paper-and-pencil format.
- h) No individual may attempt to pass the same test more than five times in any combination of the two formats, except that an individual who has already taken the same test five or more times as of January 1, 2010, shall be given one additional opportunity to pass that test.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.730 Registration – Paper-Based Testing

Information about the tests and registration will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001, and at www.isbe.net.

- a) Registration may be submitted by mail or conducted on line at www.icts.nesinc.com or by mail. If accomplished electronically, an individual's registration must be received by the testing contractor chosen by the State Board of Education on or before the emergency registration deadline. If sent through the mail, an ~~An~~ individual's registration must be either received by the testing contractor chosen by the State Board of Education on or before the registration

deadline or must be postmarked by the United States Postal Service on or before the registration deadline and received by the testing contractor by the late registration deadline as specified in Section 25.732 of this Part. An individual's registration must include the following:

- 1) Registrant's name, mailing address, both daytime and evening telephone numbers, Social Security number, date of birth, and gender, ~~and ethnicity~~;
 - 2) Name and identification number of tests;
 - 3) Test date and first and second test site identification numbers;
 - 4) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;
 - 5) An assurance that the registrant has not had and will not seek access to any secure test materials, either prior to or after the test date, and will not disclose any of the content of test materials to any individual for a period of ten years after the date of the test administration; and
 - 6) The registrant's signature, which shall signify that the facts and assurances presented are true to the best of the registrant's knowledge and that the registrant agrees to abide by the testing conditions.
- b) The testing contractor will acknowledge receipt of registrations within four weeks after their receipt.
- c) An individual may amend or cancel his or her registration by submitting a properly completed change notice to the testing contractor. The change notice must be received by the testing contractor on or before the late registration deadline as specified in Section 25.732 of this Part. Changes that may be made by an individual to his or her registration are:
- 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.

- d) All requests for changes to a registration, except for deletion of a test or tests, must be accompanied by payment of the appropriate fee.
- e) An individual who cancels her or his registration in accordance with this Section, including meeting the specified deadline, will receive a partial refund. An individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.
- f) The registration deadline for each test administration will be six calendar weeks prior to the test administration date.
- g) The testing contractor ~~State Board of Education~~ may issue a fee credit to an individual who is absent from a test administration for which he or she was registered because of a medical emergency or death, provided that:
 - 1) a written request is received by the State Board of Education no later than six months after ~~from~~ the date of the missed test administration, and
 - 2) a written statement from a member of the medical profession or funeral home documenting the reason for the absence accompanies the request.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.731 Registration – Computer-Based Testing

Information about the tests and registration will be available from the State Board of Education, 100 North First Street, Springfield, Illinois 62777-0001, and at www.isbe.net.

- a) Registration shall be accomplished on line at the contractor’s web site identified in the registration bulletin that is applicable to the time period of testing and shall be completed no later than three business days prior to the date of the test administration. An individual's registration must include the following:
 - 1) Registrant's name, mailing address, both daytime and evening telephone numbers, Social Security number, date of birth, and gender;
 - 2) Name and identification number of tests;

- 3) An assurance that the registrant will abide by all the conditions of testing set forth in Section 25.750 of this Part;
 - 4) An assurance that the registrant has not had and will not seek access to any secure test materials, either prior to or after the test date, and will not disclose any of the content of test materials to any individual for a period of ten years after the date of the test administration; and
 - 5) An assurance that the facts and assurances presented are true to the best of the registrant's knowledge and that the registrant agrees to abide by the testing conditions.
- b) The testing contractor will electronically send an authorization to test within 24 hours after receipt of an individual's registration, which will permit the individual to schedule a testing appointment with the contractor.
 - c) An individual may amend or cancel his or her registration by submitting the relevant information electronically no later than 24 hours prior to the scheduled testing time. Changes that may be made by an individual to his or her registration are:
 - 1) changing the test site or test date;
 - 2) adding a test or tests; and
 - 3) deleting a test or tests.
 - d) No fees shall apply to changes in registration relative to computer-based testing.
 - e) An individual who cancels his or her registration under this Section no later than 24 hours prior to the scheduled time of test administration will receive a partial refund. An individual who cancels his or her registration other than in strict accordance with this Section, or who is absent from the test administration, will receive no refund or credit of any kind.
 - f) An individual requesting special accommodations should register as soon as possible in order to be reasonably assured that the accommodations can be provided.

- g) The testing contractor may issue a fee credit to an individual who is absent from a test administration for which he or she was registered because of a medical emergency or death, as provided in Section 25.730(g) of this Part.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 25.732 Late Registration

Late registration for individuals not meeting the deadlines established in Section 25.730 of this Part will be permitted. This Section shall not apply to registration for computer-based testing.

- a) An individual's late registration must be received by the testing contractor no later than the close of business three weeks before the date of test administration and must include the information specified in Section 25.730(a) of this Part.
- b) The testing contractor will acknowledge receipt of late registrations within two weeks after their receipt.
- c) All requests for a late registration must be accompanied by payment of a late fee in addition to the payment for each test to be taken.
- d) The late registration fee will be waived for examinees who failed the examination at its most recent administration but whose score reports were not released before the next regular registration deadline.
- e) Late registration requests for the accommodation of persons with special needs as specified in Section 25.740 of this Part or a special test date as specified in Section 25.745 of this Part will be honored by the testing contractor only if space, staff, and time constraints allow.
- f) An individual may amend or cancel his or her registration or late registration by submitting a properly completed change notice. The notice must be received by the testing contractor by the late registration deadline. Changes that may be made by an individual to his or her registration or late registration are:
 - 1) changing the test site or test date;
 - 2) adding a test or tests; and

- 3) deleting a test or tests.
- g) All requests for changes to a late registration, except for deleting of a test or tests, must be accompanied by the appropriate fee for a change in registration.
- h) The late registration deadline for each test administration will be three calendar weeks prior to the test administration date.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.733 Emergency Registration

A limited number of emergency registrations per test administration will be allowed on a space-available basis and for paper-based testing only. This Section shall not apply to registration for computer-based testing.

- a) Emergency registration will be offered at a limited number of test sites throughout the state, as identified in each year's "Illinois Certification Testing System Registration Bulletin."
- b) Emergency registrations will be accepted up until the close of business on the Tuesday before the Saturday test date.
- c) All requests for emergency registration must be made by telephone or via the Internet to the testing company identified in the "Illinois Certification Testing System Registration Bulletin." Fees will be payable only by Visa or Master Card as specified in Section 25.780(j) of this Part.
- d) All individuals registering by emergency registration over the telephone must complete, prior to testing, a registration form and sign an assurance that they will abide by all the conditions set forth in Section 25.750 of this Part. Registration forms and assurance statements will be available at the test sites on the day of the test.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.735 Frequency and Location of Examination

- a) The tests of basic skills and subject matter knowledge will be administered in paper-and-pencil format no fewer than three times a year and at no fewer than six sites each time at locations throughout the State. The English language proficiency test and the target language proficiency test in Spanish will be administered in paper-and-pencil format four times per year at one site in the Chicago area. Target language Language proficiency tests in ~~target~~ languages other than Spanish will be administered in paper-and-pencil format twice per year at one site in the Chicago area. Specific tests may be administered in paper-and-pencil format at such additional times and locations as the State Board of Education deems advisable. ~~For example, the State Board may elect to offer the language proficiency test in Spanish at a site in Mexico.~~
- b) Each test that is made available as a computer-based test will be offered during no fewer than four “testing windows” annually, and each examinee may register to take an available computer-based test at any of the testing sites in the United States that are operated by the contractor chosen by the State Board of Education. Testing sites and testing windows shall be identified in the registration bulletin and any other published material pertaining to the testing system, as well as on the web sites of the State Board and its testing contractor.
- c) Registration deadlines and procedures for paper-and-pencil testing may vary from those stated in Section 25.730 of this Part when testing is conducted outside the fixed schedule set forth in subsection (a) of this Section.
- d)e) All test sites will be accessible to persons with disabilities.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.740 Accommodation of Persons with Special Needs

- a) Persons with special needs include those with visual, physical, or other disabilities who would not be able to take the required ~~tests~~ test(s) under standard conditions. ~~The State Board of Education will honor each request for special accommodations from such a person, provided the request is:~~ Each request for an accommodation shall be
- ↳ submitted on a form specified supplied by the State Superintendent Board of Education and made available on the web site of the testing contractor, and received on or before the regular registration deadline; and

- b) 2) ~~accompanied by~~ Each request for an accommodation must include a signed statement from a medical or human services professional licensed in this or any other state, such as but not limited to a physician, psychiatrist or psychologist, describing the handicapping condition and specifying the exact nature of the needed accommodations. If a test-taker's registration is being sent through the mail, this statement shall accompany the registration materials. If a test-taker's registration is being accomplished electronically, the signed statement shall be sent either through the mail or by facsimile to be matched with the registration materials.
- 1) Each request for special accommodations in connection with paper-and-pencil testing must be submitted with the test-taker's registration materials and in time to ensure receipt by the testing contractor no later than the regular registration deadline for the desired test administration. The testing contractor will notify each person of the disposition of his or her request no later than two weeks prior to the date of testing.
- 2) Requests for special accommodations in connection with computer-based testing will be honored if possible, subject to the capabilities of the testing location requested. A test-taker needing accommodations is advised to register and submit his or her request well in advance of the applicable deadline, in order to provide the greatest possible amount of time for the testing contractor to make the necessary arrangements. The testing contractor will notify each person requesting an accommodation for computer-based testing as soon as the disposition of the request has been determined.
- b) ~~The testing contractor will notify each person requesting special accommodations of the disposition of such request no later than two weeks prior to the test date.~~
- c) Special test administration procedures may include, but will not be limited to:
- 1) testing arrangements for visually handicapped persons, such as:

- A) a special examiner to read the test and/or execute the examinee's choice of answers ~~fill in the answer sheet~~; and/or
 - B) permission to circle answers directly in the test booklet; and/or
 - C) permission to use magnifying devices; and/or
 - D) the use of either a large print or Braille version of the test;
- 2) testing arrangements for hearing-impaired persons, such as:
- A) providing written instructions for administering the tests; and/or
 - B) providing a sign language interpreter for any audio-taped material or the testing instructions; and
- 3) other arrangements determined on a case-by-case basis, as warranted by the individual's needs and the availability of appropriate means for meeting them ~~arrangements for persons with other disabilities, such as special seating or use of assistive devices (i.e., page turners, communication boards).~~
- d) Special test administration procedures for persons for whom English is not the first language shall be limited to the allotment of extra time and shall be available in conjunction with paper-based testing only.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.745 Special Test Dates

This Section shall not apply to computer-based testing. All paper-based tests will be administered on Saturdays, except that arrangements will be made to accommodate persons whose religious convictions prohibit their taking tests on the regularly scheduled test administration date, provided that each such person submits, along with his or her registration materials, a written request for an alternate test date accompanied by a letter signed by a member of the clergy and corroborating the religious basis of the request.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.750 Conditions of Testing

All candidates shall abide by the rules of test participation and other terms, conditions, and policies stated in the applicable ICTS registration bulletin and on the contractor's web site. These include, but are not limited to, the conditions set forth in this Section.

a) Identification and Admission – Paper-Based Testing

On the day of the test, each person shall present the admission ticket received following test registration and two pieces of positive identification, one of which is government-issued and includes ~~shall include~~ a photograph taken within the last four years. Positive identification includes, but is not limited to, a driver's license, student identification card, Illinois identification card, passport, employee identification card, Social Security card, birth certificate, or selective service registration card. Any person lacking sufficient identification will be required to sign a declaration of identity statement. Any person lacking sufficient identification and refusing to sign a declaration of identity statement will be refused admission. Copies of proof of identity may be made at the discretion of staff at the testing site.

b) Identification and Admission – Computer-Based Testing

On the day of the test, each person shall present one piece of current, government-issued identification, issued in the name in which the examinee registered and bearing a photograph and the examinee's signature.

c) On-Site Verification of Identity

- 1) Each ~~Beginning September 1, 2007,~~ each person taking a paper-and-pencil test shall be required to provide a right thumbprint in a designated area on the personalized answer document in order to be admitted to the test site, except that a person who is unable to provide a right thumbprint due to a physical condition shall be admitted if he or she provides a print of the left thumb or, if unable to provide a left thumbprint, a print of another finger. The test proctor shall indicate which finger was used, if other than the right thumb.
- 2) Each person taking a computer-based test shall be required to provide a digital fingerprint or palm print and a digital signature.

- 3) Any person refusing to provide a thumbprint, ~~or~~ other fingerprint, palm print, or signature in accordance with this subsection (c) shall be refused admission.
- 4) Additional procedures that are designed to confirm test-takers' identity or provide for test security, such as video recordings and repeated photographing of examinees, may be employed during test administration. Any person refusing to accede to these procedures shall be refused admission.

d) Late Arrival – Paper-Based Testing

Persons arriving more than 30 minutes after a test administration has begun will be refused admission. Persons arriving within 30 minutes after a test administration has begun will be required to sign an acknowledgment of late arrival specifying that no additional time will be allotted beyond that already given to the other examinees for the session.

e) Late Arrival – Computer-Based Testing

Persons arriving after their respective scheduled testing times will be refused admission if admitting them would cause a delay in subsequent testing appointments.

f) ~~d~~) No refund of fees will be made to any person refused admission under subsection (a), (b), ~~or~~ (c), (d), or (e) of this Section.

g) ~~e~~) Each person admitted to a testing site shall abide by the instructions of the proctors administering the test in all matters relating to the test, including but not limited to seating arrangements and security measures. Each person authorizes the proctors to serve as his or her agents in maintaining a secure test administration.

h) ~~f~~) Each person beginning a test shall take every section of that test. The score of a person not completing all sections of a test will be reported as set forth in Sections 25.765 and 25.775 of this Part, unless the such person cancels requests voiding of that score as provided in Section 25.755 of this Part.

- i)g) No refund will be made to any person ~~canceling~~ ~~requesting~~ that his or her score be ~~voided~~, nor will credit be given toward the fee for any future test.
- j) Test-takers may perform intermediate work that is necessary to enable them to answer test questions. Persons taking paper-and-pencil tests shall use as scratch paper only the blank sheets furnished as part of the test materials. Persons taking computer-based tests shall use only the erasable noteboard and marker provided for this purpose.
- k)h) No person may:
- 1) bring written notes into a testing site or use written notes during a test;
 - 2) make notes or copies of the contents of a test or remove any test materials from the testing site booklet;
 - 3) bring into the testing site or use unauthorized aids (see Section 25.710 of this Part) scratch paper;
 - 4) bring any personal item into a computer-based testing room or use any personal item during computer-based testing, unless permitted as part of an accommodation arranged pursuant to Section 25.740 of this Part ~~bring into the testing site or use any mechanical or electronic device, except as expressly permitted in the registration materials (i.e., use of a nonprogrammable, solar or battery powered calculator during the chemistry, mathematics, and physics subject matter tests);~~
 - 5) ~~bring into the testing site or use any communications device (e.g., telephone, pager) or~~ communicate in any way with other examinees or any person other than the proctors during a test session;
 - 6) ~~remove any test materials from the testing site;~~
 - 7) engage in behavior that disrupts or gives unfair advantage or disadvantage to other examinees;
 - 7)8) fail to sign the documents ~~document(s)~~ on which he or she is directed to record his or her answers; or

8)9) fail to follow the oral or written instructions or directions of the proctors dealing with the administration of the test.

l)i) An individual who wishes to object to any of the testing conditions or procedures set forth in this Section shall notify the testing contractor in writing of the basis for this objection no later than six weeks prior to the test administration date. An individual who wishes to object shall not register using the late or emergency registration procedures described in Sections 25.732 and 25.733 of this Part.

