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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or preemptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2016

Issue#	Rules Due Date	Date of Issue
1	December 21, 2015	January 4, 2016
2	December 28, 2015	January 8, 2016
3	January 4, 2016	January 15, 2016
4	January 11, 2016	January 22, 2016
5	January 19, 2016	January 29, 2016
6	January 25, 2016	February 5, 2016
7	February 1, 2016	February 16, 2016
8	February 8, 2016	February 19, 2016
9	February 16, 2016	February 26, 2016
10	February 22, 2016	March 4, 2016
11	February 29, 2016	March 11, 2016
12	March 7, 2016	March 18, 2016
13	March 14, 2016	March 25, 2016
14	March 21, 2016	April 1, 2016
15	March 28, 2016	April 8, 2016
16	April 4, 2016	April 15, 2016
17	April 11, 2016	April 22, 2016
18	April 18, 2016	April 29, 2016
19	April 25, 2016	May 6, 2016
20	May 2, 2016	May 13, 2016
21	May 9, 2016	May 20, 2016
22	May 16, 2016	May 27, 2016

23	May 23, 2016	June 3, 2016
24	May 31, 2016	June 10, 2016
25	June 6, 2016	June 17, 2016
26	June 13, 2016	June 24, 2016
27	June 20, 2016	July 1, 2016
28	June 27, 2016	July 8, 2016
29	July 5, 2016	July 15, 2016
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33	August 1, 2016	August 12, 2016
34	August 8, 2016	August 19, 2016
35	August 15, 2016	August 26, 2016
36	August 22, 2016	September 2, 2016
37	August 29, 2016	September 9, 2016
38	September 6, 2016	September 16, 2016
39	September 12, 2016	September 23, 2016
40	September 19, 2016	September 30, 2016
41	September 26, 2016	October 7, 2016
42	October 3, 2016	October 14, 2016
43	October 11, 2016	October 21, 2016
44	October 17, 2016	October 28, 2016
45	October 24, 2016	November 4, 2016
46	October 31, 2016	November 14, 2016
47	November 7, 2016	November 18, 2016
48	November 14, 2016	November 28, 2016
49	November 21, 2016	December 2, 2016
50	November 28, 2016	December 9, 2016
51	December 5, 2016	December 16, 2016
52	December 12, 2016	December 27, 2016
53	December 19, 2016	December 30, 2016

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Public Schools Evaluation, Recognition and Supervision
- 2) Code Citation: 23 Ill. Adm. Code 1
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
1.77	Amendment
1.79	New Section
1.700	New Section
1.Appendix D	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: School Report Card. New Section 1.79 responds to PA 97-671, effective January 24, 2012, and PA 98-648, effective July 1, 2014, which addressed the metrics and other features required under Section 10-17a of the School Code for the Illinois State School Report Card and individual school and district report cards. PA 97-671, in particular, substantially enhanced the school report card to include more detailed data about school characteristics and student demographics; curriculum information; student outcomes; student progress; and school environment.

Staff have been engaged in the redesign of the report card to incorporate the specific requirements of Section 10-17a of the School Code for the last couple of years. Proposed Section 1.79 complements the law by informing school districts of the various data elements and reporting deadlines pertinent to the information that must be reported. Promulgating these requirements in administrative rules ensures consistency in their application and comparability of data among school districts across the state.

Educator Licensure. Proposed Section 1.700 addresses concerns the field raised about whether individuals providing professional development for educators are eligible to have that work reported to the Illinois Teachers Retirement System (TRS). For many years, professional development provided by educators employed by school districts, regional offices of education (ROEs) or intermediate service centers (ISCs) has been considered work requiring educator licensure and therefore reportable to TRS. Given the current state of law and rules, however, it is not clear that educator licensure is required for employees of a district, ROE or ISC who provide professional development to educators. Section 1.700 will rectify that problem by clarifying that educator licensure is required for employees, employed on either a full- or part-time basis, of these entities who provide professional development to educator licensed employees.

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Illinois Learning Standards for the Fine Arts. In order to articulate the knowledge and skills that students should acquire as part of their schooling, the State Board of Education adopted the Illinois Learning Standards (ILS) in 1997. The standards address each of the fundamental learning areas of English language arts, mathematics, physical and social sciences, fine arts, and physical development and health. More recently, agency staff and educators recognized that the ILS no longer adequately addressed the knowledge and skills that students must have in order to be successful in college and their 21st century careers.

The ILS for the Fine Arts is the last learning area to be addressed as part of the goal to update the learning standards and make them more relevant. The Arts Alliance Illinois, in partnership with State Board staff, coordinated the work of an advisory committee, which used the National Core Arts Standards as the foundation for the proposed fine arts standards, adapting the national standards to the needs of Illinois students.

Briefly, the proposed standards for the fine arts are intended to reflect best practices and address the curricular areas of visual arts, music, theater, dance and media arts. Standards under each of these curricular areas emphasize learning through the artistic process instead of stressing only the artistic product developed by the student. Four artistic processes are addressed in the standards: creating, performing/producing/presenting, responding and connecting. Further, the standards are organized around both enduring understandings and essential questions to help both educators and students focus on the significant "big ideas" in the fine arts.

Under the changes proposed in Subpart D of Part 1, school districts will be required to align their fine arts curricula to the new standards by the 2017-18 school year. The delayed implementation date is due to State Board staff's recognition that high-quality professional development for school personnel will be a critical factor in school districts' ability to successfully implement the standards. The effective date of school year 2017-18 does not prevent school districts from implementing the standards immediately. It does, however, leave the current standards in place for those districts that need more time and technical assistance to align curriculum and instructional practices in ways that effectively incorporate the shift in focus that is inherent in the new fine arts standards.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No

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- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; see Section 1. Appendix D, standards for English language arts, mathematics and sciences.
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1.540	Amendment	39 Ill. Reg. 14480; November 6, 2015

- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a state mandate.

- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

Shelley Helton
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777-0001

217/782-5270
email: rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2015 and January 2016.

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NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1

PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

SUBPART A: RECOGNITION REQUIREMENTS

Section

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

SUBPART B: SCHOOL GOVERNANCE

Section

- 1.210 Approval of Providers of Training for School Board Members under Section 10-16a of the School Code
- 1.220 Duties of Superintendent (Repealed)
- 1.230 Board of Education and the School Code (Repealed)
- 1.240 Equal Opportunities for all Students

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NOTICE OF PROPOSED AMENDMENTS

- 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 Licensed Educators
- 1.330 Toxic Materials Training

SUBPART D: THE INSTRUCTIONAL PROGRAM

Section

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

SUBPART E: SUPPORT SERVICES

Section

- 1.510 Transportation

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- 1.515 Training of School Bus Driver Instructors
- 1.520 Home and Hospital Instruction
- 1.530 Health Services
- 1.540 Undesignated Epinephrine Auto-injectors

SUBPART F: STAFF LICENSURE REQUIREMENTS

Section

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

SUBPART G: STAFF QUALIFICATIONS

Section

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

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- 1.782 Requirements for Teachers of English as a Second Language in Prekindergarten, Kindergarten and any of Grades 1-12
- 1.783 Requirements for Administrators of Bilingual Education Programs
- 1.790 Substitute Teacher
- 1.APPENDIX A Professional Staff Educator Licensure
- 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, 2-3.44, 2-3.96, 2-3.159, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21B-5, 22-30, 22-60, 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, 2-3.44, 2-3.96, 2-3.159, 10-17a, 10-20.14, 10-22.43a, 14C-8, 21B-5, 22-30, 22-60, 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,

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2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1891, effective January 24, 2005; amended at 29 Ill. Reg. 11811, effective July 13, 2005; amended at 29 Ill. Reg. 12351, effective July 28, 2005; amended at 29 Ill. Reg. 15789, effective October 3, 2005; amended at 29 Ill. Reg. 19891, effective November 23, 2005; amended at 30 Ill. Reg. 8480, effective April 21, 2006; amended at 30 Ill. Reg. 16338, effective September 26, 2006; amended at 30 Ill. Reg. 17416, effective October 23, 2006; amended at 31 Ill. Reg. 5116, effective March 16, 2007; amended at 31 Ill. Reg. 7135, effective April 25, 2007; amended at 31 Ill. Reg. 9897, effective June 26, 2007; amended at 32 Ill. Reg. 10229, effective June 30, 2008; amended at 33 Ill. Reg. 5448, effective March 24, 2009; amended at 33 Ill. Reg. 15193, effective October 20, 2009; amended at 34 Ill. Reg. 2959, effective February 18, 2010; emergency amendment at 34 Ill. Reg. 9533, effective June 24, 2010, for a maximum of 150 days; amended at 34 Ill. Reg. 17411, effective October 28, 2010; amended at 35 Ill. Reg. 1056, effective January 3, 2011; amended at 35 Ill. Reg. 2230, effective January 20, 2011; amended at 35 Ill. Reg. 12328, effective July 6, 2011; amended at 35 Ill. Reg. 16743, effective September 29, 2011; amended at 36 Ill. Reg. 5580, effective March 20, 2012; amended at 36 Ill. Reg. 8303, effective May 21, 2012; amended at 38 Ill. Reg. 6127, effective February 27, 2014; amended at 38 Ill. Reg. 11203, effective May 6, 2014; amended at 39 Ill. Reg. 2773, effective February 9, 2015; emergency amendment at 39 Ill. Reg. 12369, effective August 20, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 13411, effective September 24, 2015; amended at 40 Ill. Reg. 1900, effective January 6, 2016; amended at 40 Ill. Reg. 2990, effective January 27, 2016; amended at 40 Ill. Reg. 2990, effective January 27, 2016; amended at 40 Ill. Reg. _____, effective _____.

SUBPART A: RECOGNITION REQUIREMENTS

Section 1.77 Educator Licensure Information System (ELIS)

Each school district shall ensure that information on the qualifications of its professional and paraprofessional staff is recorded on the electronic data system maintained by the State Board of Education so that the State Board may complete federally required reports and collect data for the school report card required by Section 10-17a of the School Code [105 ILCS 5/10-17a]. (See Section 1.79 of this Part.) A district that lacks the technological capacity to participate in this electronic system shall be given an opportunity to demonstrate to the State Superintendent that this is the case, and the State Superintendent shall make available an alternative means that the district shall use in transmitting the required information.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 1.79 School Report Card

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- a) Each school district shall annually submit, in an electronic format, the information and data required under Section 10-17a of the School Code [105 ILCS 5/10-17a] in accordance with the criteria set forth in this Section. (See <http://www.isbe.net/e-reportcard/default.htm>.)
- b) For the purpose of information required under Section 10-17a(2)(A) of the School Code:
- 1) Student data relative to race or ethnicity, low-income status, English learners and students with disabilities shall be entered into the SIS (see Section 1.75) by October 15 for enrollment and July 31 for the end-of-the-year enrollment.
 - 2) Data relative to average class and student mobility shall be entered into the electronic report card by June 30.
 - 3) Data relative to average teaching experience shall be calculated using data submitted to the Employment Information System (EIS) located in the Illinois State Board of Education Web-based Application Security System (IWAS) and from data collected by the Illinois Teachers Retirement System.
 - 4) Data relative to the per pupil operating expenditure of the school district and per pupil State operating expenditure shall be calculated through the Annual Financial Reports required under Section 3-15.1 of the School Code [105 ILCS 5/3-15.1] and submitted to regional superintendents of education by October 15.
- c) For the purpose of information required under Section 10-17a(2)(B) of the School Code:
- 1) Data relative to coursework (i.e., Advanced Placement, International Baccalaureate or other equivalent courses; dual enrollment; foreign language; electives; physical education and health; career and technical education) shall be entered into SIS by July 31. For the purposes of this subsection (c)(1):
 - A) "Equivalent" shall mean college coursework; and

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- B) Information regarding physical education coursework shall include the average number of days the course is offered per week per student.
- 2) Data relative to personnel resources shall be entered into ELIS for every individual holding an educator license in a teaching, school support personnel or administrative field.
- 3) Data relative to other school programs (i.e., before and after school; extracurricular; community partnerships; work-study; and programs for students who are gifted and talented or have disabilities) shall be entered into the electronic report card before October 31.
- d) For the purpose of information required under Section 10-17a(2)(C) of the School Code:
- 1) Data relative to the percentage of students deemed proficient on the State assessment required under Section 2-3.64a-5 of the School Code relative to the Illinois Learning Standards (see Appendix D) for English language arts and mathematics shall be the results provided to the State Board by the testing contractor.
- 2) Data relative to the percentage of students who, by grade 8, have passed Algebra I, as defined by the Illinois State Course System (see <http://www.isbe.net/ISCS/default.htm>), with a grade of D or better shall be entered into SIS by July 31.
- 3) Data relative to the percentage of high school graduates who are college ready and career ready, respectively, shall be the score determined to be "college ready and career ready" on an assessment identified for this purpose pursuant to Section 2-3.64a-5(c) of the School Code [105 ILCS 5/2-3.64a-5(c)].
- 4) Data relative to the percentage of high school graduates who are enrolled in postsecondary institutions and are taking a developmental course shall be obtained from the National Student Clearinghouse (see <http://www.studentclearinghouse.org/>).

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- e) For the purpose of information required under Section 10-17a(2)(D) of the School Code:
- 1) Data relative to academic progress of students in grade 9 shall be entered into SIS, using the Illinois State Course System, by July 31 and include an indication of whether a student passed or failed each course in which he or she was enrolled.
 - 2) Data relative to whether students entering kindergarten are ready shall be that information reported from the KIDS assessment (see Section 1.420(h)).
 - 3) Starting with the 2016 report card, data relative to academic growth shall be calculated by using a district's results from the State assessment received in the calendar year in which the school report card is published in comparison to the district's results received in the immediately preceding school year.
 - 4) Data relative to the percentage of students who enter grade 9 who are *on track for college and career readiness* (Section 10-17a(2)(D) of the School Code) shall be achievement of a Level 4 or a Level 5 on the State assessment in English language arts and mathematics administered in grade 8.
- f) For the purpose of information required under Section 10-17a(2)(E) of the School Code:
- 1) Data relative to chronic truants, as defined in Section 26-2a of the School Code [105 ILCS 5/26-2a], shall be entered into the electronic report card by June 20.
 - 2) Data relative to teacher absences, teacher retention and principal retention shall be entered into EIS by September 1.
 - 3) Data relative to school climate shall be reported by the State Board of Education using either the information supplied by the survey vendor or the information submitted pursuant to Section 1.97(g).

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- 4) Data relative to teacher performance evaluations conducted under Article 24A of the School Code [105 ILCS 5/Art. 24A] shall be collected beginning in school year 2016-17 and entered into ELIS by September 30.

(Source: Added at 40 Ill. Reg. _____, effective _____)

SUBPART G: STAFF QUALIFICATIONS

Section 1.700 Requirements for Staff Providing Professional Development

- a) Each individual who is employed by a school district, regional office of education or intermediate service center, either on a full-time or part-time basis, for the purposes of providing professional development to educator licensed employees shall hold either:
- 1) a professional educator license issued pursuant to 105 ILCS 5/21B-20(1) and 23 Ill. Adm. Code 25.25 (Requirements for the Professional Educator License); or
 - 2) an educator license with stipulations endorsed for career and technical educator issued pursuant to 105 ILCS 5/21B-20(2)(E) and 23 Ill. Adm. Code 25.70 (Endorsement for Career and Technical Educator).
- b) The requirements of this Section do not apply to individuals engaged by the district, ROE or ISC on a contractual basis to conduct workshops or who provide specific technical assistance or inservice training that is of a limited duration.

(Source: Added at 40 Ill. Reg. _____, effective _____)

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Section 1.APPENDIX D State Goals for Learning

The State Goals for Learning are broad statements of what students in kindergarten through grade 12 should know and be able to do as a result of their public education. The Illinois Learning Standards provide more specific definition of the essential knowledge and skills desired of Illinois students. The State Assessment and the Illinois Kindergarten Individual Development Survey are designed to measure students' mastery of the Illinois Learning Standards, so that a clear connection will emerge between students' learning and the goals and standards of the State of Illinois.

**ENGLISH LANGUAGE ARTS AND LITERACY IN HISTORY/SOCIAL STUDIES,
SCIENCE, AND TECHNICAL SUBJECTS**

There are no State Goals for Learning in this area. The applicable standards shall be the "Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects" (2010) published by the Common Core State Standards Initiative, National Governors Association, Hall of the States, 444 North Capitol Street, Suite 267, Washington DC 20001-1512 and posted at <http://www.corestandards.org/the-standards>. No later amendments to or editions of these standards are incorporated by this Section.

MATHEMATICS

There are no State Goals for Learning in this area. The applicable standards shall be the "Common Core State Standards for Mathematics" (2010) published by the Common Core State Standards Initiative, National Governors Association, Hall of the States, 444 North Capitol Street, Suite 267, Washington DC 20001-1512 and posted at <http://www.corestandards.org/the-standards>. No later amendments to or editions of these standards are incorporated by this Section.

SCIENCE

The science goals and standards set forth below shall be applicable through the 2015-16 school year. Beginning in the 2016-17 school year, there are no State Goals for Learning in this area and the applicable standards shall be the "Next Generation Science Standards" (2013) published by Achieve, Inc., 1400 16th Street NW, Suite 510, Washington DC 20036 and posted at <http://www.nextgenscience.org/>. No later amendments to or editions of these standards are incorporated by this Section.