- 1) The testing contractor shall inform the registrant as to whether his or her objection will be honored.
- 2) If an individual's objection is not honored, the testing contractor shall inform the individual that he or she will not be registered for the test administration.
- 3) An individual who objects to a condition of testing after using late or emergency registration procedures for paper-and-pencil testing may be prohibited from taking the test, or his or her score may be voided.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.755 Cancellation of Scores; Voiding of Scores

- a) A person shall have the right to cancel ~~void~~ his/her test scores ~~score(s)~~. A cancellation ~~Such~~ a request must be submitted in writing and received by the State Superintendent Board of Education within seven calendar days after the date of the test. However, a person's right to cancel his or her scores shall be superseded by the right of the State Superintendent of Education to void scores when subsection (b) or (c) of this Section applies.
- b) A person's scores ~~score(s)~~ will be voided by the State Superintendent Board of Education due to violation by the person of any of the conditions of testing enumerated in Section 25.750(g) and (k) ~~25.750(d) and (g)~~ of this Part.
- c) The Illinois State Superintendent Board of Education will also void any affected test score in situations such as, but not limited to the following if:

- 1) any person taking the test violates any of the rules of test participation or terms, conditions, or policies stated in the current ICTS registration bulletin and website ~~engages in any form of misconduct, including but not limited to the actions listed in Section 25.750(g)~~, having the purpose or effect of:
 - A) giving any person taking the test an unfair advantage over other examinees,
 - B) affecting, either positively or negatively, the performance of any person taking the test, or
 - C) representing the performance of the named registered examinee by the performance of another person;
- 2) there is any testing irregularity that calls into question:
 - A) the accuracy of the test scores as measures of the actual performances of the examinees, or
 - B) the validity of the test scores as measures of the performances of the examinees in light of the conditions and circumstances under which the test was administered.
- d) The State Superintendent Board of Education shall notify the person of the action taken within six weeks after the test date. If any person's test materials reveal irregularities that warrant further investigation, the State Superintendent Board shall forward those materials, including the person's thumbprint, fingerpint, or palm print, as applicable, to the appropriate law enforcement authority and shall notify the affected person within ten days after taking that action. The State Superintendent Board of Education may require the person to provide a thumbprint or alternate print, if applicable, to the appropriate law enforcement authority for comparison with that provided on the personalized answer document and may void the test score earned by a person who refuses to do so.
- e) No refund will be given to any person whose score is cancelled or voided.
- f) If a score is cancelled or voided for any reason, it will not be reported or entered on any records. Cancellation of an individual's score shall not limit his or her

right to retake the test. Voiding of an individual's score shall not limit his or her right to retake the test unless subsection (g) of this Section applies.

- g) ~~In However, in~~ some instances scores are voided for reasons that render individuals ineligible for certification in Illinois, ~~regardless of any future testing.~~ When an individual is found to have violated a condition of testing with the intent of falsifying his or her identity or unfairly affecting his or her performance in the current or a future test administration, the violation shall be taken as evidence that the individual is not of good character as required by See Section 21-1 of the School Code [105 ILCS 5/21-1].
- 1) In addition to voiding of the person's score on the test at which the violation occurred, any other score achieved by the person during the same test administration shall be voided, and the individual shall be ineligible for any future certification testing in Illinois.
 - 2) A person who is subject to this subsection (g) shall be ineligible to receive any certificate in Illinois.
 - 3) If a person who is the subject to this subsection (g) already holds any Illinois certificate, the State Superintendent of Education shall initiate the suspension or revocation of that certificate as provided in Section 21-23 of the School Code [105 ILCS 5/21-23].
- h) ~~In the those instances described in subsection (g) of this Section,~~ records of the individuals' test responses may be maintained by the testing contractor and by ISBE for further investigation. ~~In all other cases when scores are cancelled or voided, test-takers' answer documents, including electronic media, records of the person's test responses, including but not limited to answer sheets and electronic media records,~~ will be destroyed and will be irretrievable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.780 Fees

Each fee or refund required pursuant to this Section shall be established by the State Superintendent of Education in consultation with the testing contractor and published in all written materials related to the testing program. The fee schedule shall be maintained in the offices of the State Board of Education and shall also be available upon request.

- a) Each registration shall be accompanied by payment of a fee for each test to be taken. The registration fee for a test to be administered by the testing contractor outside the United States may be different from other registration fees.
- b) Each request for re-scoring of a test shall be accompanied by payment of a fee, which shall be refunded if the original scoring is found to be in error.
- c) Each request for an additional individual score report shall be accompanied by payment of a fee.
- d) Each request for a change in the ~~tests~~ test(s), test date or test site for which the individual is scheduled, other than changes related to computer-based testing, shall be accompanied by payment of a fee.
- e) Each request to add a test or tests to an individual's registration shall be accompanied by payment of a fee.
- f) An individual who cancels his or her registration in accordance with Section 25.730 of this Part shall receive a partial refund for each test for which he or she registered.
- g) Each late registration for paper-based testing shall be accompanied by payment of a fee in addition to the payment of the fee for each test to be taken.
- h) A fee of \$20 shall be charged for any test payment that does not clear.
- i) Only cashiers' checks and money orders will be accepted for payment of fees by mail; payment of fees associated with registration transactions made via the Internet shall be made by Visa or Master Card only. Payment for computer-based testing shall be made via the Internet only and by VISA or MasterCard only.
- j) Payment of fees for emergency registration (applicable to paper-based testing only) must be made by Visa or Master Card only, as identified in the current year "Illinois Certification Testing System Registration Bulletin".
 - 1) A fee in addition to the fee for each test to be taken as specified in subsection (a) of this Section will be charged for each emergency registration.

- 2) No refund or credit of any kind shall be made to any person who registers by emergency registration.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART J: RENEWAL OF STANDARD AND MASTER TEACHING CERTIFICATES

Section 25.805 Continuing Professional Development Options

Except as provided in subsections (a) through (g) of this Section, professional development activities shall generate credit for purposes of certificate renewal only if they address one or more of the purposes identified in Section 21-14(e)(2) of the School Code.

- a) *Completion of an advanced degree from a regionally accredited institution in an education-related field may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(A) of the School Code [105 ILCS 5/21-14(e)(3)(A)])*
- b) *Eight semester hours of college coursework in an undergraduate or graduate-level program related to education may be used to fulfill 100% of the requirement for continuing professional development, provided that at least 2 semester hours are chosen to address the purpose described in Section 21-14(e)(2)(A) of the School Code. (Section 21-14(e)(3)(B) of the School Code [105 ILCS 5/21-14(e)(3)(B)])*
- c) *Completion of all required activities in pursuit of certification or recertification by the National Board for Professional Teaching Standards (NBPTS) may be used to fulfill 100% of the requirement for continuing professional development (Section 21-14(e)(3)(D) of the School Code [105 ILCS 5/21-14(e)(3)(D)]). The presence of an individual's name on NBPTS' composite list of those who have completed the certification process (as distinct from having received certification) shall be considered evidence of completion.*
- d) *Receipt of a subsequent Illinois certificate or endorsement may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(K) of the School Code [105 ILCS 5/21-14(e)(3)(K)])*

- e) *Becoming “highly qualified” in an additional teaching area may be used to fulfill 100% of the requirement for continuing professional development. (Section 21-14(e)(3)(L) of the School Code [105 ILCS 5/21-14(e)(3)(L)]) The criteria applicable to Illinois teachers and the required evidence of completion shall be as set forth in Appendix D to this Part. Each individual using this option shall have completed at least some portion of the requirements in the additional field during the period of validity to which the professional development credit is attributed.*
- f) *Successful completion of four semester hours of graduate-level coursework on the assessment of one’s own performance in relation to the Illinois Professional Teaching Standards may be used to fulfill 100% of the requirement for continuing professional development, provided that the coursework meets the requirements of Section 21-2(c)(2)(B) of the School Code [105 ILCS 5/21-2(c)(2)(B)] and Section 25.915 of this Part. (Section 21-14(e)(3)(M) of the School Code [105 ILCS 5/21-14(e)(3)(M)])*
- g) *Successful completion of four semester hours of graduate-level coursework in preparation for meeting the requirements for certification by the National Board for Professional Teaching Standards may be used to fulfill 100% of the requirement for continuing professional development, provided that the coursework meets the requirements of Section 21-2(c)(2)(C) of the School Code [105 ILCS 5/21-2(c)(2)(C)] and Section 25.920 of this Part. (Section 21-14(e)(3)(N) of the School Code [105 ILCS 5/21-14(e)(3)(N)])*
- h) ~~Twenty-four continuing education units (“CEUs”; see Sections 25.865 and 25.870 of this Part) may be used to fulfill 100% of the requirement for continuing professional development.~~
- ⊕ Completion of 120 continuing professional development units (“CPDUs”; see Section 25.875 of this Part) may be used to fulfill 100% of the requirement.
- i)⊕ A certificate-holder may choose any combination of the types of activities described in subsections (b); and (h); ~~and~~ (i) of this Section, provided that the total effort represents the equivalent of 120 CPDUs ~~or 24 CEUs~~. For purposes of calculating combinations from different categories,⊕
 - ⊕ one semester hour of college credit shall be considered the equivalent of 15 CPDUs ~~or three CEUs; and~~

2) ~~one CEU shall be considered the equivalent of 5 CPDUs.~~

- ~~j)~~ The provisions of subsections (b), (h), and (i), ~~and (j)~~ of this Section shall be subject to the proportionate reductions specified in Section 21-14 of the School Code with respect to part-time teaching and periods when certificates have been maintained valid and exempt and shall also be subject to any applicable reductions provided in Section 21-2(c)(8) of the School Code for any individual whose application for certificate renewal is received or processed on or after July 1, 2004. (See Section 25.880 of this Part.)
- ~~k)~~ A given professional development activity may be attributed to all of the purposes to which it relates. However, the units of credit awarded for a particular activity may be counted only once in calculating the total earned.
- ~~l)~~ Credit earned for any activity that is completed (or for which the certificate-holder receives evidence of completion) on or after April 1 of the final year of a certificate's validity, if not claimed with respect to that period of validity, may be carried over and claimed in the subsequent period of validity, provided that the activity in question is relevant to the requirements that apply to that period.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.835 Review of and Recommendation Regarding Application for Renewal

- a) An LPDC shall review each application it receives that conforms with the requirements of Section 25.830 of this Part and, within 30 days after receiving it, shall forward the application to the regional superintendent of schools accompanied by the LPDC's recommendation regarding certificate renewal, provided on a form supplied by the State Board of Education.
- b) If the recommendation is for nonrenewal of the affected ~~certificates~~ certificate(s), notification to this effect shall be provided concurrently to the certificate-holder, including a return receipt and an explanation of the LPDC's rationale for recommending nonrenewal.
- c) The certificate-holder may appeal to the responsible RPDC for consideration of his or her application for renewal if the LPDC does not respond within the time allowed under subsection (a) of this Section.

- d) Within 14 days after receiving notice that a recommendation for nonrenewal has been forwarded by an LPDC, the certificate-holder may appeal the recommendation to the RPDC. Such an appeal shall be transmitted on a form supplied by the State Board of Education, shall include a return receipt, and shall include:
- 1) the required evidence of completion for the activities upon which the appeal is based; and
 - 2) any other relevant documents.
- e) Within 45 days after receiving such an appeal, the RPDC shall make a recommendation to the regional superintendent in keeping with the requirements of Section 21-14(g)(2) of the School Code [105 ILCS 5/21-14(g)(2)]. The RPDC shall use a form provided by the State Board of Education for this purpose and shall include the rationale for its recommendation. To assist it in arriving at its recommendation, the RPDC may require the submission of additional information or may request that the certificate-holder appear before it. The RPDC shall also forward to the regional superintendent the material received from the certificate-holder under subsection (d) of this Section.
- f) Within 14 days after receiving the last recommendation required under subsections (a) through (e) of this Section, the regional superintendent shall forward his or her recommendation to the State Teacher Certification Board along with the information required pursuant to Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)]. Forms supplied by the State Board of Education shall be used for this purpose. A copy of any recommendation for nonrenewal shall be sent to the certificate-holder concurrently. If the recommendation is not to renew the ~~certificates~~ certificate(s) held, or if information provided on the application makes indicates the individual subject to the requirements of any of Sections 25.485 through 25.490 of this Part is or may be out of compliance with Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] with ~~regard to child support payments~~, the certificate-holder's copy shall be sent by certified mail, return receipt requested.
- 1) The regional superintendent shall forward to the Secretary of the State Teacher Certification Board a list that identifies each certificate-holder with respect to whom the regional superintendent is concurring with an LPDC's recommendation for certificate renewal or is recommending

renewal without the involvement of any LPDC. This list shall be prepared on a form supplied by the State Board of Education.

- 2) If the regional superintendent is recommending certificate renewal despite a local or regional committee's recommendation for nonrenewal, the regional superintendent shall forward to the Secretary of the State Teacher Certification Board:
 - A) the material received from the certificate-holder under subsection (e) of this Section;
 - B) the RPDRC's recommendation and any additional material received by the RPDRC pursuant to subsection (e) of this Section; and
 - C) the regional superintendent's rationale for recommending renewal.
- 3) If the regional superintendent is recommending nonrenewal (regardless of local and/or regional recommendations) the regional superintendent shall forward to the Secretary of the State Teacher Certification Board:
 - A) the LPDC's recommendation, if any;
 - B) the RPDRC's recommendation, the material called for in subsection (d) of this Section, and the material received pursuant to subsection (e) of this Section, if any; and
 - C) the regional superintendent's rationale for recommending nonrenewal.
- g) Within 14 days after receipt of notice that the regional superintendent has recommended nonrenewal of his or her ~~certificates~~ certificate(s), the certificate-holder may appeal that recommendation to the State Teacher Certification Board, using a form provided by the State Board of Education.
 - 1) The appeal must state the reasons why the recommendation of the regional superintendent should be reversed and must be sent by certified mail, return receipt requested.

A) Appeals shall be addressed to:

State Teacher Certification Board
Secretary
100 North First Street
Springfield, Illinois 62777

B) No electronic or facsimile transmissions will be accepted.

C) Appeals postmarked later than 14 calendar days following receipt of the nonrenewal notice will not be processed.

2) In addition to the appeal form, the certificate-holder may submit the following material when the appeal is filed:

A) evidence that he or she has satisfactorily completed activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable;

B) any other relevant documents.

h) Grounds for a recommendation that a certificate not be renewed shall be limited to the certificate-holder's failure to satisfactorily complete activities sufficient to meet the requirements of Section 21-14 of the School Code, as modified by Section 21-2(c)(8) of the School Code if applicable.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.840 Action by State Teacher Certification Board; Appeals

a) The State Teacher Certification Board shall review each recommendation regarding the renewal of a certificate within the time allotted by Section 21-14(h) of the School Code [105 ILCS 5/21-14(h)] and verify that the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code [105 ILCS 5/21-14(g)(1)], subject to the certificate-holder's right of appeal as specified in that Section.