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State Goal 11: Understand the processes of scientific inquiry and technological design to investigate questions, conduct experiments and solve problems.

Standards:

Know and apply the concepts, principles and processes of scientific inquiry.

Know and apply the concepts, principles and processes of technological design.

State Goal 12: Understand the fundamental concepts, principles and interconnections of the life, physical and earth/space sciences.

Standards:

Know and apply concepts that explain how living things function, adapt and change.

Know and apply concepts that describe how living things interact with each other and with their environment.

Know and apply concepts that describe properties of matter and energy and the interactions between them.

Know and apply concepts that describe force and motion and the principles that explain them.

Know and apply concepts that describe the features and processes of the Earth and its resources.

Know and apply concepts that explain the composition and structure of the universe and Earth's place in it.

State Goal 13: Understand the relationships among science, technology and society in historical and contemporary contexts.

Standards:

Know and apply the accepted practices of science.

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Know and apply concepts that describe the interaction between science, technology and society.

SOCIAL SCIENCE

Beginning in the 2017-18 school year, there are no State Goals for Learning in this area and the standards applicable to individual grade levels shall be in effect.

Through the 2016-17 School Year

State Goal 14: Understand political systems, with an emphasis on the United States.

Standards:

Understand and explain basic principles of the United States government.

Understand the structures and functions of the political systems of Illinois, the United States and other nations. (NOTE: Not applicable to kindergarten.)

Understand election processes and responsibilities of citizens.

Understand the roles and influences of individuals and interest groups in the political systems of Illinois, the United States and other nations.

Understand United States foreign policy as it relates to other nations and international issues. (NOTE: Not applicable to kindergarten.)

Understand the development of United States political ideas and traditions. (NOTE: Not applicable to kindergarten.)

State Goal 15: Understand economic systems, with an emphasis on the United States.

Standards:

Understand how different economic systems operate in the exchange, production, distribution and consumption of goods and services.

Understand that scarcity necessitates choices by consumers.

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Understand that scarcity necessitates choices by producers. (NOTE: Not applicable to kindergarten.)

Understand trade as an exchange of goods or services.

Understand the impact of government policies and decisions on production and consumption in the economy. (NOTE: Not applicable to kindergarten.)

State Goal 16: Understand events, trends, individuals and movements shaping the history of Illinois, the United States and other nations.

Standards:

Apply the skills of historical analysis and interpretation.

Understand the development of significant political events.

Understand the development of economic systems. (NOTE: Not applicable to kindergarten.)

Understand Illinois, United States and world social history. (NOTE: Not applicable to kindergarten.)

Understand Illinois, United States and world environmental history. (NOTE: Not applicable to kindergarten.)

State Goal 17: Understand world geography and the effects of geography on society, with an emphasis on the United States.

Standards:

Locate, describe and explain places, regions and features on the Earth.

Analyze and explain characteristics and interactions of the Earth's physical systems. (NOTE: Not applicable to kindergarten.)

Understand relationships between geographic factors and society.

Understand the historical significance of geography.

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State Goal 18: Understand social systems, with an emphasis on the United States.

Standards:

Compare characteristics of culture as reflected in language, literature, the arts, traditions and institutions.

Understand the roles and interactions of individuals and groups in society.

Understand how social systems form and develop over time. (NOTE: Not applicable to kindergarten.)

Standards Beginning in the 2017-18 School Year

The Social Science Standards consist of both inquiry standards and disciplinary standards. In implementing the Social Science Standards, the inquiry standards should be used simultaneously with the individual disciplinary standards to ensure both students' comprehension and application of the knowledge and skills acquired.

Inquiry Standards

Kindergarten and Grades 1 and 2

Create questions to help guide inquiry about a topic with guidance from adults and/or peers.

Explore facts from various sources that can be used to answer the developed questions.

Gather information from one or two sources with guidance and support from adults and/or peers.

Evaluate a source by distinguishing between fact and opinion.

Ask and answer questions about arguments and explanations.

Use listening, consensus-building and voting procedures to decide on and take action in the classroom.

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NOTICE OF PROPOSED AMENDMENTS

Grades 3-5

Develop essential questions and explain the importance of the questions to self and others.

Create supporting questions to help answer the essential questions in an inquiry.

Determine sources representing multiple points of view that will assist in answering the essential questions.

Gather relevant information and distinguish between fact and opinion to determine credibility of multiple sources.

Develop claims using evidence from multiple sources to answer essential questions.

Construct and critique arguments and explanations using reasoning, examples and details from multiple sources.

Identify a range of local problems and some ways in which people are trying to address these problems.

Use listening, consensus-building and voting procedures to decide on and take action in the classroom and school.

Grades 6-8

Create essential questions to help guide inquiry about a topic.

Ask essential and focusing questions that will lead to independent research.

Determine sources representing multiple points of view that will assist in organizing a research plan.

Determine the value of sources by evaluating their relevance and intended use.

Determine the credibility of sources based upon their origin, authority and context.

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NOTICE OF PROPOSED AMENDMENTS

Gather relevant information from credible sources and determine whether they support each other.

Appropriately cite all the sources used.

Identify evidence from multiple sources to support claims, noting any limitations of the evidence.

Develop claims and counterclaims while pointing out the strengths and limitations of both.

Construct arguments using claims and evidence from multiple sources, while acknowledging the arguments' strengths and limitations.

Construct explanations using reasoning, correct sequencing, examples and details, while acknowledging their strengths and weaknesses.

Present arguments and explanations that would appeal to audiences and venues outside of the classroom, using a variety of media.

Critique the structure and credibility of arguments and explanations (self and others).

Analyze how a problem can manifest itself and the challenges and opportunities faced by those trying to address it.

Assess individual and collective capacities to take action to address problems and identify potential outcomes.

Apply a range of deliberative and democratic procedures to make decisions and take action in schools and community contexts.

Grades 9-12

Address essential questions that reflect an enduring issue in the field.

Explain how supporting questions contribute to inquiry.

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NOTICE OF PROPOSED AMENDMENTS

Develop new supporting and essential questions through investigation, collaboration and using diverse sources.

Gather and evaluate information from multiple sources while considering the origin, credibility, point of view, authority, structure, context and corroborative value of the sources.

Identify evidence that draws information from multiple sources to revise or strengthen claims.

Construct and evaluate explanations and arguments using multiple sources and relevant, verified information.

Articulate explanations and arguments to a targeted audience in diverse settings.

Use interdisciplinary lenses to analyze the causes and effects of, and identify solutions to, local, regional or global concerns.

Use deliberative processes and apply democratic strategies and procedures to address local, regional or global concerns, and take action in or out of school.

Civics Standards

Kindergarten

Describe roles and responsibilities of people in authority.

Explain the need for and purposes of rules in various settings, inside and outside of the school.

Grade 1

Explain how all people, not just official leaders, play important roles in a community.

Identify and explain how rules function in various settings, inside and outside of the school.

Grade 2

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Explain what governments are and some of their functions (e.g., making and enforcing laws, protecting citizens, collecting taxes).

Describe how communities work to accomplish common tasks, establish responsibilities and fulfill roles of authority.

Grade 3

Describe ways in which interactions among families, workplaces, voluntary organizations and government benefit communities.

Explain how groups of people make rules to create responsibilities and protect freedoms.

Compare procedures for making decisions in the classroom, school and community.

Describe how people have tried to improve their communities over time.

Grade 4

Distinguish the responsibilities and powers of government at the local, State and national levels.

Explain how a democracy relies on people's responsible participation, and draw implications for how individuals should participate.

Identify core civic virtues, such as honesty, mutual respect, cooperation and attentiveness to multiple perspectives, and democratic principles, such as equality, freedom, liberty and respect for individual rights, that guide Illinois and the United States.

Explain how rules and laws change society and how people change rules and laws in Illinois.

Grade 5

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Distinguish the responsibilities and powers of government officials at various levels and branches of government and in different times and places.

Examine the origins and purposes of rules, laws and key U.S. constitutional provisions.

Compare the origins, functions and structure of different systems of government.

Explain how policies are developed to address public problems.

Grades 6-8

Identify roles played by citizens, for example, voters, jurors, taxpayers, military, protesters and officeholders.

Describe the origins, purposes and impact of constitutions, laws, treaties and international agreements.

Describe the roles of political, civil and economic organizations in shaping people's lives.

Explain the origins, functions and structure of government with reference to the U.S. Constitution, Illinois Constitution and other systems of government.

Evaluate the powers and responsibilities of citizens, political parties, interest groups and the media.

Analyze the powers and limits of governments, public officials and bureaucracies at different levels in the United States and other countries.

Compare the means by which individuals and groups change societies, promote the common good and protect rights.

Explain the connection between interests and perspectives, civic virtues and democratic principles when addressing issues in government and society.