- b) Within 60 days after receipt of an appeal filed by a certificate-holder challenging a regional superintendent's recommendation for nonrenewal, the State Teacher Certification Board shall hold an appeal hearing. The Board shall notify the certificate-holder of the date, time, and place of the hearing.
- 1) The certificate-holder shall submit to the State Teacher Certification Board such additional information as the Certification Board determines is necessary to decide the appeal.
 - 2) *The State Teacher Certification Board may request that the certificate-holder appear before it. (Section 21-14(h)(2) of the School Code [105 ILCS 5/21-14(h)(2)])* The certificate-holder shall be given at least ten days' notice of the date, time, and place of the hearing.
 - 3) In verifying whether the certificate-holder has met the renewal criteria set forth in Section 21-14(g)(1) of the School Code, *the State Teacher Certification Board shall review:*
 - A) *the recommendation of the regional superintendent of schools;*
 - B) *the Regional Professional Development Review Committee's recommendation, if any;*
 - C) *the Local Professional Development Committee's recommendation, if any; and*
 - D) *all relevant documentation.*
- c) The State Teacher Certification Board shall notify the certificate-holder of its decision regarding certificate renewal as set forth in Section 21-14(h)(2) of the School Code [105 ILCS 5/21-14(h)(2)]. Upon receipt of notification of renewal, the certificate-holder shall pay the applicable registration fee to the regional superintendent. If the decision is not to renew the individual's certificates ~~certificate(s)~~, the notification shall state the reasons ~~reason(s)~~ for that decision.
- 1) An individual whose certificate is not renewed because of his or her failure to complete professional development in accordance with this Subpart J may apply for a reinstated certificate valid for one year.

- 2) After the one-year period of validity of the reinstated certificate, the individual shall receive a renewable standard certificate only if he or she presents evidence of having:
 - A) completed the balance of the professional development activities that were required for renewal of the certificate previously held; and
 - B) earned five additional semester hours of credit in a recognized institution of higher learning in the field of professional education or in courses related to the holder's contractual teaching duties.
- d) The State Teacher Certification Board shall not renew any certificate if information provided on the application makes the holder subject to the requirements of any of Sections 25.485 through 25.490 of this Part ~~has been found to be more than 30 days delinquent in payment of child support or has failed to comply with a subpoena or warrant relating to a paternity or child support proceeding.~~ Any disciplinary action taken against a certificate-holder under any of those Sections for failure to make the certification required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65] shall be in accordance with ~~that Section and~~ the rules of the State Board of Education for Contested Cases and Other Formal Hearings (23 Ill. Adm. Code 475). The decision of the State Board of Education is a final administrative decision and shall be subject to administrative review as set forth in Section 21-24 of the School Code [105 ILCS 5/21-24].

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.855 Approval of Illinois Providers

Illinois-based entities that offer professional development activities, such as training organizations, institutions, school districts, regional offices of education, firms, teacher unions and professional associations, and universities and colleges, may apply to the State Board of Education and the State Teacher Certification Board for approval to issue ~~CEUs or~~ CPDUs for conferences, workshops, institutes, seminars, symposia, or other similar training events whose goal is the improvement of teaching skills and knowledge. A certificate-holder may not receive credit for ~~CEUs or~~ CPDUs with respect to activities offered by Illinois-based entities that are not so approved, unless the activity is offered under the auspices of the State Board of Education or Section 25.872 of this Part applies.

- a) Except as provided in subsection (b) of this Section, each provider wishing to receive such approval shall submit an application on a form supplied by the State Board of Education. For each area of professional knowledge or skill in which the provider wishes to secure approval, the application shall include:
- 1) a description of the intended offerings in terms of relevant standards to be addressed;
 - 2) the qualifications and experience the provider will require of presenters to be assigned in each area; and
 - 3) ~~an indication as to whether the application is for approval to issue CEUs or CPDUs and, if approval is sought for both, identification of the activities that will generate each form of credit; and~~
 - 4) assurances that the requirements of subsection (c) of this Section and the requirements of Section 25.870 of this Part will be met.
- b) An organization that has affiliates based in Illinois may apply for approval on their behalf.
- 1) The applicant organization shall provide a list of its affiliates for which approval is sought and supply the information required pursuant to subsection (a) of this Section with respect to each one.
 - 2) The applicant organization's provision of the assurances required pursuant to subsection (a)(4) of this Section shall be understood to apply to each affiliate for which approval is sought.
 - 3) The applicant organization shall notify the State Board of Education any time it determines that one or more affiliates should be added to or removed from the list of approved providers or that the areas of training should be changed for one or more of the affiliates. For affiliates to be added, the applicant organization shall supply the information required pursuant to subsection (a) of this Section.

- 4) The approval status of the applicant organization shall be contingent upon its affiliates' compliance with the applicable requirements of this Subpart J.
- c) Each provider approved to issue ~~CEUs or~~ CPDUs shall:
- 1) verify attendance at its training activities, provide to participants the standard forms referred to in Section 25.865 of this Part, and require completion of the evaluation portion of these forms;
 - 2) maintain participants' evaluation forms for a period of not less than three years and make them available for review upon request by staff of the State Board of Education; and
 - 3) maintain attendance records for each event or activity it conducts or sponsors for a period of not less than five years; ~~and~~
 - 4) ~~include in each announcement regarding an event or activity whether CEUs or CPDUs will be available.~~
- d) Applicants may be asked to clarify particular aspects of their materials.
- e) The State Superintendent of Education, on behalf of the State Board of Education and the State Teacher Certification Board, shall respond to each application for approval no later than 30 days after receiving it.
- f) ~~A provider shall be approved to issue CEUs for a given type of activity only if the provider's application provides evidence that:~~
- 1) ~~the activities will be developed and presented by persons with education and experience in the applicable subject matter areas;~~
 - 2) ~~the activities will include an activity such as discussion, critique, or application of what has been presented, observed, learned, or demonstrated; and~~
 - 3) ~~there is an apparent correlation between the proposed content of the training activities, the relevant standards set forth in Subpart B of this Part, and one or more of the purposes the recipients are required to address in~~

~~their continuing professional development pursuant to Section 21-14(e)(2) of the School Code.~~

- ~~g)~~ A provider shall be approved to issue CPDUs for a given type of activity only if the provider's application provides evidence that:
- 1) the activities and events it sponsors or conducts will be developed and presented by persons with education and experience in the applicable subject matter areas; and
 - 2) there is an apparent correlation between the proposed content of the training activities, the relevant standards set forth in Subpart B of this Part, and one or more of the purposes the recipients are required to address in their continuing professional development plans pursuant to Section 21-14(e)(2) of the School Code.
- ~~g)h)~~ The State Board of Education will ~~shall~~ maintain and publicize the list of all approved providers. The list shall indicate any limitations on the types of activities for which an entity has received approval.
- ~~h)i)~~ Approval of a provider shall be valid for three years. To request renewal of such approval, a provider shall, no later than March 1 of the year of expiration, submit an application on a form supplied by the State Board of Education and containing:
- 1) a description of any significant changes in the material submitted as part of its approved application; or
 - 2) a certification that no such changes have occurred.
- ~~i)j)~~ A provider's approval shall be renewed if the application conforms to the requirements of subsection ~~(h)(i)~~ of this Section, provided that the Boards have received no evidence of noncompliance with the requirements of this Subpart J.
- ~~j)k)~~ The State Board of Education may evaluate any approved provider at any time to ensure compliance with the requirements of this Section. Upon request by the State Board, a provider shall supply information regarding its schedule of training events, which the State Board may, at its discretion, monitor at any time.

- 1) In the event an evaluation indicates that applicable standards have not been met, the State Board of Education and the State Teacher Certification Board may jointly withdraw approval for one or more types of activities or of the provider.
- 2) Staff of the State Board of Education shall periodically report to the State Teacher Certification Board on the providers reviewed and any changes in their approval status.
- 3) Pursuant to Section 21-14(e)(3)(H) of the School Code [105 ILCS 5/21-14(e)(3)(H)], *a teacher may not receive credit for any activity that is designed for entertainment, promotional, or commercial purposes or that is solely inspirational or motivational, and the State Board and the State Teacher Certification Board may jointly disapprove any activity found to be of this nature.*
 - A) When an activity is disapproved under this subsection ~~(j)(3)(k)(3)~~, the provider may continue to offer the activity but shall immediately revise all relevant notices and advertisements to indicate the nature of the activity. The provider shall be required to state in each such notice or advertisement that the activity generates no credit applicable to certificate renewal. Individuals who complete the activity once it is accurately described shall not claim credit for it.
 - B) Individuals who have completed an activity that is later disapproved under this subsection ~~(j)(3)(k)(3)~~ shall not be penalized with respect to continuing professional development credit accrued for that activity.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.860 Out-of-State Providers

The requirements for approval of providers not based in Illinois shall be as set forth in this Section unless Section 25.872 of this Part applies.

- a) Entities not based in Illinois that offer professional development activities for which the target audience is groups of Illinois teachers shall be subject to the

requirements of Section 25.855 of this Part. A certificate-holder may not receive credit with respect to activities offered by such an entity unless it has been approved pursuant to that Section.

- b) When an entity not based in Illinois conducts an activity outside Illinois, a certificate-holder may receive CPDUs with respect to that activity, provided that:
 - 1) the certificate-holder documents his or her participation by maintaining on file:
 - A) the program, agenda, or other announcement of the event; and
 - B) a completion form supplied by the provider to indicate the certificate-holder's attendance at the event or, if no such form was supplied, a signed statement by the certificate-holder to that effect; and
 - 2) if the certificate-holder's records are audited pursuant to Section 21-14(e)(4) of the School Code, the program, agenda, or other announcement of the event is found to demonstrate that there is an apparent correlation between the content of the training received and one or more of the purposes the recipient must address in his or her continuing professional development.
- ~~c) When an entity not based in Illinois conducts an activity outside Illinois, a certificate holder may receive CEUs with respect to that activity, provided that:~~
 - ~~1) the requirements of subsection (b) of this Section are met; and~~
 - ~~2) each activity for which CEUs are claimed included an activity such as discussion, critique, or application of what was presented, observed, learned, or demonstrated.~~
- d) When a national or regional activity (e.g., the annual conference of the National Council of Teachers of Mathematics) happens to be held in Illinois, that activity shall not be treated as one for which the target audience is groups of Illinois teachers. That is, provider approval shall not be required and credit shall be available as described in subsections (b) and (c) of this Section.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.865 Awarding of Credit for Activities with Providers

The State Teacher Certification Board and the State Board of Education shall develop the requirements for a standard form that shall be used by approved providers. These forms shall serve two purposes: evaluation of the activity by the certificate-holder and evidence of completion for the certificate-holder with respect to the activity. The State Board of Education shall make available information about the required format and contents of this form so that providers may generate them for their own use, other than providers who are subject to the requirements of Section 25.872 of this Part.

- a) This form shall be provided to each participant who completes the activity, who shall maintain it as evidence of completion (see Section 25.875(k) of this Part). In the case of a conference, workshop, or other event having more than one session, each session shall be considered an “activity” for purposes of this Subpart J.
- b) The provider shall complete the standard form to indicate the title, time, date, location, and nature of the event.
- c) ~~The provider shall indicate the number of CEUs issued, if applicable.~~
- d) The number of CPDUs to be credited shall be in keeping with the provisions of Section 25.875(k) of this Part. Time spent on multiple topics at the same event may be combined to generate CPDUs.
- d)e) If the certificate-holder’s records are audited pursuant to Section 21-14(e)(4) of the School Code, ~~CEUs or~~ CPDUs claimed shall be affirmed only when the standard form is presented.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.870 Continuing Education Units (CEUs) (Repealed)

~~Continuing education units shall be credited only for professional development activities that are conducted or sponsored by an organization, entity, or firm that has been approved to issue CEUs pursuant to Section 25.855 of this Part, unless the activity completed is subject to the requirements of Section 25.872 of this Part.~~

- a) ~~One CEU shall be issued for five clock hours of a certificate holder's direct involvement, exposure, or participation in activities (including related assignments) that contribute to his or her professional knowledge, competence, performance, or effectiveness in education.~~
- b) ~~Time spent in organizational or administrative activities related to the conduct of a professional development activity or event or related to other business of the sponsoring entity shall not be included in the calculation of time for which CEUs will be issued.~~

(Source: Repealed at 33 Ill. Reg. _____, effective _____)

Section 25.872 Special Provisions for Interactive, Electronically Delivered Continuing Professional Development

The requirements of this Section shall apply to the approval of providers and the awarding of credit for activities that are electronically delivered, such as electronically mediated study groups, seminars, and conferences, interactive CD-ROMs, and on-line professional development curricula. The provisions of Sections 25.855, 25.860, and 25.865, ~~and 25.870~~ of this Part shall apply to such activities only to the extent set forth in this Section.

- a) A certificate-holder may accrue professional development credit for an activity under this Section if the provider of the activity is approved for the applicable subject area pursuant to subsections (b) through (f) of this Section. Alternatively, a certificate-holder may accrue credit for an activity without an approved provider by meeting the requirements of subsection (h) of this Section.
- b) Each provider wishing to receive approval under this Section shall submit an application using a format prescribed by the State Board of Education. For each area of professional knowledge or skill in which the provider wishes to secure approval, the application shall describe:
 - 1) the intended offerings in terms of relevant standards to be addressed;
 - 2) the qualifications and experience the provider will require of the presenters, moderators, and facilitators to be assigned in each area;
 - 3) the means by which individuals' participation and participants' identities will be verified, consistent with subsection (e)(4) of this Section;

- 4) the assistance that the provider will furnish to participants to foster their understanding of the material covered in the activity and their ability to complete the activity's requirements successfully; and
 - 5) the documentation that the provider will furnish to each individual who completes a continuing professional development activity; ~~and~~
 - 6) ~~whether the provider intends for CEUs or CPDUs to be available to participants.~~
- c) Each application shall provide assurances that the following requirements will be met.
- 1) ~~The provider shall submit written notice to the State Board of Education no later than 30 days prior to the initial date of each of its training activities, including the title, description, target audience, instructional method, and intended learning outcomes of the activity, along with a sample of the syllabus, program, or outline for it.~~
 - 2) The provider shall verify individuals' participation in its training activities, provide documentation indicating whether those who participated in a particular activity have completed it, and require participants to complete evaluations of the activities that will gather at least the ~~such~~ information as specified by the State Board of Education. ~~The provider shall issue CEUs, if applicable, based upon the average or expected time required to complete a given activity and in accordance with Section 25.870 of this Part. The~~ For activities generating CPDUs, the evidence of completion provided to participants shall indicate the average or expected time required so that one CPDU per hour of participation may be documented.
 - 2.3) The provider shall maintain participants' evaluations for a period of not less than three years and make them available for review upon request by staff of the State Board of Education.
 - 3.4) The provider shall maintain records of participation and completion for each activity it conducts or sponsors for a period of not less than five years.

- d) Applicants may be asked to clarify particular aspects of their materials.
- e) A provider shall be approved under this Section only if all of the following conditions are met.
 - 1) There is an apparent correlation between the content of the training activities, the standards applicable to their intended participants, and one or more of the purposes the participants are required to address in their continuing professional development pursuant to Section 21-14(e)(2) of the School Code.
 - 2) The activities will be developed and presented by persons with education and experience in the applicable subject areas ~~area(s)~~.
 - 3) The provider makes available to participants a mentor or facilitator who is qualified by education and experience to serve as a presenter of the activity.
 - 4) Participation in or completion of any portion of the activity that is not designed to be attended in person is verified by some other means. That is, each individual's participation yields either a product (e.g., a lesson plan, a tape of teaching performance, a completed test) or a record of interaction with a representative of the provider or with other participants (e.g., a discussion board). These products and records are available for evaluation by the provider, and each participant's receipt of the evidence of completion for the activity is contingent upon their presentation to the provider along with a brief written statement in which the certificate-holder discusses the skills and/or knowledge acquired and indicates, where applicable, how the skills or knowledge will be applied in the context of his or her teaching. Alternatively, if the certificate-holder determines that the experience has not yielded knowledge or skills that can be used in his or her teaching, he or she shall indicate that fact and briefly explain why this is the case.
 - 5) Each participant who completes the activity receives verification from the provider to that effect.

- f) The State Superintendent of Education, on behalf of the State Board of Education and the State Teacher Certification Board, shall respond to each application for approval no later than 30 days after receiving it.
- g) A certificate-holder may receive continuing professional development credit for an activity conducted by a provider approved under this Section to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder.
- h) A certificate-holder may receive continuing professional development credit for an activity not conducted by a provider approved under this Section (to the extent that the activity is relevant to one of the purposes applicable to the certificate-holder) by meeting the requirements of this subsection (h).
 - 1) The certificate-holder shall maintain a syllabus, program, or summary prepared by the provider or a summary written by the certificate-holder.
 - 2) The certificate-holder shall maintain any documents or other products developed during the activity and any verification of completion supplied by the provider.
 - 3) The certificate-holder shall maintain a brief written statement meeting the requirements of subsection (e)(4) of this Section.
 - 4) The certificate-holder shall maintain a statement issued by the provider indicating the average or expected amount of time required for completion of the activity, which shall serve as the basis for credit in the form of CPDUs at a rate of one per hour of direct participation ~~or CEUs in accordance with Section 25.870(a) of this Part, as applicable.~~

(Source: Amended at 33 Ill. Reg. _____, effective _____)

SUBPART K: REQUIREMENTS FOR RECEIPT OF THE STANDARD TEACHING CERTIFICATE

Section 25.910 Requirements for Induction and Mentoring

Completion of a program of induction and mentoring as a means of qualifying for the standard teaching certificate shall be subject to the requirements of this Section.

- a) The program selected by a certificate-holder must have been approved for this purpose by the State Board of Education in consultation with the State Teacher Certification Board. Two or more school districts or other organizations may jointly offer a program of induction and mentoring under this Section. An entity or group of entities that wishes to offer an approved program of induction and mentoring shall submit to the State Superintendent of Education a written plan for the program that conforms to the requirements of Section 21-2(c)(2)(A) of the School Code [105 ILCS 5/21-2(c)(2)(A)]. A program shall be approved if the plan demonstrates that the program will meet the specifications of subsections (b) through (g) of this Section. Entities that were conducting programs of induction and mentoring prior to July 1, 2003, may apply to the State Superintendent under this Section for verification that those programs met the requirements of this Section so that individuals who have completed them may fulfill the requirements of this Subpart K on that basis. The State Board of Education shall annually publish a list of induction and mentoring programs that have been approved for this purpose.
- b) A formally trained mentor shall be assigned to assist each new teacher, ~~and no mentor shall be assigned to assist more than five new teachers during any given school year.~~ Mentors holding a full-time teaching assignment shall be assigned to only one new teacher during any given year. To the extent possible, mentor teachers shall hold the same type of certificate as the new teachers with whom they will work. Each mentor teacher assigned shall hold, or shall have retired while holding, a standard or master certificate and shall have completed a training program that addresses all the following topics:
- 1) Content Knowledge and Pedagogy;
 - 2) Adult Learning Theory;
 - 3) Verbal and Non-Verbal Communication Skills;
 - 4) Attributes and Styles of Positive Critiques;
 - 5) Classroom Observation Skills Related to Assessment of Performance;
 - 6) Strategies for Providing Constructive Feedback and Social Support;
 - 7) Problem-Solving Skills; and

- 8) Formative Assessment and Self-Assessment.
- c) Each new teacher shall receive formal mentoring, which may include mentoring conducted electronically, consisting of an established sequence of sessions no less than two school years in duration. The planned sequence for each teacher shall comprise no fewer than three episodes of observation, which may be conducted using videoconferencing or videotaping, that include preparation with the mentor teacher prior to observing the new teacher in the classroom; observation of the new teacher's teaching practice; and provision of feedback, suggestions, and techniques to the recipient teacher in response to each period of observation.
 - d) The program shall afford mentor teachers and new teachers systematic opportunities for contact with each other so that new teachers will receive professional and social support in the school environment. The program shall include a formal mechanism for orienting new teachers to the school improvement and professional development plans that apply and for assisting them in understanding their respective employers' expectations with regard to the Illinois Professional Teaching Standards and the relevant content-area standards.
 - e) New teachers shall be afforded at least one opportunity during each semester to participate in professional development opportunities that involve:
 - 1) observing teaching practice modeled by experienced teachers and discussing selected aspects of teaching practice with these teachers; or
 - 2) participating in workshops, conferences, symposia, seminars, or other, similar training events that are designed to increase teachers' knowledge and skills with respect to the Illinois Professional Teaching Standards or the content-area standards that apply to their respective areas of certification or assignment.
 - f) The program shall require formative assessment of new teachers' professional development. The mentor teacher shall participate in formative assessment by providing written feedback after observing the teaching performance of the new teacher and by providing written analysis of written materials prepared by the new teacher. The new teacher shall participate in formative assessment by preparing at least one written reflection on his or her teaching practice for each quarter of a school year, for review by the mentor teacher. New teachers' written reflections

shall be required to focus on relevant aspects of the Illinois Professional Teaching Standards (see 23 Ill. Adm. Code 24) and the content-area standards that apply to their assignments and areas of certification and to issues identified in the feedback received from mentor teachers.

- g) Each plan for an induction and mentoring program shall include a specific method for collecting and maintaining information that will permit evaluation of the program and will contribute to an overall assessment of the effectiveness of induction and mentoring. For each program, at least the following information shall be collected and supplied to the State Board of Education upon request:
 - 1) the length of time during which recipients of the program remain employed as teachers (if known) or remain employed as teachers in the district where mentoring and induction were received;
 - 2) the percentage of recipient teachers who received ratings of “satisfactory” or “excellent” each year since completing the program;
 - 3) any savings realized in the cost of recruiting new teachers due to increased retention; and
 - 4) any decrease in the number or percentage of teachers teaching outside their respective fields.
- h) As evidence of completion for this requirement, the candidate for a standard certificate shall maintain verification, in a format specified by the State Board of Education, signed by the administrator of the approved mentoring and induction program.
- i) An individual may transfer between programs approved under this Section.
- j) Each holder of an initial certificate who chooses the option described in this Section shall be required to complete:
 - 1) an approved program of at least one year’s duration, if his or her initial certificate was issued before September 1, 2007;
 - 2) an approved program of at least two years’ duration, if his or her initial certificate was issued on or after September 1, 2007.

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 25.APPENDIX A Statistical Test Equating – Certification Testing System

The Z-score formula set forth below will be used in all cases except where none of the scorable items on a test form has appeared on any previous test form. In such cases, the linear equating formula will be used.

Z-Score Formula

The following formula is used for z-score equating.

1. Define:

\bar{X} = the mean raw score achieved on the new test form's scorable items

s_x = the standard deviation of X

\bar{Y} = the mean raw score achieved on the previous test form's scorable items

s_y = the standard deviation of Y

X_i = a given raw score on the new test form

Y_i = the raw score equivalent to X_i expressed in the raw score metric of form Y

2. Set $z_x = z_y$

$$\frac{X_i - \bar{X}}{s_x} = \frac{Y_i - \bar{Y}}{s_y}$$

3. In order to find the equivalent passing score on the new form, solve for X_i , where Y_i = the passing score on the previous form rounded to one decimal place.

$$X_i = \bar{X} + (s_x / s_y)(Y_i - \bar{Y})$$

The linear equating formula is as follows.

1. Define:

\bar{X} = mean total test score on a new test form

s_x^2 = variance of total test scores on the new form

\bar{U}_x = mean of common items on the new form

$s_{u_x}^2$ = variance of common item scores on the new form

s_{xu} = covariance of total test and common item set for the new form

n_x = number of candidates taking the new form

$\bar{Y}_y, s_y^2, \bar{U}_y, s_{u_y}^2, s_{yu},$ and n_y are corresponding statistics for the previous test form

2. Compute estimated descriptive statistics for the total group (i.e., candidates from new and previous test form administrations).

$$\bar{U}_t \equiv \frac{(\bar{U}_x + \bar{U}_y)}{2}$$

$$s_{u_t}^2 \equiv \frac{\left(n(\bar{U}_x - \bar{U}_y)^2 \right) / 2 + (n-1)(s_{u_x}^2 + s_{u_y}^2)}{2n-1}$$

where $n \equiv$ the smaller of n_x or n_y

$$b_{xu} \equiv \frac{s_{xu}}{s_{u_x}^2}$$

$$b_{yu} \equiv \frac{s_{yu}}{s_{u_y}^2}$$

$$\bar{X}_t \equiv \frac{\bar{X} + b_{xu}(\bar{U}_t - \bar{U}_x)}{1}$$

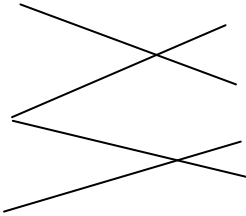
$$s_{x_t}^2 \equiv \frac{s_x^2 + b_{xu}^2(s_{u_t}^2 - s_{u_x}^2)}{1}$$

$$\bar{Y}_t \equiv \frac{\bar{Y} + b_{yu}(\bar{U}_t - \bar{U}_y)}{1}$$

$$s_{y_t}^2 \equiv \frac{s_y^2 + b_{yu}^2(s_{u_t}^2 - s_{u_y}^2)}{1}$$

3. In order to find the equivalent passing score on the new form, solve for X_i , where Y_i = the passing score on the previous form rounded to one decimal place.




$$\underline{X_i} \equiv \underline{\bar{X}_t + (s_{x_t} / s_{y_t})(Y_i - \bar{Y}_t)}$$



(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 30, 2009

TO: Illinois State Board of Education

FROM: Christopher A. Koch, Ed.D., State Superintendent of Education 
Linda Riley Mitchell, Chief Financial Officer 
Darren Reisberg, General Counsel 

Agenda Topic: Rules for Adoption – Amendments to Part 100 (Requirements for Accounting, Budgeting, Financial Reporting, and Auditing)

Materials: Recommended Rules

Staff Contacts: Deb Vespa and Tim Imler, Division Administrators
Lisa LaBonte, Chief Internal Auditor

Purpose of Agenda Item

The purpose of this agenda item is to present the proposed amendments for adoption.

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

This item of rulemaking is not directly related to the Strategic Plan. It is technical in nature and has been necessitated by Illinois' receipt of federal funds under the American Recovery and Reinvestment Act of 2009 (ARRA).

Expected Outcome of Agenda Item

The Board will be asked to adopt the proposed amendments to Part 100.

Background Information

The proposed amendments establish the procedures for school districts to use to track their receipt of funding under the ARRA. At the time that amendments to Part 100 were initially proposed in April, a significant amount of federal money had begun to flow to the state of Illinois under the ARRA, and nearly \$3 billion was to be directed to Illinois school districts for several different purposes. States are expected to be able to report in detail on the uses to which the funds are put, and districts must track their expenditures very carefully so that the reporting that is eventually required can be accomplished. This includes accounting for these funds separately from funds from other sources.

This rulemaking incorporates the procedures and new account codes from the April rulemaking that has been withdrawn and also provides for additional flexibility for school districts in their accounting for ARRA funds. In particular, account numbers 4860; 4873 and 4874; and 4877 through 4880 are being amended to remove a restriction that the reported funds be received directly from a federal agency or from a state agency other than ISBE. Other codes also are being added to account for the use of ARRA funds for the state Early Childhood Block Grant Program (account number 4875) and for the use of other government services stabilization

ARRA funds for general state aid (account number 4870) in FY 2010 rather than the education stabilization ARRA funds that were used in FY 2009 (account number 4850).

This material was presented as a new emergency rulemaking in August of this year in order to have the rules in place as soon as possible. Concurrent ordinary rulemaking was also needed so that these provisions would be in place when the 150-day effectiveness of the emergency amendments comes to an end on January 21, 2010. Several additional updates and corrections were included in the set of ordinary amendments, including the addition of several account codes that were missing or have been newly identified since Part 100 was amended last year, the deletion of a small number that are no longer used, and the elimination of a reference to the Fall Enrollment and Housing Report.

The proposed amendments were published in the Illinois Register to elicit public comment. The public comment period will end Monday, October 26, 2009. To date, no public comment has been received. Any comment received before the Board meeting will be shared with the Board and public as an addendum to the packet.

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

Policy Implications: Please see above.

Budget Implications: Although large amounts of money will flow through ISBE to local education agencies, this rulemaking *per se* does not have budgetary ramifications.

Legislative Action: None needed.

Communication: Please see "Next Steps" below.

Pros and Cons of Various Actions

As noted above, promulgation of these amendments will provide for the necessary uniform basis for districts' accounting and reporting related to ARRA funds.

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 Requirements for Accounting, Budgeting, Financial Reporting, and Auditing (23 Illinois Administrative Code 100).

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.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER c: FINANCE

PART 100
REQUIREMENTS FOR ACCOUNTING, BUDGETING, FINANCIAL REPORTING, AND
AUDITING

Section

- 100.10 Purpose and Applicability
- 100.20 Definitions
- 100.30 General Requirements
- 100.40 Types of Funds, Basis of Accounting, and Recognition of Transactions
- 100.50 Intra-Fund and Inter-Fund Transactions
- 100.60 Capital Assets and Depreciation
- 100.70 Revolving Funds
- 100.80 Student Activity Funds
- 100.90 Submission of Budgets and Deficit Reduction Plans
- 100.100 Annual Financial Reports
- 100.110 Annual Audit Requirements
- 100.120 Provisions Related to Debt
- 100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA)
- 100.TABLE A Classification of Funds
- 100.TABLE B Balance Sheet Accounts
- 100.TABLE C Revenue Accounts
- 100.TABLE D Expenditure Accounts
- 100.TABLE E "Sources and Uses" Accounts; Miscellaneous
- 100.TABLE F Expenditure Object Accounts

AUTHORITY: Implementing and authorized by Sections 2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1 of the School Code [105 ILCS 5/2-3.17a, 2-3.27, 2-3.28, 3-7, 17-1, and 34-43.1].

SOURCE: Old Part repealed at 10 Ill. Reg. 20507, effective December 2, 1986; new Part adopted at 31 Ill. Reg. 14874, effective October 19, 2007; amended at 32 Ill. Reg. 16439, effective September 24, 2008; emergency amendment at 33 Ill. Reg. 6313, effective April 17, 2009, for a maximum of 150 days; emergency amendment at 33 Ill. Reg. 12589, effective August 26, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. _____, effective _____.