Apply civic virtues and democratic principles in school and community settings.

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NOTICE OF PROPOSED AMENDMENTS

Compare the means by which individuals and groups change societies, promote the common good and protect rights.

Analyze ideas and principles contained in the founding documents of the United States and other countries, and explain how they influence the social and political system.

Compare the means by which individuals and groups change societies, promote the common good and protect rights.

Critique deliberative processes used by a wide variety of groups in various settings.

Determine whether specific rules and laws (both those that are in effect and proposed) resolve the problems they were meant to address.

Analyze the purposes, implementation and consequences of public policies in historic and contemporary settings.

Develop procedures for making decisions in historic and contemporary settings, such as the school, civil society, or local, state or national government.

Grades 9-12

Distinguish the rights, roles, powers and responsibilities of individuals and institutions in the political system.

Evaluate the opportunities and limitations of participation in elections, voting and the electoral process.

Analyze the impact of constitutions, laws and agreements on the maintenance of order, justice, equality and liberty.

Explain how the U.S. Constitution established a system of government that has powers, responsibilities and limits that have changed over time and are still contested while promoting the common good and protecting rights.

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NOTICE OF PROPOSED AMENDMENTS

Analyze the impact of personal interest and diverse perspectives on the application of civic dispositions, democratic principles, constitutional rights and human rights.

Describe how political parties, the media and public interest groups both influence and reflect social and political interests.

Describe the concepts and principles that are inherent to American constitutional democracy.

Analyze how individuals use and challenge laws to address a variety of public issues.

Evaluate public policies in terms of intended and unintended outcomes and related consequences.

Explain the role of compromise and deliberation in the legislative process.

Economic Standards

Kindergarten

Explain that choices are made because of scarcity (i.e., because individuals cannot have everything that they want).

Grade 1

Explain and give examples of when choices are made that something else is given up.

Describe the skills and knowledge required to produce certain goods and services.

Explain how people earn pay or income in exchange for work.

Grade 2

Demonstrate how our choices can affect ourselves and others in positive and negative ways.

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NOTICE OF PROPOSED AMENDMENTS

Explain the role of money in making exchange easier.

Compare the goods and services that people in the local community produce and those that are produced in other communities.

Explain that money can be saved or spent on goods and services.

Grade 3

Compare the goods and services that people in the local community produce and those that are produced in other communities.

Generate examples of the goods and services that governments provide.

Describe the role of banks and other financial institutions in an economy.

Explain that, when people borrow, they receive something of value now and agree to repay the lender over time.

Grade 4

Explain how profits reward and influence sellers.

Describe how goods and services are produced using human, natural and capital resources (e.g., tools, machines).

Analyze how spending choices are influenced by prices, as well as many other factors (e.g., advertising, peer pressure, options).

Explain that income can be saved, spent on goods and services, or used to pay taxes.

Grade 5

Analyze why and how individuals, businesses and nations around the world specialize and trade.

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NOTICE OF PROPOSED AMENDMENTS

Discover how positive incentives (e.g., sale prices, earning money) and negative consequences (e.g., library fines, parking tickets) influence behavior in the U.S. economy and around the world.

Determine the ways in which government pays for goods and services it provides.

Explain that interest is the price the borrower pays for using someone else's money.

Grades 6-8

Explain how economic decisions affect the well-being of individuals, businesses and society.

Explain how external benefits and costs influence choices.

Evaluate alternative approaches or solutions to current economic issues in terms of benefits and costs for different groups and society as a whole.

Analyze the role of innovation and entrepreneurship in a market economy.

Describe the roles of institutions, such as corporations, non-profit organizations and labor unions, in a market economy.

Explain how changes in supply and demand cause changes in prices and quantities of goods and services, labor, credit and foreign currencies.

Explain why standards of living increase as productivity improves.

Explain barriers to trade and how those barriers influence trade among nations.

Evaluate employment, unemployment, inflation, total production, income and economic growth data and how they affect different groups.

Analyze the relationship among skills, education, jobs and income.

Explain the roles and relationships among savers, borrowers, interest, time and the purposes for saving.

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NOTICE OF PROPOSED AMENDMENTS

Identify how people choose to buy goods and services while still maintaining a budget based on income, taxes, savings, and fixed and variable expenses.

Explain the correlation among investors, investment options (and associated risks) and income/wealth.

Describe the connection among credit, credit options, interest and credit history.

Analyze the relationship among financial risks and protection, insurance and costs.

Grades 9-12

Analyze how scarcity and incentives influence choices to consume or produce for different individuals and groups.

Use marginal benefits and marginal costs to propose a solution to an economic issue for an individual or community.

Evaluate how much competition exists within and among sellers and buyers in specific markets.

Evaluate the effectiveness of government policies to improve market outcomes, address inequality or reduce inefficiencies.

Analyze the ways in which competition and government regulation influence what is produced and distributed in a market system.

Use data and economic indicators to analyze past and current states of the economy and predict future trends.

Describe how government policies are influenced by and have an impact on a variety of stakeholders.

Analyze how advances in technology and investment in capital goods and human capital affect economic growth and standards of living.

Analyze the role of comparative advantage in global trade of goods and services.

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Explain how globalization trends and policies affect social, political and economic conditions in different nations.

Analyze the costs and benefits of various strategies to increase income.

Explain how to make informed financial decisions by collecting information, planning and budgeting.

Explain how time, interest rates and inflation influence saving patterns over a lifetime.

Analyze costs and benefits of different credit and payment options for goods and services, the role of lenders and interest.

Evaluate risks and rates of return of diversified investments.

Analyze the costs and benefits of insurance, including the influences of an individual's characteristics and behavior.

Geography Standards

Kindergarten

Explain how weather, climate and other environmental characteristics affect people's lives.

Identify and explain how people and goods move from place to place.

Grade 1

Construct and interpret maps and other representations to navigate a familiar place.

Grade 2

Construct and interpret maps and other graphic representations of both familiar and unfamiliar places.

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NOTICE OF PROPOSED AMENDMENTS

Identify some cultural and environmental characteristics of your community and compare to other places.

Explain how people in your community use local and distant environments to meet their daily needs.

Grade 3

Locate major landforms and bodies of water on a map or other representation.

Compare how people modify and adapt to the environment and culture in their community to other places.

Show how the consumption of products connects people to distant places.

Grade 4

Construct and interpret maps of Illinois and the United States using various media.

Analyze how the cultural and environmental characteristics of places in Illinois change over time.

Describe some of the current movements of goods, people, jobs or information to, from or within Illinois, and explain the reasons for the movements.

Grade 5

Investigate how the cultural and environmental characteristics of places within the United States change over time.

Describe how humans have utilized natural resources in the United States.

Compare the environmental characteristics of the United States to other world regions.

Analyze the effects of specific catastrophic and environmental events, as well as technological developments, that have affected the United States and compare those to other places.

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NOTICE OF PROPOSED AMENDMENTS

Grades 6-8

Use geographic representations (e.g., maps, photographs, satellite images) to explain relationships between the locations (places and regions) and changes in their environment.

Use mapping and graphing to represent and analyze spatial patterns of different environmental and cultural characteristics.

Construct different representations to explain the spatial patterns of cultural and environmental characteristics.

Explain how humans and their environment affect one another.

Compare and contrast the cultural and environmental characteristics of different places or regions.

Evaluate how cultural and economic decisions influence environments and the daily lives of people in both nearby and distant places.

Explain how environmental characteristics affect human migration and settlement.

Explain how changes in transportation and communication influence the spatial connections among human settlements and affect the spread of ideas and culture.

Evaluate the influences of long-term, human-induced environmental change on spatial patterns of conflict and cooperation.

Identify how cultural and environmental characteristics vary among regions of the world.

Explain how global changes in population distribution patterns affect changes in land use.

Analyze how the environmental characteristics of places and production of goods influence patterns of world trade.

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Grades 9-12

Use maps (created using geospatial and related technologies, if possible), satellite images and photographs to display and explain the spatial patterns of physical, cultural, political, economic and environmental characteristics.

Use self-collected or pre-existing data sets to generate spatial patterns at multiple scales that can be used to conduct analyses or to take civic action.

Analyze and explain how humans affect and interact with the environment and vice versa.

Evaluate how political and economic decisions have influenced cultural and environmental characteristics of various places and regions.

Analyze how human societies plan for and respond to the consequences of human-made and naturally occurring catastrophes and how these events affect trade, politics and migration.

Analyze how historical events and the diffusion of ideas, technologies and cultural practices have influenced migration patterns and the distribution of the human population.

Evaluate how economic activities and political decisions affect spatial patterns within and among urban, suburban and rural regions.

Evaluate how short- and long-term climate variability affects human migration and settlement patterns, resource use and land uses.

Describe and explain the characteristics that constitute a particular culture.