Section 100.120 Provisions Related to Debt

- a) For purposes of Section 19-1(b) of the School Code [105 ILCS 5/19-1(b)], the State Superintendent of Education shall concur with a district's enrollment projection and approve the need for additional school sites or building facilities and the cost of these only when:
 - 1) the enrollment information presented to demonstrate that the level of growth required under Section 19-1(b)(1) of the School Code consists of either:
 - A) a comparison between actual enrollment figures for the current school year and those for the immediately preceding school year from the same source (e.g., the enrollment reported as of the last school day in September of those two consecutive years ~~two consecutive fall enrollment and housing reports~~); or
 - B) a comparison between the actual enrollment figure for the current school year and the estimated enrollment figure for the immediately following school year; and
 - 2) the same criteria and procedures have been met as are used by the Capital Development Board in making comparable decisions related to the School Construction Program (see 71 Ill. Adm. Code 40.130).
- b) For purposes of Section 19-1(q) of the School Code [105 ILCS 5/19-1(q)], a district shall notify the State Superintendent of Education no fewer than 30 days *before issuing any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the applicable debt limit.*

(Source: Amended at 33 Ill. Reg. _____, effective _____)

Section 100.130 Requirements Specific to Funds Received Pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA)

This Section applies only to funds received pursuant to P.L. 111-5, the American Recovery and Reinvestment Act of 2009.

a) Accounting; Treatment of Funds

- 1) Records of expenditures shall identify the source of the ARRA funds by using the account numbers set forth in Table C of this Part, as well as the applicable funds, functions, and object classes, using the account numbers set forth in Tables A, D, and F of this Part, respectively.
- 2) ARRA General State Aid funds received in account number 4850 or 4870 (see Table C of this Part) may be deposited into any fund other than the Working Cash Fund and may be spent for any lawful purpose, except as limited by Section 14003 of the ARRA. That Section prohibits a local education agency from using Education Stabilization funds for:
 - A) payment of maintenance costs;
 - B) stadiums or other facilities used primarily for athletic contests, exhibitions, or other events for which admission is charged to the general public;
 - C) purchasing or upgrading vehicles;
 - D) improvements to stand-alone facilities whose purpose is not the education of children, including facilities housing central office administration, operations, or logistical support functions; or
 - E) school modernization, renovation, or repair that is inconsistent with State law.
- 3) No Education Stabilization funds or Government Services funds may be used to provide financial assistance to students to attend private elementary or secondary schools, unless the funds are used to provide special education and related services to children with disabilities as authorized by the Individuals with Disabilities Education Improvement Act. (Section 14011 of the ARRA)
- 4) Funds received under any other account number in the range from 4851 through 4880 shall be expended only for the purposes authorized by the relevant federal law, regulations, and guidance.

b) Budgeting

Each local education agency intending to spend ARRA funds during Fiscal Year 2009 shall amend its budget as necessary, pursuant to the provisions of Section 17-1 of the School Code [105 ILCS 5/17-1] and shall submit the amended budget to the State Superintendent of Education pursuant to Section 100.90 of this Part. Subsequent annual budgets shall address the receipt and disbursement of ARRA funds as provided in Section 17-1 and applicable federal regulations and guidance.

c) Financial Reporting

In order to comply with federal reporting requirements, each local education agency receiving funds under the ARRA shall include in its annual financial report, in addition to all other requirements set forth in Section 100.100 of this Part, a detailed schedule of its receipts and disbursements of those funds, as distinct from any other receipts and expenditures for the same purposes made from other sources of funds.

d) Auditing

1) The receipt and disbursement of ARRA funds shall be subject to the audit requirements of Section 100.110 of this Part. In addition to the other applicable requirements of Section 100.110 of this Part, the scope of each audit shall include the schedule of receipts and disbursements required under subsection (c) of this Section.

2) Each local education agency receiving ARRA funds shall review its amended budget to determine whether its increased expenditure of federal funds will make the agency subject to the audit requirements of OMB Circular A-133 (available at www.whitehouse.gov/omb/circulars/index.html) and, if so, shall maintain records accordingly.

(Source: Added at 33 Ill. Reg. _____, effective _____)

Section 100.TABLE C Revenue Accounts

Label	Account Number	Source; Notes
RECEIPTS/REVENUE FROM LOCAL SOURCES	1000	
AD VALOREM TAXES	1100	
Educational Purposes Levy	1110	105 ILCS 5/17-2 and 17-3.
Operations and Maintenance Purposes Levy	1111	105 ILCS 5/17-5.
Bond and Interest Purposes Levy	1112	105 ILCS 5/17-9.
Transportation Purposes Levy	1113	105 ILCS 5/17-4.
Municipal Retirement Purposes Levy	1114	40 ILCS 5/7-171.
Working Cash Purposes Levy	1115	105 ILCS 5/20-3.
Public Building Commission Rent Levy	1116	50 ILCS 20/18.
Capital Improvement Purposes Levy	1117	105 ILCS 5/17-2 and 17-2.3.
Fire Prevention & Safety Purposes Levy	1118	105 ILCS 5/17-2.11.
Emergency Financial Assistance Levy	1119	105 ILCS 5/1B-8 and 1F-62.
Tort Immunity/Judgment Purposes Levy	1120	745 ILCS 10/9-109.
Leasing Purposes Levy	1130	105 ILCS 5/17-2.2c.

Label	Account Number	Source; Notes
Special Education Purposes levy	1140	105 ILCS 5/ 17-2.2a.
FICA and Medicare Only Levies	1150	Social Security taxes and the employer's share of Medicare Only payments; 40 ILCS 5/21-110, 110.1.
Area Vocational Construction Purposes Levy	1160	105 ILCS 5/17-2.4.
Summer School Purposes Levy	1170	105 ILCS 5/17-2 and 17-2.1.
Other Tax Levies	1190	Taxes received from other tax levies not specifically identified (describe and itemize).
PAYMENTS IN LIEU OF TAXES	1200	
Mobile Home Privilege Tax	1210	
Payments from Local Housing Authorities	1220	
Corporate Personal Property Replacement Taxes	1230	Amounts received to replace personal property tax revenues lost.
Other Payments in Lieu of Taxes	1290	
TUITION	1300	
Total Regular Tuition	1310	Amounts received for pupils attending the district's regular schools; 105 ILCS 5/10-20.12a.
Regular Tuition from Pupils or Parents (In-State)	1311	
Regular Tuition from Other Districts (In-State)	1312	
Regular Tuition from Other Sources (In-State)	1313	
Regular Tuition from Other Sources (Out-of-State)	1314	
Total Summer School Tuition	1320	Amounts received for pupils attending summer school.

Label	Account Number	Source; Notes
Summer School Tuition from Pupils or Parents (In-State)	1321	
Summer School Tuition from Other Districts (In-State)	1322	
Summer School Tuition from Other Sources (In-State)	1323	
Summer School Tuition from Other Sources (Out-of-State)	1324	
Total CTE Tuition	1330	Amounts received for pupils attending career and technical education programs.
CTE Tuition from Pupils or Parents (In-State)	1331	
CTE Tuition from Other Districts (In-State)	1332	
CTE Tuition from Other Sources (In-State)	1333	
CTE Tuition from Other Sources (Out-of-State)	1334	
Total Special Education Tuition	1340	Amounts received for pupils attending special education programs.
Special Education Tuition from Pupils or Parents (In-State)	1341	
Special Education Tuition from Other Districts (In-State)	1342	
Special Education Tuition from Other Sources (In-State)	1343	
Special Education Tuition from Other Sources (Out-of-State)	1344	
Total Adult Tuition	1350	Amounts received for pupils attending adult/continuing education programs.

Label	Account Number	Source; Notes
Adult Tuition from Pupils or Parents (In-State)	1351	
Adult Tuition from Other Districts (In-State)	1352	
Adult Tuition from Other Sources (In-State)	1353	
Adult Tuition from Other Sources (In-State)	1354	
TRANSPORTATION FEES	1400	
Total Regular Transportation Fees	1410	Amounts received for transporting pupils to and from school and school activities (regular school day).
Regular Transportation Fees from Pupils or Parents (In-State)	1411	
Regular Transportation Fees from Other Districts (In-State)	1412	
Regular Transportation Fees from Other Sources (In-State)	1413	
Regular Transportation Fees from Co-curricular Activities (In-State)	1415	
Regular Transportation Fees from Other Sources (Out-of-State)	1416	
Total Summer School Transportation Fees	1420	Amounts received for transporting pupils to and from summer school.
Summer School Transportation Fees from Pupils or Parents (In-State)	1421	
Summer School Transportation Fees from Other LEAs (In-State)	1422	

Label	Account Number	Source; Notes
Summer School Transportation Fees from Other Sources (In-State)	1423	
Summer School Transportation Fees from Other Sources (Out-of-State)	1424	
Total CTE Transportation Fees	1430	Amounts received for transporting pupils to and from career and technical education classes.
CTE Transportation Fees from Pupils or Parents (In-State)	1431	
CTE Transportation Fees from Other Districts (In-State)	1432	
CTE Transportation Fees from Other Sources (In-State)	1433	
CTE Transportation Fees from Other Sources (Out-of-State)	1434	
Total Special Education Transportation Fees	1440	Amounts received for transporting pupils to and from special education programs.
Special Education Transportation Fees from Pupils or Parents (In-State)	1441	
Special Education Transportation Fees from Other Districts (In-State)	1442	
Special Education Transportation Fees from Other Sources (In-State)	1443	
Special Education Transportation Fees from Other Sources (Out-of-State)	1444	

Label	Account Number	Source; Notes
Total Adult Transportation Fees	1450	Amounts received for transporting pupils to and from adult/continuing education programs.
Adult Transportation Fees from Pupils or Parents (In-State)	1451	
Adult Transportation Fees from Other Districts (In-State)	1452	
Adult Transportation Fees from Other Sources (In-State)	1453	
Adult Transportation Fees from Other Sources (Out-of-State)	1454	
EARNINGS ON INVESTMENTS	1500	
Interest on Investments	1510	
Gain or Loss on Sale of Investments	1520	Gains or losses realized from the sale of bonds.
FOOD SERVICE	1600	
Sales to Pupils - Lunch	1611	
Sales to Pupils - Breakfast	1612	
Sales to Pupils – A la Carte	1613	
Sales to Pupils - Other	1614	
Sales to Adults	1620	Amounts received from adults for sale of food products and services.
Other Food Service	1690	Amounts received from local sources for other food service activities.
DISTRICT/SCHOOL ACTIVITY INCOME	1700	
Admissions - Athletic	1711	Amounts received from school-sponsored athletic events.
Admissions - Other	1719	Amounts received from admissions to all other school-sponsored events except athletics (describe and itemize).
Fees	1720	Amounts received from pupils for fees such as towel fees, locker fees, and equipment fees (excludes transportation).
Book Store Sales	1730	
Other District/School Activity Revenue	1790	All other revenue from district or school activities not otherwise specified.

Label	Account Number	Source; Notes
TEXTBOOK INCOME	1800	
Rentals - Regular Textbooks	1811	
Rentals - Summer School Textbooks	1812	
Rentals - Adult/Continuing Education Textbooks	1813	
Rentals - Other	1819	Describe and itemize.
Total Textbook Rentals	1810	105 ILCS 5/10-22.25.
Sales - Regular Textbooks	1821	
Sales - Summer School Textbooks	1822	
Sales - Adult/Continuing Education Textbooks	1823	
Sales - Other	1829	
Total Textbook Sales	1820	105 ILCS 5/28-8.
Textbooks Other	1890	Textbook revenues not provided for elsewhere in the 1800 series of accounts.
OTHER LOCAL REVENUES	1900	
Rentals	1910	Amounts received for rental of school property, real or personal.
Contributions and Donations from Private Sources	1920	Amounts received from a philanthropic foundation, private individual, or private organization for which no repayment or special service to the contributor is expected.
Impact Fees from Municipal or County Governments	1930	Amounts received from a city, town, village, or county government from impact fees assessed in accordance with local ordinances.
Services Provided to Other Districts	1940	Amounts received for services other than tuition and transportation services (e.g., data processing, purchasing, maintenance, accounting, cleaning, consulting, guidance).
Refund of Prior Years' Expenditures	1950	A refund of an expenditure charged to a prior fiscal year's budget.
Payments of Surplus Moneys from TIF Districts	1960	Amounts received from distributions from Tax Increment Financing districts.

Label	Account Number	Source; Notes
Drivers' Education Fees	1970	105 ILCS 5/27-23.
Proceeds from Vendors' Contracts	1980	Proceeds received pursuant to contracts between the district and various vendors.
School Facility Occupation Tax Proceeds	1983	Amounts received from distributions of School Facility Occupation Tax proceeds.
Payment from Other Districts	1991	Amounts representing a district's share of special education or career and technical education building costs.
Sale of Vocational Projects	1992	Amounts representing gain from the sale of vocational projects.
Other Local Fees	1993	Amounts assessed or received from local sources for district programs not classified elsewhere (describe and itemize).
Other Local Revenues	1999	Amounts received from local sources not provided for elsewhere in the 1000 series of accounts.
FLOW-THROUGH RECEIPTS/REVENUE FROM ONE DISTRICT TO ANOTHER DISTRICT	2000	
FLOW-THROUGH REVENUE FROM STATE SOURCES	2100	State revenues that can be further subdivided to account for individual grants.
FLOW-THROUGH REVENUE FROM FEDERAL SOURCES	2200	Federal revenues that can be further subdivided to account for individual grants.
OTHER FLOW-THROUGH REVENUE	2300	Other revenues that can be further subdivided to account for individual grants (describe and itemize).
RECEIPTS/REVENUE FROM STATE SOURCES	3000	
General State Aid Section 18-8.05 (GSA)	3001	105 ILCS 5/18-8.05.
General State Aid Hold Harmless/Supplemental	3002	105 ILCS 5/18-8.05j.
Reorganization Incentives - Deficit Fund Balance	3005	105 ILCS 5/18-8.3.
Reorganization Incentives - Attendance	3010	105 ILCS 5/18-8.05i.

Label	Account Number	Source; Notes
Reorganization Incentives - Salary Difference	3015	105 ILCS 5/18-8.2.
Reorganization Incentives - Certified Salary	3020	105 ILCS 5/18-8.5.
Reorganization Incentives - Feasibility Studies	3021	Amounts received pursuant to appropriations for this purpose.
GSA Fast Growth District Grants	3030	105 ILCS 5/18-8.10.
Emergency Financial Assistance Grants	3050	105 ILCS 5/1B-8 and 1F-62.
Tax Equivalent Grants	3055	105 ILCS 5/18-4.4.
GSA Transition Assistance	3095	Amounts received pursuant to appropriations for this purpose.
Other Unrestricted Grants-In-Aid from State Sources	3099	Amounts received pursuant to other appropriations (describe and itemize).
Special Education - Private Facility Tuition	3100	105 ILCS 5/14-7.02.
Special Education - Extraordinary	3105	105 ILCS 5/14-7.02a.
Special Education - Personnel	3110	105 ILCS 5/14-13.01.
Special Education - Orphanage - Individual	3120	105 ILCS 5/14-7.03.
Special Education - Orphanage - Summer	3130	105 ILCS 5/14-7.03.
Special Education - Summer School	3145	105 ILCS 5/18-4.3.
Philip J. Rock Center and School	3155	105 ILCS 5/14-11.02.
Educational Materials Center	3156	105 ILCS 5/14-11.01.
Special Education - Other	3199	Amounts received pursuant to other appropriations (describe and itemize).

Label	Account Number	Source; Notes
Career and Technical Education (CTE) – Tech Prep	3200	105 ILCS 5/2-3.115.
CTE – Secondary Program Improvement (CTEI)	3220	105 ILCS 435.
CTE - WECEP	3225	105 ILCS 5/2-3.66a.
CTE – Agriculture Education	3235	105 ILCS 5/2-3.80.
CTE – Instructor Practicum	3240	105 ILCS 5/2-3.68.
CTE - Student Organizations	3270	105 ILCS 435 Amounts received pursuant to appropriations for student organizations.
CTE - Other	3299	Amounts received pursuant to other appropriations (describe and itemize).
Bilingual Education - Downstate - TPI and TBE	3305	105 ILCS 5/14C-12.
Bilingual Education - Downstate – Transitional Bilingual Education	3310	105 ILCS 5/14C-12.
Gifted Education	3350	105 ILCS 5/Art. 14A.
State Free Lunch and Breakfast	3360	105 ILCS 125/2.
School Breakfast Initiative	3365	105 ILCS 125/2.5.
Driver Education	3370	105 ILCS 5/27-24.2.
Adult Education (from ICCB)	3410	Amounts received from the Community College Board; 105 ILCS 405.
Adult Education – Other	3499	Amounts received pursuant to other appropriations (describe and itemize).
Transportation - Regular/Vocational	3500	105 ILCS 5/29-5.
Transportation - Special Education	3510	105 ILCS 5/14-13.01b.
Transportation - ROE Bus Driver Training	3520	105 ILCS 5/3-14.23.
Transportation - Other	3599	Amounts received pursuant to other appropriations (describe and itemize).
Learning Improvement - Change Grants	3610	105 ILCS 5/2-3.25, 2-3.63, and 2-3.64.

Label	Account Number	Source; Notes
National Board Certification	3651	105 ILCS 5/21-27.
Administrators Academy	3655	105 ILCS 5/2-3.53.
Scientific Literacy	3660	105 ILCS 5/2-3.94.
Truants' Alternative and Optional Education	3695	105 ILCS 5/2-3.66.
Regional Safe Schools	3696	105 ILCS 5/13A-8.
Early Childhood - Block Grant	3705	105 ILCS 5/1C-2 and 2-3.71.
Reading Improvement Block Grant	3715	105 ILCS 5/2-3.51.
Reading Improvement Block Grant - Reading Recovery	3720	Amounts received from the 2% set-aside under 105 ILCS 5/2-3.51.
Continued Reading Improvement Block Grant	3725	105 ILCS 5/2-3.51a.
Continued Reading Improvement Block Grant	3726	Amounts received from the 2% set aside under 105 ILCS 5/2-3.51a.
ROE/ISC Operations	3730	Amounts received pursuant to 105 ILCS 5/2-3.63, 3-14.23, and 18-6.
ROE Supervisory Expense	3745	Amounts received pursuant to 105 ILCS 5/18-6.
Chicago Teachers Academy for Math & Science (TAMS)	3765	Amounts received pursuant to an appropriation for TAMS.
Chicago General Education Block Grant	3766	105 ILCS 5/1D-1.
Chicago Educational Services Block Grant	3767	105 ILCS 5/1D-1.
School Safety and Educational Improvement Block Grant	3775	105 ILCS 5/2-3.51.5.
Technology - Learning Technology Centers	3780	105 ILCS 5/2-3.117.
Illinois Government Intern Program	3804	Funds distributed as a grant to Springfield School District 186 to support administration of this program.

Label	Account Number	Source; Notes
State Charter Schools	3815	105 ILCS 5/Art. 27A.
Extended Learning Opportunities (Summer Bridges)	3825	105 ILCS 5/10-20.9a.
Infrastructure Improvements - Planning/Construction	3920	105 ILCS 230/5-35.
School Infrastructure - Maintenance Projects	3925	105 ILCS 230/5-100.
Regular Orphanage Tuition (18-3)	3950	105 ILCS 5/18-3.
Tax Equivalent Grants	3955	105 ILCS 5/18-4.4.
After-School Programs - Mentoring & Student Support	3960	Amounts received pursuant to appropriation.
Advanced Placement Classes	3961	Amounts received pursuant to appropriations.
Arts Education	3962	Amounts received pursuant to appropriations.
Grants to Local Governments, Community Organizations, Not-for-Profit Organizations, and Educational Facilities	3963	Amounts received pursuant to appropriations.
ISBE Special Purpose Trust Fund	3970	105 ILCS 5/2-3.127a.
Class Size Reduction Pilot Project	3981	105 ILCS 5/2-3.136.
Teacher Mentoring Pilot Project	<u>3982</u>	<u>105 ILCS 5/21A-25.</u>
The "Grow Your Own" Teacher Education Initiative	3983	110 ILCS 48.
<u>Education of Homeless Children and Youth State Grant Program</u>	<u>3984</u>	<u>105 ILCS 45.</u>
Children's Mental Health Partnership	3990	105 ILCS 405/49-15.

Label	Account Number	Source; Notes
Teacher Mentoring Pilot Project	3982	105 ILCS 5/21A-25.
State "On-behalf" Payments	3998	Reserved for on-behalf payments by the State.
Emergency Financial Assistance Grant	3999	105 ILCS 5/1B-8.
Temporary Relocation Expense Grant	3999	105 ILCS 5/2-3.77.
Other Restricted Revenue from State Sources	3999	Amounts received pursuant to other appropriations (describe and itemize).
RECEIPTS/REVENUE FROM FEDERAL SOURCES	4000	
Federal Impact Aid	4001	ESEA Title VIII - Impact Aid (CFDA 84.041).
Other Unrestricted Grants-In-Aid Received Directly from the Federal Government	4009	Amounts received pursuant to other unrestricted appropriations; describe and itemize.
Total Unrestricted Grants Received Directly from the Federal Government	4010	
Head Start	4045	Community Opportunities, Accountability, Training, and Educational Services Act of 1998, Title I (CFDA 93.600).
Construction (Impact Aid)	4050	ESEA, Title VIII (Impact Aid – Facilities Maintenance) (CFDA 84.040).
Magnet	4060	ESEA, Title V, Part C (Magnet Schools Assistance) (CFDA 84.165).
Other Restricted Grants-In-Aid Received Directly from the Federal Government	4090	Amounts received pursuant to other restricted appropriations; describe and itemize.
Total Restricted Grants Received Directly from the Federal Government	4095	

Label	Account Number	Source; Notes
TOTAL GRANTS RECEIVED DIRECTLY FROM THE FEDERAL GOVERNMENT	4099	Amounts received pursuant to other appropriations.
Title V - Innovation and Flexibility Formula	4100	NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).
Title V - SEA Projects	4105	NCLB, Title V, Part A - State Grants For Innovative Programs (CFDA 84.298).
Title V - Rural and Low-Income Schools (REI)	4107	NCLB, Title VI, Part B - Rural Education (CFDA 84.358).
Title V - Other	4199	Amounts received pursuant to other appropriations (describe and itemize).
Breakfast Start-up	4200	Child Nutrition Act - School Breakfast Program for Start-Up (CFDA 10.553).
National School Lunch Program	4210	Child Nutrition Act - National School Lunch Program (CFDA 10.555).
Special Milk Program	4215	Child Nutrition Act - Special Milk Program for Children (CFDA 10.556).
School Breakfast Program	4220	Child Nutrition Act - School Breakfast Program (CFDA 10.553).
Summer Food Service Admin/Program	4225	Child Nutrition Act - Summer Food Service Program for Children (CFDA 10.559).
Child Care Commodity/SFS 13-Adult Day Care	4226	Child Nutrition Act - Child Care and Adult Food Service Program (CFDA 10.558).
SAE Nutrition Ed. Loan/TNT	4227	Child Nutrition Act of 1966 (42 USC 1771 et seq.) - (CFDA 10.574).
<u>Fresh Fruit and Vegetables</u>	<u>4240</u>	<u>Child Nutrition – Cash Payments</u>
Child Nutrition Commodity/Salvage	4250	Child Nutrition Act of 1966 (CFDA 10.550).
Cash in Lieu of Commodities	4255	Amounts received in lieu of commodities in the food service program.
Food Service - Other	4299	Amounts received pursuant to other appropriations from the U.S. Department of Agriculture for nutrition programs (describe and itemize).
Title I - Low Income	4300	No Child Left Behind Act of 2001 (NCLB; 20 USC 6301 et seq.), Title I, Part A - Improving Academic Achievement of the Disadvantaged (CFDA 84.010).
Title I - Low Income - Neglected, Private	4305	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).

Label	Account Number	Source; Notes
Title I - Low Income - Delinquent, Private	4306	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).
Title I - Neglected and Delinquent Juvenile and Adult Corrections (formerly only juvenile)	4315	NCLB, Title I, Part D - Neglected and Delinquent (CFDA 84.013).
<u>Title I - School Improvement and Accountability</u>	<u>4331</u>	<u>NCLB, Title I, Part A</u>
Title I - Comprehensive School Reform	4332	NCLB, Title I, Part F - Comprehensive School Reform (CFDA 84.332).
Title I - Reading First	4334	NCLB, Title I, Part B-1 - Reading First (CFDA 84.357).
Title I - Even Start	4335	NCLB, Title I, Part B-3 - Even Start (CFDA 84.213).
Title I - Reading First SEA Funds	4337	NCLB, Title I, Part B-1 - Reading First SEA Funds (CFDA 84.357).
<u>Title I - School Improvement Grant</u>	<u>4339</u>	<u>NCLB, Title I, section 1003g (CFDA 84.357).</u>
Title I - Migrant Education	4340	NCLB, Title I, Part C - Education of Migrant Children (CFDA 84.011).
Title I - Other	4399	Amounts received pursuant to other appropriations under Title I of NCLB (describe and itemize).
Title IV - Safe and Drug-Free Schools - Formula	4400	NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).
Title IV - Safe & Drug-Free Schools - State-Level Program	4415	NCLB, Title IV, Part A - Safe and Drug Free Schools (CFDA 84.186).
Title IV - 21st Century	4421	NCLB, Title IV, Part B - 21st Century Community Learning Centers (CFDA 84.287).
Title IV - Other (Describe & Itemize)	4499	Amounts received pursuant to other appropriations under Title IV of NCLB (describe and itemize).
Federal Special Education Preschool Flow-Through	4600	IDEA, Part B - Preschool (CFDA 84.173).
Federal Special Education Preschool Discretionary	4605	IDEA, Part B - Preschool (CFDA 84.173).

Label	Account Number	Source; Notes
Federal Special Education - IDEA Flow-Through/Low Incident	4620	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA Room and Board	4625	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA Discretionary	4630	IDEA, Part B (CFDA 84.027).
Federal Special Education - IDEA - Part D - Improvement	4631	IDEA, Part D - State Program Improvement Grants for Children with Disabilities (CFDA 84.323).
Federal Special Education – IDEA Title VI C - Deaf/Blind	4635	IDEA, Part D - Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities (CFDA 84.326).
Federal Special Education - IDEA - Other	4699	Amounts received pursuant to other appropriations under IDEA (describe and itemize).
<u>CTE – Perkins – State Leadership</u>	<u>4720</u>	<u>Carl D. Perkins Career and Technical Education Act of 2006 – State Leadership (CFDA 84.048A)</u>
<u>CTE – Perkins – DHS Ed</u>	<u>4740</u>	<u>Carl D. Perkins Career and Technical Education Act of 2006 – Corrections or Institutions (CFDA 84.048A)</u>
<u>CTE – Perkins – Secondary</u>	<u>4745</u>	<u>Carl D. Perkins Career and Technical Education Act of 2006 – Secondary (CFDA 84.048A)</u>
<u>CTE - Perkins Title II HHE - Tech Prep</u>	<u>4770</u>	<u>Carl D. Perkins Career and Technical Education Act of 2006 – Title II – Tech Prep (CFDA 84.243A)</u>
CTE - Other	4799	Amounts received pursuant to other appropriations from federal sources (describe and itemize).
Federal - Adult Education	4810	Adult Education State Grant Program (CFDA 84.002).
<u>ARRA General State Aid – Education Stabilization</u>	<u>4850</u>	<u>Amounts received pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA); see Section 100.130 of this Part.</u>
<u>ARRA Title I – Low Income</u>	<u>4851</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA Title I - Neglected, Private</u>	<u>4852</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>

Label	Account Number	Source; Notes
<u>ARRA Title I - Delinquent, Private</u>	4853	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA Title I - School Improvement (Part A)</u>	4854	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA Title I - School Improvement (section 1003g)</u>	4855	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA IDEA – Part B - Preschool</u>	4856	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA IDEA – Part B – Flow-Through</u>	4857	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Other ARRA Fund -- XII</u>	4860	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>ARRA Title IID – Technology - Competitive</u>	4861	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>

Label	Account Number	Source; Notes
<u>ARRA McKinney-Vento Homeless Education</u>	<u>4862</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA Child Nutrition Equipment Assistance</u>	<u>4863</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Impact Aid Formula Grants</u>	<u>4864</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Impact Aid Competitive Grants</u>	<u>4865</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Qualified Zone Academy Bond Tax Credits</u>	<u>4866</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Qualified School Construction Bond Credits</u>	<u>4867</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Build America Bond Tax Credits</u>	<u>4868</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Build America Bond Interest Reimbursement</u>	<u>4869</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>ARRA General State Aid – Other Government Services Stabilization</u>	<u>4870</u>	<u>Amounts received pursuant to the ARRA; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds - II</u>	<u>4871</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds – III</u>	<u>4872</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds – IV</u>	<u>4873</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds – V</u>	<u>4874</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>ARRA Early Childhood</u>	<u>4875</u>	<u>Paid with Government Services State Fiscal Stabilization Fund ARRA funds; see Section 100.130 of this Part.</u>




Label	Account Number	Source; Notes
<u>Other ARRA Funds – VII</u>	<u>4876</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA directly from a federal agency or from a State agency other than ISBE; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds – VIII</u>	<u>4877</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds - IX</u>	<u>4878</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds – X</u>	<u>4879</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
<u>Other ARRA Funds - XI</u>	<u>4880</u>	<u>Available for recording sources of federal funds received pursuant to the ARRA from a source other than those to be recorded with account numbers 4850 through 4857, 4861 through 4872, and 4875 through 4876; describe and itemize; see Section 100.130 of this Part.</u>
Advanced Placement Fee/International Baccalaureate	4904	ESEA, Title I, Part G – Advanced Placement Program (CFDA 84.330).
Emergency Immigrant Assistance	4905	NCLB, Title III - English Language Acquisition Grants - Immigrant Assistance Grants (CFDA 84.365).
Title III - English Language Acquisition	4909	NCLB, Title III - English Language Acquisition Grants (CFDA 84.365).
Learn & Serve America	4910	National and Community Service Act of 1990 - Learn & Serve America (CFDA 94.004).
Refugee Children School Impact Grants	4915	Refugee Education Assistance Act of 1980, Refugee and Entrant Assistance Discretionary Grants (CFDA 93.576).
McKinney Education for Homeless Children	4920	NCLB, Title X - Education for Homeless Children (CFDA 84.196).
Title II - Teacher Quality	4932	NCLB, Title II, Part A, and ESEA, Title II, Part C, Subpart 1, Chapter B (CFDA 84.350).
Title II - Teacher Quality	4935	ESEA, Title II, Part A - Improving Teacher Quality State Grants (CFDA 84.367).
Title II - Math and Science Initiative	4936	ESEA, Title II, Part B – Math and Science Partnerships (CFDA 84.366).