Explain how and why culture shapes worldview.

Explain how globalization affects the cultural, political, economic and environmental characteristics of a place or region.

Evaluate how competition for scarce natural resources contributes to conflict and cooperation within and among countries.

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History Standards

Kindergarten

Compare life in the past to life today.

Explain the significance of the national holidays of the United States, and the heroism and achievements of the people associated with them.

Grade 1

Create a chronological sequence of multiple events.

Describe individuals and groups who have shaped a significant historical change.

Compare perspectives of people in the past to those of people in the present.

Grade 2

Summarize changes that have occurred in the local community over time.

Compare individuals and groups who have shaped a significant historical change.

Explain how different kinds of historical sources, such as written documents, objects, artistic works and oral accounts, can be used to study the past.

Grade 3

Create and use a chronological sequence of events.

Describe how significant people, events and developments have shaped students' own community and region.

Identify artifacts and documents as either primary or secondary sources of historical data from which historical accounts are constructed.

Grade 4

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Explain connections among historical contexts and why individuals and groups differed in their perspectives during the same historical period.

Using artifacts and primary sources, investigate how individuals contributed to the founding and development of Illinois.

Explain probable causes and effects of events and developments in Illinois history.

Grade 5

Create and use a chronological sequence of related events to compare developments that happened at the same time.

Use information about a historical source, including the maker, date, place of origin, intended audience and purpose, to judge the extent to which the source is useful for studying a particular topic.

Explain probable causes and effects of events and developments in U.S. history.

Grades 6-8

Classify a series of historical events and developments as examples of change and/or continuity.

Analyze connections among events and developments in broader historical contexts.

Use questions generated about individuals and groups to analyze why they, and the developments they shaped, are seen as historically significant.

Explain how and why perspectives of people have changed over time.

Analyze multiple factors that influenced the perspectives of people during different historical eras.

Analyze how people's perspectives influenced what information is available in the historical sources they created.

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Classify the kinds of historical sources used in a secondary interpretation.

Detect possible limitations in the historical record based on evidence collected from different kinds of historical sources.

Analyze how people's perspectives influenced what information is available in the historical sources they created. Use other historical sources to infer a plausible maker, date, place of origin and intended audience for historical sources when this information is not easily identified.

Explain multiple causes and effects of historical events.

Compare the central historical arguments in secondary works across multiple media.

Organize applicable evidence into a coherent argument about the past.

Grades 9-12

Evaluate how historical developments were shaped by time and place, as well as broader historical contexts.

Analyze change and continuity within and across historical eras.

Evaluate the methods used by people and institutions to promote change.

Analyze how people and institutions have reacted to environmental, scientific and technological challenges.

Analyze the factors and historical context that influenced the perspectives of people during different historical eras.

Analyze the concept and pursuit of the "American Dream".

Identify the role of individuals, groups and institutions in people's struggle for safety, freedom, equality and justice.

Analyze key historical events and contributions of individuals through a variety of perspectives, including those of historically underrepresented groups.

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NOTICE OF PROPOSED AMENDMENTS

Analyze the relationship between historical sources and the secondary interpretations made from them.

Analyze the causes and effects of global conflicts and economic crises.

Analyze multiple and complex causes and effects of events in the past.

Analyze the geographic and cultural forces that have resulted in conflict and cooperation.

Standards for Anthropology, Psychology and Sociology Apply to Grades 9-12 Only

Anthropology Standards

Analyze the elements of culture and explain the factors that shape these elements differently around the world.

Explain how cultures develop and vary in response to their physical and social environment, including local, national, regional and global patterns.

Explain why anthropologists study culture from a holistic perspective.

Evaluate one's own cultural assumptions using anthropological concepts.

Apply anthropological concepts and anthropological knowledge to a variety of everyday, real-world situations.

Explain how local actions can have global consequences and how global patterns and processes can affect seemingly unrelated local actions.

Psychology Standards

Identify scientific methodologies utilized in psychological research.

Evaluate the conclusions made by psychological research, including ethical concerns.

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Understand a variety of psychological perspectives and apply their concepts and theoretical ideas to the investigation of similarities and differences in behavior and mental processes.

Analyze how biological, psychological and sociocultural factors and their interactions influence individuals' behavior and mental processes.

Evaluate the complexities of human thought and behavior, as well as the factors related to the individual differences among people.

Identify and apply psychological thinking to personal and societal experiences and issues.

Apply psychological knowledge to one's daily life.

Use appropriate psychological terminology with reference to psychologists and their experiments and theories in order to explain the possible causes of and impact on behavior and mental processes.

Sociology Standards

Identify and apply the sociological perspective and a variety of sociological theories.

Analyze the impact of social structure, including culture, institutions and societies.

Hypothesize how primary agents of socialization influence the individual.

Describe the impact of social relationships on the self, groups and socialization processes.

Explain the social construction of self and groups and their impact on the life changes of individuals.

Analyze the impact of stratification and inequality on groups and the individuals within them.

PHYSICAL DEVELOPMENT AND HEALTH

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

State Goal 19: Acquire movement and motor skills and understand concepts necessary to engage in moderate to vigorous physical activity.

Standards:

Demonstrate physical competency in a variety of motor skills and movement patterns.

Analyze various movement concepts and applications.

Demonstrate knowledge of rules, safety and strategies during physical activity.

State Goal 20: Achieve and maintain a health-enhancing level of physical fitness based upon continual self-assessment.

Standards:

Know and apply the principles and components of health-related and skill-related fitness as applied to learning and performance of physical activities.

Assess individual fitness levels.

Set goals based on fitness data and develop, implement and monitor an individual fitness improvement plan.

State Goal 21: Develop skills necessary to become a successful member of a team by working with others through physical activity.

Standards:

Demonstrate personal responsibility during group physical activities.

Demonstrate cooperative skills during structured group physical activity.

State Goal 22: Understand principles of health promotion and the prevention and treatment of illness and injury.

Standards:

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NOTICE OF PROPOSED AMENDMENTS

Explain the basic principles of health promotion, illness prevention and safety, including how to access valid information, products and services.

Describe and explain the factors that influence health among individuals, groups and communities.

Explain how the environment can affect health.

Describe how to advocate for the health of individuals, families and communities.

State Goal 23: Understand human body systems and factors that influence growth and development.

Standards:

Describe and explain the structure and functions of the human body systems and how they interrelate.

Explain the effects of health-related actions on the body systems.

Describe factors that affect growth and development.

Describe and explain the structures and functions of the brain and how they are affected by different types of physical activity and levels of fitness.

State Goal 24: Promote and enhance health and well-being through the use of effective communication and decision-making skills.

Standards:

Demonstrate procedures for communicating in positive ways, resolving differences and preventing conflict.

Apply decision-making skills related to the protection and promotion of individual, family and community health.

Demonstrate skills essential to enhancing health and avoiding dangerous situations.

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NOTICE OF PROPOSED AMENDMENTS

FINE ARTS

The fine arts goals and standards set forth below shall be applicable through the 2017-18 school year.

State Goal 25: Know the language of the arts.

Standards:

Understand the sensory elements, organizational principles and expressive qualities of the arts.

Understand the similarities, distinctions and connections in and among the arts.

State Goal 26: Through creating and performing, understand how works of art are produced.

Standards:

Understand processes, traditional tools and modern technologies used in the arts.

Apply skills and knowledge necessary to create and perform in one or more of the arts.

State Goal 27: Understand the role of the arts in civilizations, past and present.

Standards:

Analyze how the arts function in history, society and everyday life. (NOTE: Not applicable to kindergarten.)

Understand how the arts shape and reflect history, society and everyday life. (NOTE: Not applicable to kindergarten.)

Beginning in the 2018-19 school year, there are no State Goals for Learning in this area and the standards set forth below shall apply.

Discipline: Visual Arts

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Process: Creating – Investigate, Plan, Make

Anchor Standard 1: Generate and conceptualize artistic ideas and work.

Enduring Understandings

Creativity and innovative thinking are essential life skills that can be developed.

Artists and designers shape artistic investigations, following or breaking with traditions in pursuit of creative art-making goals.

Process: Creating – Investigate

Anchor Standard 2: Organize and develop artistic ideas and work.

Enduring Understandings

Artists and designers experiment with forms, structures, materials, concepts, media and art-making approaches.

Artists and designers balance experimentation and safety, freedom and responsibility while developing and creating artworks.

People create and interact with objects, places and design that define, shape, enhance and empower their lives.

Process: Creating – Reflect, Refine, Continue

Anchor Standard 3: Revise, refine and complete artistic work.

Enduring Understanding

Artists and designers develop excellence through practice and constructive critique, reflecting on, revising and refining work over time.

Process: Presenting – Select

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NOTICE OF PROPOSED AMENDMENTS

Anchor Standard 4: Select, analyze and interpret artistic work for presentation.

Enduring Understanding

Artists and other presenters consider various technologies, methods, venues and criteria when analyzing, selecting and curating objects, artifacts and artworks for preservation and presentation.

Process: Presenting – Analyze

Anchor Standard 5: Develop and refine artistic techniques and work for presentation.

Enduring Understanding

Artists, curators and others consider a variety of factors and methods, including evolving techniques, when preparing and refining artwork for display or when deciding if and how to preserve and protect artwork.

Process: Presenting – Share

Anchor Standard 6: Convey meaning through the presentation of artistic work.

Enduring Understanding

Objects, artifacts and artworks collected, preserved or presented by artists, museums or other venues communicate meaning and a record of social, cultural and political experiences, resulting in the cultivation of appreciation and understanding.

Process: Responding – Perceive

Anchor Standard 7: Perceive and analyze artistic work.

Enduring Understandings

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NOTICE OF PROPOSED AMENDMENTS

Individual aesthetic and empathic awareness developed through engagement with art can lead to understanding and appreciation of self, others, the natural world and constructed environments.

Visual imagery influences understanding of and responses to the world.

Process: Responding – Analyze

Anchor Standard 8: Construct meaningful interpretations of artistic work.

Enduring Understanding

People gain insights into meanings of artworks by engaging in the process of art criticism.

Process: Responding – Interpret

Anchor Standard 9: Apply criteria to evaluate artistic work.

Enduring Understanding

People evaluate art based on various criteria.

Process: Connecting – Synthesize

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Enduring Understanding

Through art-making, people make meaning by investigating and developing awareness of perceptions, knowledge and experiences.

Process: Connecting – Relate

Anchor Standard 11: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

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NOTICE OF PROPOSED AMENDMENTS

Enduring Understanding

People develop ideas and understandings of society, culture and history through their interactions with and analysis of art.

Discipline: Music

Process: Creating – Investigate, Plan, Make

Anchor Standard 1: Generate and conceptualize artistic ideas and work.

Enduring Understanding

The creative ideas, concepts and feelings that influence musicians' work emerge from a variety of sources.

Anchor Standard 2: Organize and develop artistic ideas and work.

Enduring Understanding

Creative choices are influenced by one's expertise, context and expressive intent.

Anchor Standard 3: Revise, refine and complete artistic work.

Enduring Understanding

People evaluate and refine their work through openness to new ideas, persistence and the application of the appropriate criteria.

Process: Performing

Anchor Standard 4: Select, analyze and interpret artistic work for presentation.

Enduring Understanding

Performers' interest in and knowledge of musical works, context for performance and understanding of their own musicianship influence the selection of repertoire.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Anchor Standard 5: Develop and refine artistic techniques and work for presentation.

Enduring Understanding

To express their musical idea, performers analyze, evaluate and refine their performance over time through openness to new ideas, persistence and the application of appropriate criteria.

Anchor Standard 6: Convey meaning through the presentation of artistic work.

Enduring Understanding

Performers judge performance based on criteria that vary across time, place and cultures. The context and how a work is presented influence the audience response.

Process: Responding

Anchor Standard 7: Perceive and analyze artistic work.

Enduring Understanding

Individuals choose music based on their interests, experiences, musical understanding and the musical work's purpose.

Anchor Standard 8: Construct meaningful interpretations of artistic work.

Enduring Understanding

Through their use of elements and structures of music, creators and performers provide clues to their expressive intent.

Anchor Standard 9: Apply criteria to evaluate artistic work.

Enduring Understanding

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NOTICE OF PROPOSED AMENDMENTS

The personal evaluation of musical works and performances is informed by analysis, interpretation, and teacher- or student-established criteria.

Process: Connecting

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Enduring Understanding

Performers connect their personal interests, experiences, ideas and knowledge to creating, performing and responding.

Anchor Standard 11: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

Enduring Understanding

Understanding connections to varied contexts and daily life enhances one's creating, performing and responding.

Discipline: Dance

Process: Creating – Explore

Anchor Standard 1: Generate and conceptualize artistic ideas and work.

Enduring Understanding

Choreographers use a variety of sources as inspiration and transform concepts and ideas into movement for artistic expression.

Process: Creating – Plan

Anchor Standard 2: Organize and develop artistic ideas and work.

Enduring Understanding

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The elements of dance, dance structures and choreographic devices serve as both a foundation and a departure point for choreographers.

Process: Creating – Revise

Anchor Standard 3: Revise, refine and complete artistic work.

Enduring Understanding

Choreographers analyze, evaluate, refine and document their work to communicate meaning.

Process: Performing – Express

Anchor Standard 4: Select, analyze and interpret artistic work for presentation.

Enduring Understanding

Body, space, time and energy are the basic elements of dance.

Process: Performing – Embody

Anchor Standard 5: Develop and refine artistic techniques and work for presentation.

Enduring Understanding

Dancers use the mind-body connection and develop the body as an instrument for artistry and artistic expression.

Process: Performing – Present

Anchor Standard 6: Convey meaning through the presentation of artistic work.

Enduring Understanding

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Dance performance is an interaction among choreographer, performer, production elements and audience that heightens and amplifies artistic intention.

Process: Responding – Analyze

Anchor Standard 7: Perceive and analyze artistic work.

Enduring Understanding

Dance is perceived and analyzed to comprehend its meaning.

Process: Responding – Interpret

Anchor Standard 8: Construct meaningful interpretations of artistic work.

Enduring Understanding

Dance is interpreted by considering intent, meaning and artistic expression as communicated through the use of the body, elements of dance, dance technique, dance structure and context.

Process: Responding – Critique

Anchor Standard 9: Apply criteria to evaluate artistic work.

Enduring Understanding

Criteria for evaluating dance vary across genres, styles and cultures.

Process: Connecting – Synthesize

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Enduring Understanding

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Personal experiences, knowledge and contexts are integrated and synthesized to interpret meaning in dance.

Process: Connecting – Relate

Anchor Standard 11: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

Enduring Understanding

Dance literacy includes deep knowledge and perspectives about societal, cultural, historical and community contexts.

Discipline: Theater

Process: Creating – Envision, Conceptualize

Anchor Standard 1: Generate and conceptualize artistic ideas and work.

Enduring Understanding

Theater artists rely on intuition, curiosity and critical inquiry.

Process: Creating – Develop

Anchor Standard 2: Organize and develop artistic ideas and work.

Enduring Understanding

Theater artists work to discover different ways of communicating meaning.

Process: Creating – Rehearse

Anchor Standard 3: Revise, refine and complete artistic work.

Enduring Understanding

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Theater artists refine their work and practice their craft through rehearsal.

Process: Performing – Select

Anchor Standard 4: Select, analyze and interpret artistic work for presentation.

Enduring Understanding

Theater artists make strong choices to convey meaning effectively.

Process: Performing – Prepare

Anchor Standard 5: Develop and refine artistic techniques and work for presentation.

Enduring Understanding

Theater artists develop personal processes and skills for a performance or design.

Process: Performing – Share, Present

Anchor Standard 6: Convey meaning through the presentation of artistic work.

Enduring Understanding

Theater artists share and present stories, ideas and envisioned worlds to explore human experience.

Process: Responding – Reflect

Anchor Standard 7: Perceive and analyze artistic work.

Enduring Understanding

Theater artists reflect to understand the impact of drama processes and theater experiences.

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Process: Responding – Interpret

Anchor Standard 8: Construct meaningful interpretations of artistic work.

Enduring Understanding

Theater artists' interpretations of drama/theater work are influenced by personal experiences and aesthetics.

Process: Responding – Evaluate

Anchor Standard 9: Apply criteria to evaluate artistic work.

Enduring Understanding

Theater artists apply criteria to investigate, explore and assess drama and theater work.

Process: Connecting – Empathize

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Enduring Understanding

Theater artists allow awareness of interrelationships between self and others to influence and inform their work.

Process: Connecting – Interrelate, Research

Anchor Standard 11: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

Enduring Understanding

Theater artists understand and can communicate their creative process as they analyze the way the world may be understood.

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Theater artists critically inquire into the ways others have thought about and created drama processes and productions to inform their own work.

Discipline: Media Arts

Process: Creating – Conceive

Anchor Standard 1: Generate and conceptualize artistic ideas and work.

Enduring Understanding

Media arts ideas, works and processes are shaped by the imagination, creative processes and experiences, both within and outside the arts.

Process: Creating – Develop

Anchor Standard 2: Organize and develop artistic ideas and work.

Enduring Understanding

Media artists plan, organize and develop creative ideas, plans and models into process structures that can effectively realize the artistic idea.

Process: Creating – Construct

Anchor Standard 3: Revise, refine and complete artistic work.

Enduring Understanding

Media artists develop excellence through practice and constructive critique, reflecting on, revising and refining work over time.