Label	Account Number	Source; Notes
Federal Charter Schools	4960	NCLB, Title V, Part B - Public Charter Schools.
Title II - Technology - Enhancing Education Formula Grants	4971	ESEA, Title II, Part D, Subparts 1 and 2, as amended – Education Technology State Grants (CFDA 84.318).
Title II - Technology - Enhancing Education Competitive Grants	4972	ESEA, Title II, Part D, Subparts 1 and 2 – Education Technology State Grants (CFDA 84.318).
Safe Routes to School	4980	Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (P.L. 109-59)
Medicaid Matching Funds - Administrative Outreach	4991	Social Security Act, Title XIX - Medicaid Matching - Administrative Outreach (CFDA 93.778).
Medicaid Matching Funds - Fee-for-Service Program	4992	Social Security Act, Title XIX - Medicaid Matching - Fee for Service Programs (CFDA 93.778).
Hurricane Emergency Relief	4995	Hurricane Emergency Relief Act.
Other Restricted Grants Received from Federal Government through State	4998	Amounts received pursuant to other federal appropriations (describe and itemize).

(Source: Amended at 33 Ill. Reg. _____, effective _____)

ILLINOIS STATE BOARD OF EDUCATION MEETING
October 29-30, 2009

TO: Illinois State Board of Education

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

Agenda Topic: Action Item: Rules for Adoption – New Part 425 (Voluntary Registration and Recognition of Nonpublic Schools)

Materials: Recommended Rules

Staff Contacts: Patrick Murphy, Division Administrator

Purpose of Agenda Item

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

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

This new set of rules is not specifically related to the strategic plan, in that it has been developed in direct response to legislation that permits recognized nonpublic schools to receive funds under the School Safety and Educational Improvement Block Grant Program (see Section 2-3.51.5 of the School Code, as amended by P.A. 95-707). However, various portions of the rules comport with each of the goals, in that the rules establish requirements related not only to schools' academic programs but also to the qualifications of their staff and the safety of their facilities.

Expected Outcome of Agenda Item

The Board will be asked to adopt the proposed rules for new Part 425.

Background Information

This new set of rules responds in large measure to a portion of the FY 2008 Budget Implementation Act (P.A. 95-707). One of the many components of that Act consisted of revisions to Section 2-3.51.5 of the School Code to make recognized nonpublic schools eligible for the school safety and educational improvement block grant.

Both recognition and registration of nonpublic schools have been conducted on a voluntary basis for many years. Certain conditions for recognition and registration have been stated in Section 2-3.250 of the School Code, the most recent addition being the 2007 insertion of requirements for checking criminal history records and the Statewide Sex Offender Database and the prohibition against employing persons guilty of certain offenses. Section 2-3.250 has also provided that recognition of these schools is to be subject to "administrative guidelines and review procedures", which are required not to be more burdensome than the requirements placed on the public schools and to recognize the different goals of the nonpublic schools.

Now that eligibility for a certain amount of public funding is connected to recognition, ISBE needs administrative rules, rather than guidelines, as the basis for recognition. That is, the decision whether to recognize a school or not is an exercise of ISBE's discretionary authority that has tangible consequences for the school. The standards that are the basis for the agency's decision clearly fit the definition of "rule" found in the Illinois Administrative Procedure Act and are thus required to be stated as such.

The proposed rules set forth the process and timelines for registration first, because it has been the agency's practice not to recognize a school unless it has already been registered for at least one full year. Registration involves the provision of certain assurances that are specified in Section 2-3.25o, along with information about the school's staff and the students enrolled.

The requirements for recognition that are set forth in Section 425.30 fall into four broad categories: administrative requirements, educational program, personnel requirements, and health and safety. Our approach has been to sort requirements within each of those categories according to whether they arise out of education-related laws that apply to the nonpublic schools or are established by ISBE as additional conditions for recognition.

No requirements are included in Section 425.30 that are not also applicable to the public schools. The only significant current discrepancy between the two types of schools in terms of these provisions is the absence of any concrete requirements for the qualifications of professional personnel in the nonpublic schools. Within Section 425.30(c), we intended to include a phased-in increase in requirements that would eventually culminate in certification for all newly hired professional personnel. As a matter of policy, we considered it inappropriate for the agency to continue to recognize schools without evidence of professional preparation on the part of their staff, particularly since recognition will afford the nonpublic schools access to certain public funds. However, our preliminary consultation with representatives of the nonpublic school community revealed that not all the schools will be able to attract certified individuals due to the different salaries and benefits that are available from those employers. Our current requirements have not even required that all professional employees hold a bachelor's degree. Consequently we have eliminated the draft requirement for certification that would have applied to newly hired staff members effective with the 2013-14 school year but retained a requirement for either a bachelor's degree for teaching or administrative staff hired at or after the 2011-12 school year or, in the case of staff hired prior to 2011-12 who do not hold a bachelor's degree, with ongoing professional development.

Two avenues to recognition are discussed in Section 425.40, one of which involves ISBE's acceptance of accreditation decisions by organizations that are found to base their determinations on requirements that at least encompass those stated in these rules. Initial recognition involves an on-site visit and review of a range of evidence, while annual renewal will be based on assurances except in keeping with the on-site review cycle discussed in Section 425.50. Provisions are made for due process for schools receiving negative determinations relative to their recognition.

The final Section establishes requirements for submitting the information that figures into the calculation of the schools' proportionate shares of the school safety and educational improvement block grant funds.

The proposed rules were published June 12, 2009, in the Illinois Register to elicit public comment and three responses were received: from Agudath Israel of America, Midwest Region;

the Associated Talmud Torahs of Chicago; and the Catholic Conference of Illinois. The summary and analysis of the public comments is attached.

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

Promulgation of this new set of rules will provide the required foundation for the agency's disbursement of block grant funds to the recognized nonpublic schools, as well as making it very clear to all concerned what the origins of the various requirements are. Failure to adopt rules on this subject would result in nonconformance with the requirements of the Illinois Administrative Procedure Act.

Superintendent's Recommendation

I recommend that the following motion be adopted:

The State Board of Education hereby adopts the proposed rulemaking for Voluntary Registration and Recognition of Nonpublic Schools (23 Illinois Administrative Code 425).

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.

Summary and Analysis of Public Comment
23 Ill. Adm. Code 425
(Voluntary Registration and Recognition of Nonpublic Schools)

Comment

One commenter requested that two sections of these rules addressing nonpublic school compliance with several federal and state nondiscrimination laws be amended to indicate that nonpublic schools must comply with 'applicable' laws. The writer noted that religious schools may have standards for employment designed to meet the school's unique needs (for example, requesting teachers to be practitioners of the religion in question). The writer asked that the State Board amend Sections 425.20(b)(6) and 425.30(a)(1)(C) to address this concern.

Analysis

We would agree with these changes, which recognize the unique nature of sectarian schools while ensuring that such schools comply with federal and state nondiscrimination laws related to expenditure of block grant funding for secular purposes.

Recommendation

Section 425.20(b)(6) should be amended as follows:

- 6) the school complies with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982).

Section 425.30(a)(1)(C) should be amended as follows:

- C) The school shall comply with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982).

Comment

The requirement in Section 425.30(c)(3) that each employee of a school be monitored and evaluated every two years was thought to be overly broad in the case of nonpublic schools. The writer queried whether the language could be applied to school maintenance staff or lunchroom workers. He suggested that the language be restricted to teachers.

Analysis

While we would agree that biennial formal reviews of every employee in a non-public school, such as a maintenance worker or lunchroom personnel, may not be necessary, we do feel it is critical that personnel directly involved in student instruction or school administration be given performance evaluations every two years.

Recommendation

Section 425.30(c)(3) should be revised as follows:

- c) Personnel Requirements
 - 1) Each school's recognition shall be contingent upon evidence of compliance with the requirements of subsection (c-5) of Section 2-3.250 of the School Code .
 - 2) Each school shall require of each new employee evidence of freedom from communicable disease, including tuberculosis. This evidence shall consist of a tuberculin skin test and, if appropriate, an x-ray, made by a physician licensed in Illinois or any other state to practice medicine in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician not more than 90 days preceding the date on which the report of the test results is presented to the school's chief administrator.
 - 3) Each school's personnel policies shall require:
 - A) monitoring the performance of each employee who provides or assists with instruction or has other instructional responsibilities (e.g., teachers, teacher aides, administrators, department chairs) ~~employee's performance;~~ and
 - B) formal evaluation at least every two years in terms of proficiency and competency.

Comment

One writer noted a seeming discrepancy between the draft language in Section 425.30(c)(5) posted on the State Board's Rules website and the corresponding description of this section from the same website. The writer stated that the website description indicated that newly hired staff members would have to have either a bachelor's degree or ongoing professional development, whereas the actual rules clearly indicated that affected staff hired after a certain time would be required to hold a bachelor's degree.

Analysis

The description of Section 425.30(c)(5) should have been written more explicitly to distinguish between newly hired staff (who would need the bachelor's degree) and staff hired prior to 2011-12, who could participate in annual professional development if they did not hold a bachelor's degree.

Recommendation

No change is recommended in response to this comment.

Comment

The same writer posed questions regarding the bachelor's degree requirement in Section 425.30(c)(5). She wondered if the requirement were absolute or whether it could be 'strongly encouraged' via rules; if the bachelor's degree could be obtained in any subject (citing teachers in religious schools who may hold degrees from seminaries and yeshivas both in the United States and abroad); if teachers of elective classes would also need to have the degree; and whether substitute teachers or Title I teachers who provide tutoring services to students would also be required to hold the degree.

Another commenter noted that from her own experience with religious schools, teachers were sometimes hired with bachelor's degrees or divinity degrees from outside the United States. She asked whether, in such cases, the degrees would be accepted for purposes of Section 425.30(c)(5).

Another writer noted that Section 425.30(c)(5) as written would require individuals in all professional positions (including those not involved with teaching or school administration) to hold bachelor's degrees after the beginning of the 2011-12 school year. This condition was described as unnecessarily restrictive in such instances.

Analysis

The requirement for a bachelor's degree will be binding on all those staff members in teaching and administrative positions hired after the beginning of the 2011-12 school year. The bachelor's degree may be held in any subject. Teachers hired with degrees from other countries comparable in length and scope of program to a bachelor's degree obtained in an American university or community college will be eligible to be hired.

Staff would agree with that substitute teaching positions and Title I positions can be exempted from this provision. Staff also agree that the language in Section 425.30(c)(5) can be more narrowly focused on positions that will require a bachelor's degree.

Recommendation

Section 425.30(c)(5) should be amended as follows:

- 5) Each individual first assigned to a full-time, teaching or administrative ~~particular professional~~ position at or after the beginning of the 2011-12 school year shall hold a bachelor's or higher degree.

Section 425.30(c)(6) should be amended as follows:

- 6) Each individual first assigned to a full-time teaching or administrative ~~particular professional~~ position prior to the beginning of the 2011-12 school year who does not hold a bachelor's or higher degree shall participate annually in professional development that is demonstrably designed to strengthen his or her knowledge and skills in areas directly related to job duties (e.g., content-area knowledge or pedagogy for teaching staff, and administration, supervision, evaluation, or school management for administrators).

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER I: NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

PART 425
VOLUNTARY REGISTRATION AND RECOGNITION OF NONPUBLIC SCHOOLS

Section	
425.10	Purpose and Applicability
425.20	Requirements for Registration
425.30	Requirements for Recognition
425.40	Process for Initial Recognition
425.50	Renewal of Recognition
425.60	Changes in Recognition Status
425.70	Appeals
425.80	Block Grant Funds

AUTHORITY: Implementing Sections 2-3.25o and 2-3.51.5 and authorized by Sections 2-3.6 and 2-3.51.5 of the School Code [105 ILCS 5/2-3.25o, 2-3.51.5, and 2-3.6].

SOURCE: Adopted at 33 Ill. Reg. _____, effective _____.

Section 425.10 Purpose and Applicability

Section 2-3.25o of the School Code [105 ILCS 5/2-3.25o] requires the State Board of Education to provide for the voluntary registration and recognition of nonpublic elementary and secondary schools, as defined in that Section. Further, Section 2-3.51.5 of the School Code [105 ILCS 5/2-3.51.5] makes State-recognized, nonpublic schools eligible to receive funds under the School Safety and Educational Improvement Block Grant Program under certain circumstances.

- a) The purpose of this Part is to set forth:
 - 1) the requirements and procedures for nonpublic schools' voluntary registration;
 - 2) the requirements and procedures for nonpublic schools' voluntary recognition; and

- 3) the requirements and procedures for nonpublic schools' receipt of funding under Section 2-3.51.5 of the School Code.
- b) This Part shall not apply to special education facilities under Section 14-7.02 of the School Code [105 ILCS 5/14-7.02]; see 23 Ill. Adm. Code 401.
- c) Nothing in this Part shall be construed as relieving a nonpublic school from the duty to comply with any other applicable State or federal law or regulatory requirement.

Section 425.20 Requirements for Registration

The State Superintendent of Education shall make available a form to be used for nonpublic schools' voluntary registration. A school's initial registration may occur at any time from October 1 through June 30 of the relevant school year. The application for renewal of a school's registration in any subsequent year must be submitted no sooner than October 1 and no later than December 31 of that school year. Initial registration of a school shall occur by means of a paper submission, while annual renewal of a school's registration shall be requested electronically. Each paper registration form shall bear the signature of the school's chief administrative officer. The required electronic format shall be submitted only by the authorized administrator.

- a) Descriptive information that must be submitted shall include:
 - 1) the name of the school, its location and telephone number, its affiliation, and the name of the chief administrator;
 - 2) data on the students enrolled, by race, ethnicity, and grade level; and
 - 3) data on the staff employed in various capacities.
- b) The chief administrator of each school shall provide assurances that:
 - 1) the school offers an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually;
 - 2) the school *provides instruction in English*, except as otherwise permitted pursuant to Section 27-2 of the School Code [105 ILCS 5/27-2], *in the*

branches of education taught to children of corresponding age and grade in the public schools (Section 26-1 of the School Code [105 ILCS 5/26-1]), *including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health* (Section 27-1 of the School Code [105 ILCS 5/27-1]);

- 3) the school requires the students who are enrolled to attend daily during the entire regular school term;
 - 4) the physical facilities occupied by the school comply with the applicable local building code and fire safety requirements;
 - 5) the school will require evidence that, and will furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and will cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively; and
 - 6) the school complies with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982).
- c) Upon receipt of complete information for initial registration, including the required assurances, the State Superintendent shall assign a unique identifying number to the school. This number shall be evidence of completed registration and shall permit the school's chief administrator to apply for a user account affording access to the Illinois Web Application Security (IWAS) System, which

the school may then use to exchange information with the State Superintendent of Education as relevant to its situation.

425.30 Requirements for Recognition

No nonpublic school shall apply for recognition until it has been registered for at least one full calendar year and unless it is registered for the current year, except that a school whose educational program is delivered via correspondence may seek recognition without registration, in acknowledgment of the fact that students participating in a school of this type do not gather in a physical location and thus the school does not provide assurances about their compliance with requirements for health examinations, as required for registration under Section 2-3.25o(b) of the School Code. Recognition shall be granted only to schools that meet the requirements of this Section.

a) **Administrative Requirements**

- 1) Each school's recognition shall be contingent upon evidence of compliance with the administrative requirements that are made applicable to nonpublic schools by relevant statutes.
 - A) The school shall offer an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually.
 - B) The school shall require the students who are enrolled to attend daily during the entire regular school term.
 - C) The school shall comply with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law including Plyler v. Doe, 457 U.S. 202, 102 S.Ct. 2382 (1982).