Process: Producing – Integrate

Anchor Standard 4: Select, analyze and interpret artistic work for presentation.

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Enduring Understanding

Media artists make choices about how and to whom their work is presented.

Process: Producing – Practice

Anchor Standard 5: Develop and refine artistic techniques and work for presentation.

Enduring Understanding

Media artists require a range of skills and abilities to creatively solve problems within and through media arts productions.

Process: Producing – Present

Anchor Standard 6: Convey meaning through the presentation of artistic work.

Enduring Understanding

Media artists purposefully present, share and distribute media artworks for various contexts.

Process: Responding – Perceive

Anchor Standard 7: Perceive and analyze artistic work.

Enduring Understanding

Media artworks can be appreciated and interpreted through analyzing their components.

Process: Responding – Interpret

Anchor Standard 8: Construct meaningful interpretations of artistic work.

Enduring Understanding

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Interpretation and appreciation require engagement with the content, form and context of media artworks.

Process: Responding – Evaluate

Anchor Standard 9: Apply criteria to evaluate artistic work.

Enduring Understanding

Skillful evaluation and critique are critical components of experiencing, appreciating and producing media artworks.

Process: Connecting – Synthesize

Anchor Standard 10: Synthesize and relate knowledge and personal experiences to make art.

Enduring Understanding

Personal and cultural experiences affect and are affected by how media artworks are made and interpreted.

Process: Connecting – Relate

Anchor Standard 11: Relate artistic ideas and works with societal, cultural and historical context to deepen understanding.

Enduring Understanding

Media artworks and ideas are better understood and produced by relating them to their purposes, values and various contexts.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Standards for Endorsements in Specific Teaching Fields
- 2) Code Citation: 23 Ill. Adm. Code 27
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
27.10	Amendment
27.350	Amendment
27.420	Amendment
27.425	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking incorporates standards to which bilingual education and English as a second language (ESL) programs must align and candidates in these teaching fields must meet in order to receive the applicable endorsement. The standards were developed by the Illinois Advisory Committee on Preservice Standards for Teachers of English as a Second Language, Bilingual and General Education. The committee, formed in 2013, worked in collaboration with the Midwest Comprehensive Center to review three sets of national standards, one of which (i.e., the standards of the Teachers of English to Speakers of Other Languages (TESOL)) eventually became the framework for the committee's work on revising the standards set forth in Section 27.420, English as a New Language. In December 2014, the committee submitted its report to the State Board of Education.

The standards proposed in new Section 27.425 address both the knowledge and skills for ESL and bilingual education teachers. The standards are divided into five domains: language and literacy, culture, instruction, assessment and professionalism. The development and review of the proposed standards was guided by the intention of providing an emphasis on the instructional needs of English learners (ELs) and reducing redundancy, balancing standards across domains, avoiding prescription of a specific theory or approach, and being clear and understandable.

The standards are presented in two subsections. Subsection (a) applies to both ESL and bilingual education teachers, while subsection (b) addresses those additional skills needed to provide bilingual instruction (i.e., in the student's primary language), including knowledge about and competency in both the EL's primary language and English. The proposed rulemaking does not address general education, however, since the committee, due to time constraints and lack of consensus, chose not to present recommendations for content-area teachers or professional development.

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- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

Shelley Helton
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777-0001

217/782-5270
rules@isbe.net
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) This rulemaking was not included on either of the 2 most recent Agendas because: The decision to go forward with the rulemaking was made after publication of the January 2016 agenda.

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The full text of the Proposed Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 27

STANDARDS FOR ENDORSEMENTS IN SPECIFIC TEACHING FIELDS

SUBPART A: GENERAL

Section

27.10 Purpose and Effective Dates

SUBPART B: FUNDAMENTAL LEARNING AREAS

Section

27.100 English Language Arts
27.110 Reading
27.120 Reading Specialist
27.130 Mathematics
27.140 Science – A Common Core of Standards
27.150 Biology
27.160 Chemistry
27.170 Earth and Space Science
27.180 Environmental Science
27.190 Physics
27.200 Social Science – A Common Core of Standards
27.210 Economics
27.220 Geography
27.230 History
27.240 Political Science
27.250 Psychology
27.260 Sociology and Anthropology
27.270 Physical Education
27.280 Health Education
27.300 Dance
27.310 Drama/Theatre Arts
27.320 Music
27.330 Visual Arts
27.340 Foreign Language
27.350 General Curricular Standards for Special Education Teachers

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SUBPART C: ADDITIONAL TEACHING FIELDS

Section	
27.400	Agricultural Education
27.410	Business, Marketing, and Computer Education
27.420	English as a New Language (ENL) (Through August 31, 2018)
27.425	English as a Second Language (ESL) and Bilingual Education (Beginning September 1, 2018)
27.430	Family and Consumer Sciences
27.440	Health Careers
27.450	Library Information Specialist
27.460	Technology Education
27.470	Technology Specialist
27.480	Work-Based Learning Teacher/Coordinator
27.490	Gifted Education Teacher
27.495	Gifted Education Specialist

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

SOURCE: Adopted at 26 Ill. Reg. 6293, effective April 22, 2002; amended at 27 Ill. Reg. 18586, effective December 1, 2003; amended at 28 Ill. Reg. 4553, effective February 24, 2004; amended at 28 Ill. Reg. 7002, effective April 29, 2004; amended at 37 Ill. Reg. 16764, effective October 7, 2013; amended at 40 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 27.10 Purpose and Effective Dates

This Part establishes the standards that, together with the standards set forth in Standards for All Illinois Teachers (see 23 Ill. Adm. Code 24), shall apply to the issuance of endorsements in specific teaching fields on a professional educator license pursuant to Article 21B of the School Code [105 ILCS 5/Art. 21B]. The standards set forth in this Part shall apply both to candidates for the respective endorsements and to the programs that prepare them.

- a) Except as provided in Section 27.350 [and Section 27.425 of this Part](#), beginning July 1, 2003, approval of any teacher preparation program or course of study in any field covered by this Part pursuant to the State Board's rules for Educator Licensure (23 Ill. Adm. Code 25, Subpart C) shall be based on the congruence of

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that program's or course's content with the standards identified in this Part.

- b) Except as provided in Section 27.350 ~~and Section 27.425 of this Part~~, beginning on July 1, 2004, the examinations required for issuance of an endorsement in any field covered by this Part shall be based on the relevant standards set forth in this Part.
- c) On or before February 1, 2018, the standards set forth in Sections 27.100 and 27.130 will be replaced by the standards set forth in Part 21 (Standards for Endorsements in the Middle Grades) both for the approval of any teacher preparation program or course of study in the middle grades and the basis of the examinations required for issuance of an endorsement for teaching literacy (e.g., English language arts) or mathematics in the middle grades.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART B: FUNDAMENTAL LEARNING AREAS

Section 27.350 General Curricular Standards for Special Education Teachers

This Section establishes standards relative to the general curriculum that shall apply to the issuance of special education teaching endorsements pursuant to Article ~~21B24~~ of the School Code [105 ILCS 5/Art. ~~21B24~~]. The standards set forth in this Part shall apply both to candidates for the respective endorsements and to the programs that prepare them. Beginning July 1, 2005, approval of any teacher preparation program in special education shall be based on the congruence of that program's or course's content with the standards identified in this Section, and beginning on October 1, 2006, the ~~examination~~ ~~examination(s)~~ required for issuance of a special education teaching ~~endorsement certificate~~ shall cover the standards included in this Section.

- a) **Mathematics**
The competent special education teacher demonstrates proficiency in the use of mathematics; understands, communicates, and connects the major concepts, procedures, and reasoning processes of mathematics that define number systems and number sense, geometry, measurement, statistics, probability and algebra; and promotes all students' ability to apply, interpret, and construct mathematical thinking skills in a variety of situations.
 - 1) Knowledge Indicators – The competent special education teacher:

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- A) understands various approaches used (estimation, mental mathematics, manipulative modeling, numerical/geometric/algebraic pattern recognition, and technology) to analyze mathematical ideas, solve problems, and investigate real-world situations.
 - B) understands approaches used (estimation, mental mathematics, manipulative modeling, numerical/geometric/algebraic pattern recognition, and technology) to interpret and communicate mathematical information, reasoning, concepts, applications, and procedures.
 - C) understands concepts of math including numeration, geometry, measurement, statistics/probability, and algebra.
- 2) Performance Indicators – The competent special education teacher:
- A) demonstrates proficiency in mathematics.
 - B) selects and uses a wide range of manipulatives, instructional resources, and technologies to support the learning of mathematics.
 - C) develops appropriate lesson plans that incorporate curriculum and instructional strategies with individualized education goals and benchmarks.
 - D) evaluates general curricula and determines the scope and sequence of the academic content area of mathematics.
 - E) utilizes resources and materials that are developmentally and functionally valid.
 - F) applies principles of instruction for generalized math skills to teaching domestic, community, school, recreational, or vocational skills that require mathematics.
 - G) plans and implements individualized, systematic instructional programs to teach priority mathematic skills.
 - H) incorporates the Illinois Learning Standards in areas of mathematics in the development of instruction and IEPs.