- D) The school shall comply with the requirements of Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4], Section 5 of the Missing Children Records Act [325 ILCS 50/5], Section 5 of the Missing Children Registration Law [325 ILCS 55/5], and the rules of the State Board of Education promulgated pursuant to Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a] (see 23 Ill. Adm. Code 375.75, Public and Nonpublic Schools: Transmission of Records for Transfer Students).
 - E) The school shall comply with the requirements of the School Reporting of Drug Violations Act [105 ILCS 127].
 - F) The school shall comply with the requirements of Sections 10-27.1A and 10-27.1B of the School Code [105 ILCS 5/27.1A and 27.1B] regarding firearms and drug-related incidents in schools.
 - G) The school shall comply with the requirements of Section 10-21.7 of the School Code [105 ILCS 5/10-21.7] regarding the reporting of attacks on school personnel.
- 2) Recognition shall also be contingent upon evidence of compliance with the additional administrative requirements of this subsection (a)(2).
- A) The school shall maintain written descriptions of its governance structure and its policy-making procedure, shall maintain its policies in written form, and shall make its policies routinely available to parents of the students enrolled and to school staff, as well as to other individuals upon request.
 - B) The school shall maintain a written description of its methods for complying with the nondiscrimination requirements identified in subsection (a)(1)(C) of this Section.
- b) Educational Program

Each school's recognition shall be contingent upon evidence of compliance with the programmatic requirements that are made applicable to nonpublic schools by relevant statutes.

- 1) *Instruction shall be provided in English, except as otherwise permitted pursuant to Section 27-2 of the School Code [105 ILCS 5/27-2], in the branches of education taught to children of corresponding age and grade in the public schools (Section 26-1 of the School Code), including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health (Section 27-1 of the School Code)*

 - 2) *Each school...shall provide instruction in American patriotism, the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag, and shall require pupils to recite the Pledge of Allegiance daily. (Sections 27-3 and 27-4 of the School Code [105 ILCS 5/27-3 and 27-4]) Not less than one hour per week, or the equivalent, shall be devoted to the study of this subject matter in the seventh and eighth grades or their equivalent and in all high school grades. No student shall receive a certificate of graduation from the eighth grade or from high school without passing an examination on these subjects. No student shall be graduated from the eighth grade unless he or she has received instruction in the history of the United States and has given evidence of a comprehensive knowledge of the subject. (Section 27-21 of the School Code [105 ILCS 5-27-21])*

 - 3) The school shall provide health education as required by the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
- c) Personnel Requirements
- 1) Each school's recognition shall be contingent upon evidence of compliance with the requirements of subsection (c-5) of Section 2-3.250 of the School Code.

 - 2) Each school shall require of each new employee evidence of freedom from communicable disease, including tuberculosis. This evidence shall consist of a tuberculin skin test and, if appropriate, an x-ray, made by a physician licensed in Illinois or any other state to practice medicine in all its branches, an advanced practice nurse who has a written collaborative

agreement with a collaborating physician that authorizes the nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician not more than 90 days preceding the date on which the report of the test results is presented to the school's chief administrator.

- 3) Each school's personnel policies shall require:
 - A) monitoring the performance of each employee who provides or assists with instruction or has other instructional responsibilities (e.g., teachers, teacher aides, administrators, department chairs) employee's performance; and
 - B) formal evaluation at least every two years in terms of proficiency and competency.
- 4) Students' needs for support services such as counseling and social work shall be evaluated when school staff believe consideration is needed, such as when there are changes in the student body or stresses within the surrounding community, and the school's staffing configuration shall reflect decision-making about how those needs should be addressed.
- 5) Each individual first assigned to a full-time, teaching or administrative ~~particular professional~~ position at or after the beginning of the 2011-12 school year shall hold a bachelor's or higher degree.
- 6) Each individual first assigned to a full-time teaching or administrative ~~particular professional~~ position prior to the beginning of the 2011-12 school year who does not hold a bachelor's or higher degree shall participate annually in professional development that is demonstrably designed to strengthen his or her knowledge and skills in areas directly related to job duties (e.g., content-area knowledge or pedagogy for teaching staff, and administration, supervision, evaluation, or school management for administrators).
- 7) Each individual employed in a field requiring licensure shall hold and practice within the scope of the relevant license.

d) Health and Safety

Each school's recognition shall be contingent upon evidence of compliance with the health and safety requirements that are made applicable to nonpublic schools by relevant statutes.

- 1) The physical facilities occupied by the school shall comply with the applicable local building code and fire safety requirements.
- 2) If the school provides food service, the nutrition program and the facilities used shall comply with the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.), the Child Nutrition Act of 1966 (42 USC 1771 et seq.), and the School Breakfast and Lunch Program Act [105 ILCS 125].
- 3) The school shall have a wellness policy on file that complies with the requirements of the Child Nutrition and WIC Reauthorization Act of 2004.
- 4) The school shall require evidence that, and shall furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and shall cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively.
- 5) The school shall comply with the requirements of the School Safety Drill Act [105 ILCS 128].
- 6) The school shall comply with the requirements of the Eye Protection in School Act [105 ILCS 115].
- 7) The school shall comply with the requirements of the Toxic Art Supplies in Schools Act [105 ILCS 135].
- 8) The school shall comply with the applicable requirements of the Asbestos Abatement Act [105 ILCS 105].

425.40 Process for Initial Recognition

A nonpublic school may choose whether to seek recognition under subsection (a) or subsection (b) of this Section. An application for initial recognition may be submitted at any time.

a) Direct Recognition

- 1) The chief administrator of a registered nonpublic school shall submit an application for recognition, using a format specified by the State Superintendent of Education. The application shall include summary information about the school, including but not limited to its educational program and its intended calendar for the upcoming school year, as well as a report of the most recent fire inspection conducted by or on behalf of the relevant local authority.
 - A) For each school whose geographic location falls within the jurisdiction of a code authority, a copy of a certificate of occupancy issued by that authority and valid for the upcoming school year shall be included with the application.
 - B) For each school not located within the jurisdiction of any code authority, the application shall include a letter provided by a design professional, indicating that that individual has evaluated the facility and found no condition that would constitute a threat to the health and safety of the occupants and no condition that would constitute an obvious violation of the building code incorporated at 23 Ill. Adm. Code 180.60.
 - C) For each school whose most recent fire inspection report is more than one year old, the application shall include a letter provided by either a design professional or an individual who meets the requirements of the rules of the Office of the State Fire Marshal at 41 Ill. Adm. Code 111.30 (General Requirements for a Qualified Fire Official), indicating that that individual has evaluated the facility and found no condition that would constitute a fire hazard.
 - D) A “design professional” is 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 implementing that Act (68 Ill. Adm. Code 1150) or an engineer licensed to practice in Illinois under the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325] and the applicable administrative rules of the Department of Financial and Professional Regulation (68 Ill. Adm. Code 1380).

- 2) Upon receipt of a complete application, the State Superintendent shall schedule a recognition visit and empanel a review team, whose members shall include at least a representative of the State Superintendent, a representative of a public educational entity such as a school district or regional office of education, and either a representative of a nonpublic school, other than the school whose recognition is being considered, or another individual who is familiar with the nonpublic educational milieu. The team shall visit the school to verify its compliance with the requirements of this Part. The chief administrator shall be notified in advance of the visit regarding the documentation that must be presented relative to each requirement of Section 425.30 of this Part.
 - 3) The team shall observe the operations of the school, review the required documentation, and prepare a report of its findings, including a recommendation regarding recognition of the school, for the consideration of the State Superintendent.
 - 4) Upon consideration of the evidence presented and the recommendations of the review team and relevant staff members, the State Superintendent shall recognize the school if it meets the requirements of Section 425.30 of this Part. If recognition is not granted, the State Superintendent's notice to the chief administrative officer shall identify the deficiencies leading to that determination and Section 425.70 of this Part shall apply.
- b) Recognition via External Accrediting Organizations
- 1) The State Superintendent of Education shall review the processes used by various accrediting organizations to identify those entities whose approval, recognition, or accreditation of schools is granted on the basis of compliance with at least the requirements of Section 425.30 of this Part. A nonpublic school shall receive State recognition upon presentation of evidence that it has received approval, recognition, or accreditation from

any of these entities. Probationary recognition shall be assigned if the accrediting body has assigned a comparable status to the school.

- 2) The State Superintendent shall maintain on the agency's web site a list of all entities whose determinations are accepted pursuant to subsection (b)(1) of this Section.
- c) Each school that is recognized shall receive a Certificate of Nonpublic School Recognition reflecting that status.
- d) Recognition shall be valid for one school year and shall be subject to renewal as provided in Section 425.50 of this Part.
- e) Recognition that is granted pursuant to this Part shall not be extended to any additional campus, site, or school, nor shall it affect students who are not in attendance at the site to which recognition was specifically granted.

425.50 Renewal of Recognition

- a) Cycle for On-Site Review
 - 1) Each school recognized pursuant to Section 425.40(a) of this Part shall be visited by a review team in preparation for every seventh year for which continued recognition is sought. On those occasions the team shall observe the school's operations, confirm compliance with applicable requirements and prepare a report as provided in Section 425.40 of this Part. When the school's application for renewal of its recognition is received, the State Superintendent shall consider the evidence presented and proceed as discussed in subsection (c) of this Section.
 - 2) Each school recognized pursuant to Section 425.40(b) of this Part shall be visited in keeping with the review cycle of the relevant accrediting organization. When the school's application for renewal of its recognition is received, the State Superintendent shall:
 - A) renew the school's recognition, if the accrediting organization has renewed the school's accreditation; or

B) assign another status as provided in subsection (c) of this Section, if the accrediting organization has not renewed the school's accreditation.

b) Renewal in Intervening Years

1) For each school year between on-site reviews, the chief administrator of a school recognized pursuant to Section 425.40(a) of this Part shall apply for renewal of the school's recognition by submitting, in an electronic format specified by the State Superintendent of Education, assurances that the school continues to comply with the requirements of this Part and that no significant changes have been made in its operations, its facilities, or its programs. If annual professional development is required for any staff member pursuant to Section 425.30(c)(6) of this Part, the school's chief administrator shall also submit a written plan for ensuring that the affected individuals complete relevant activities.

2) For each school year between on-site reviews, the chief administrator of a school recognized pursuant to Section 425.40(b) of this Part shall apply for renewal of the school's recognition by submitting evidence that the school's accreditation from the relevant organization is in effect for that school year.

c) Upon consideration of the application materials and the report and recommendation of the review team if a visit was conducted, the State Superintendent shall assign a recognition status to the school.

1) A school shall be fully recognized if it meets the requirements of this Part, including each school whose accreditation by the relevant organization is in effect for the school year in question.

2) A school shall be recognized pending further review if it exhibits areas of noncompliance that:

A) are not serious enough to warrant probation as delineated in subsection (c)(3) of this Section; and

B) can be corrected prior to the end of the school year following the school year in which they are identified.

- 3) A school shall be placed on probation if it:
 - A) exhibits deficiencies that present a health hazard or a danger to students or staff;
 - B) fails to offer required coursework;
 - C) employs personnel who lack the required qualifications;
 - D) fails or refuses to serve students according to relevant legal requirements cited in these rules; and/or
 - E) prolongs or repeats instances of noncompliance to a degree that indicates an intention not to comply with relevant requirements.
- d) When a school is recognized pending further review, the chief administrator may, within 30 days after receipt of notification to this effect, request a conference at which representatives of the school will have an opportunity to discuss compliance issues with representatives of the State Board of Education.
- e) When a school is placed on probation, the State Superintendent shall schedule a conference at which representatives of the school will discuss compliance issues with representatives of the State Board of Education, unless the chief administrator has appealed the school's status as provided in Section 425.80 of this Part. Within 60 days following a conference under this subsection (e), the school's chief administrator shall submit to the State Superintendent a plan for corrective action that conforms to the requirements of subsection (f) of this Section.
- f) The State Superintendent of Education shall respond to the submission of a plan within 15 days after receiving it. The State Superintendent shall approve a plan if it:
 - 1) specifies steps to be taken that are directly related to the areas of noncompliance cited;

- 2) provides evidence that the school has the resources and the ability to take the steps described without giving rise to other issues of compliance that would lead to probationary status; and
 - 3) specifies a timeline for correction of the cited deficiencies that is demonstrably linked to the factors leading to noncompliance and is no longer than needed to correct the identified problems.
- g) If a school's plan is not approvable under subsection (f) of this Section, the State Superintendent shall notify the chief administrator to this effect. If no plan is submitted, or if no approvable plan is received within 60 days after the conference with representatives of the State Board, the school's recognition shall be withdrawn, subject to appeal under Section 425.70 of this Part.
- h) If, at any time while a plan for corrective action is in effect, the State Superintendent determines that the agreed-upon actions are not being implemented in accordance with the plan or the underlying areas of noncompliance are not being remedied, the State Superintendent shall withdraw the school's recognition, subject to appeal under Section 425.70 of this Part.

425.60 Changes in Recognition Status

A school's recognition status may be changed by the State Superintendent of Education at any time to reflect information confirmed during compliance monitoring or by any other means, subject to the provisions of Section 425.70 of this Part. No school shall be nonrecognized without first having been placed on probation.

Section 425.70 Appeals

A chief administrator who wishes to appeal a school's placement on probation or nonrecognition shall submit to the State Superintendent of Education a written statement of appeal within 14 days after receiving notification of the recommended status.

- a) Within 30 days after receipt of the appeal, the State Superintendent or a designee shall convene a hearing to review all pertinent information, including the procedures that led to the recommended recognition status. Representatives of the affected school shall have an opportunity to present evidence demonstrating that the school complies with the requirements of this Part.

- b) No later than 30 days after the conclusion of the hearing, the State Superintendent shall inform the chief school administrator of the school's recognition status. The decision of the State Superintendent of Education shall be a final administrative decision, subject to the Administrative Review Law [735 ILCS 5/Art.III].

425.80 Block Grant Funds

Only schools recognized pursuant to this Part shall be eligible to receive school safety and educational improvement block grant funding under Section 2-3.51.5 of the School Code.

- a) In order to receive its proportionate share of these funds for a given school year, a school shall be required to submit, at the conclusion of the school year and in a format specified by the State Superintendent of Education:
 - 1) a final calendar demonstrating that the length of the school term conformed to the requirements of Section 425.30 of this Part; and
 - 2) month-by-month attendance information.
- b) The State Superintendent shall annually establish and publicize the timelines for the submission of this information.
- c) Each school shall maintain attendance records in an auditable format, i.e., one that shows that attendance was taken daily and supports the information transmitted to the State Superintendent.
- d) Each school shall prepare an annual expenditure report, in a format specified by the State Superintendent, relating to its use of block grant funds and make this report available to the State Superintendent upon request. Payments to a school whose use of block grant funds in a prior year is found not to have complied with the requirements of Section 2-3.51.5(1) of the School Code shall be reduced to reflect amounts expended for purposes not allowed under that Section, and the school shall be subject to potential additional consequences for noncompliance as set forth in Section 425.50 of this Part.
- e) Any school that, for two years in a row and in any combination, either fails to deliver the report required by Section 27-8.1 of the School Code to the State Superintendent of Education by November 15 or delivers a report that does not demonstrate that at least 90 percent of the pupils enrolled in the school have

complied with the requirements of that Section regarding immunizations and health examinations (other than dental and eye examinations) shall be issued a Notice of Non-Compliance. Unless, within seven school days after mailing of the notice, the school presents written evidence to the State Superintendent that it has delivered the report required by Section 27-8.1 and the report demonstrates compliance with that Section, the State Superintendent shall reduce by 10 percent the next payment of block grant funds under this Section, provided that all amounts withheld shall be restored to the school after compliance is documented.