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- b) Reading
The competent special education teacher has a general understanding of reading and reading instruction and knows how to assess, teach, and support the education of students with disabilities.
- 1) Knowledge Indicators – The competent special education teacher:
 - A) knows theoretical models and philosophies of reading education and their relevance to instruction.
 - B) knows the scope and sequences for reading instruction at all developmental levels.
 - C) understands, respects, and values cultural, linguistic, and ethnic diversity and knows how these differences can influence learning to read.
 - D) understands the differences between reading skills and strategies and the role each plays in reading development.
 - E) knows a wide range of high-quality literature for students.
 - F) understands models of reading diagnosis that include students' proficiency with print conventions, word recognition and analysis, vocabulary, fluency, comprehension, self-monitoring, and motivation.
 - G) knows a wide variety of informal and formal assessments of reading, writing, spelling, and oral language.
 - H) is aware of a variety of individualized and group instructional interventions or programs for students with reading problems.
 - I) plans and models the use of comprehension strategies across content areas.
 - 2) Performance Indicators – The competent special education teacher:

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- A) adjusts reading instruction to meet the needs of diverse learners (e.g., gifted students, those for whom English is a second language, those with disabilities, and those who speak non-standard dialects).
 - B) locates, evaluates, and uses literature for readers of all abilities and ages.
 - C) uses various tools to estimate the readability of texts.
 - D) uses technology to support reading and writing instruction.
 - E) determines strengths and needs of individual students in the areas of reading, writing, and spelling.
 - F) determines students' reading levels (independent, instructional, frustrational).
 - G) gathers and interprets information for diagnosis of the reading problems of individual students.
 - H) develops individual educational plans for students with severe learning problems related to literacy.
 - I) interprets and explains diagnostic information for classroom teachers, families, and other specialists to use in planning instructional programs.
 - J) designs, implements, and evaluates appropriate reading programs for small groups and individuals.
 - K) incorporates the Illinois Learning Standards in areas of reading in the development of instruction and IEPs.
- c) Natural and Social Sciences
The competent special education teacher understands the fundamental concepts and principles related to the natural and social sciences.
- 1) Knowledge Indicators – The competent special education teacher:
 - A) understands scientific investigation and inquiry skills across the sciences to conduct experiments and solve problems.

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- B) understands principles and procedures, including safety practices, related to the design and implementation of scientific investigations and the application of inquiry skills and processes to develop explanations of natural phenomena.
 - C) understands the relationship among the social science disciplines.
 - D) understands that science is a process involving observation, inference, and experimentation.
 - E) understands the relationship between the social sciences and other learning areas.
- 2) Performance Indicators – The competent special education teacher:
- A) demonstrates and uses appropriate strategies to engage students in acquiring new knowledge through the use of scientific thinking and reasoning.
 - B) selects and uses a wide range of instructional resources, modes of inquiry, and technologies to support learning in the natural and social sciences.
 - C) develops appropriate lesson plans that incorporate curriculum and instructional strategies with individualized education goals and benchmarks.
 - D) models the rights and responsibilities of citizenship in a democratic society.
 - E) models and teaches the appropriate use of scientific methods (e.g., gathering, organizing, mapping, interpreting, and analyzing).
 - F) incorporates the Illinois Learning Standards in areas of natural and social science in the development of instruction and IEPs.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

SUBPART C: ADDITIONAL TEACHING FIELDS

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Section 27.420 English as a New Language (ENL) (Through August 31, 2018)

Beginning September 1, 2018, the provisions of this Section are replaced by Section 27.425 as the minimum requirements both for the approval of any teacher preparation program or course of study in English as a second language (ESL) or bilingual education and the basis of the examinations required for issuance of an endorsement in ESL or bilingual education. Further limitations on institutions submitting applications for approval of new ESL or bilingual education programs are described in Section 27.425. As used in this Section "ENL teacher" refers to bilingual education teachers and teachers of English as a second language.

- a) Content Knowledge – The competent ENL teacher has a comprehensive command of the language of instruction, subject matter, methods of inquiry, and structure of the ~~disciplines~~discipline(s) and creates learning experiences that make the content meaningful to all students while building on the students' linguistic and cultural diversity.
 - 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands the main concepts, assumptions, debates, principles, and theories central to the teaching of students for whom English is a new language.
 - B) understands how students' conceptual frameworks and previous experiences relate to a domain of knowledge and can influence their learning.
 - C) understands the relationship between content-area domains and instruction for ENL learners.
 - D) understands the process involved in second language acquisition and in learning content through a second language (ESL and bilingual teachers) and in learning content through a non-English language (bilingual teacher).
 - E) understands the relationship between proficiency in English and the non-English language to life and career applications.
 - F) understands the structure of the English language (ESL and bilingual teachers) and the structure of the non-English language (bilingual teachers).

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- 2) Performance Indicators – The competent ENL teacher:
 - A) evaluates teaching resources and curriculum materials for their comprehensibility, inclusivity, accuracy, and appropriateness for students for whom English is a new language.
 - B) uses differing viewpoints, theories, "ways of knowing," methods of inquiry, complexities of language, and choices of language (bilingual teacher) in teaching subject matter concepts.
 - C) engages students in generating and testing knowledge using a variety of methods that are appropriate for students for whom English is a new language.
 - D) designs learning experiences to promote students' skills in the use of appropriate technologies in all areas of study.
 - E) anticipates and adjusts instruction to facilitate optimal learning for all students, deliberately attempting to challenge all students and holding them to high expectations.
 - F) uses a variety of instructional strategies, including language scaffolding and various modalities of learning to help students develop in-depth conceptual understanding and applications of subject matter.
 - G) facilitates learning experiences that make connections to English, students' proficiency in two or more languages, other content areas, and life and career experiences.
 - H) considers the students' native language, prior knowledge, and educational background in the design, planning, and delivery of instruction for ENL learners.
 - I) facilitates students' transfer of knowledge and strategies from one language to another.
- b) Human Development – The competent ENL teacher understands how individuals grow, develop, and learn and provides effective learning opportunities that

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support the intellectual, social, linguistic, and personal development of all students.

- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands that students construct knowledge, acquire skills, and develop habits of mind through the use of their native language and through a second language.
 - B) understands that factors such as the students' cultures, socioeconomic status, previous experiences, and emotional and cognitive development can influence learning.
 - C) understands that human development, the neural system, and the range of individual variation within each domain are mediated by language and culture.
 - D) understands how the acculturation process affects students' development.
 - E) understands that educational systems vary and that differences in approaches to learning and performance interact with development.
 - F) understands how to include student development factors and the students' social, cultural, and educational backgrounds in order to make appropriate instructional decisions and promote a multicultural school climate.
- 2) Performance Indicators – The competent ENL teacher:
 - A) analyzes individual and group performance in order to design instruction that meets learners' current needs.
 - B) provides opportunities for students to reflect and build upon their prior knowledge to gain in-depth academic knowledge, concepts, skills, cultural competence and language proficiency in English and the non-English language.
 - C) introduces concepts and principles at different levels of competency, taking into consideration language and culture so that

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the concepts and principles are meaningful to students at their varying levels of development and need.

- D) incorporates students' home language and culture in the design, planning, and implementation of a multicultural school climate.
- c) Diversity – The competent ENL teacher understands how students differ in their approaches to learning based on their cultural backgrounds and individual experiences and creates instructional opportunities that are adapted to diverse learners.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands various disabilities as they may affect the learning of students from culturally diverse backgrounds.
 - B) understands how individual experiences, talents, prior knowledge, language, culture, and family and community values influence students' learning.
 - C) understands differences in approaches to learning and performance, including different learning styles, multiple intelligences, and performance modes.
 - D) understands cultural dynamics and community diversity through a well-grounded framework.
 - E) understands the process of acculturation and the instructional strategies that can be used to facilitate the learning of culture for all students.
 - 2) Performance Indicators – The competent ENL teacher:
 - A) creates a learning community in which individual and cultural differences are respected and celebrated.
 - B) uses multiple cultural perspectives and individual students' experiences to inform and enrich instruction.
 - C) makes appropriate provisions (in terms of time and circumstances

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for work, tasks assigned, communication, and response modes) for all students based on their individual learning differences or needs.

- D) seeks and uses information about students' families, culture, and communities as a basis for connecting instruction to students' experiences.
 - E) identifies when and how to access appropriate services or resources to assist students with exceptional learning needs.
 - F) uses strategies to mediate cross-cultural conflicts and teach collaborative skills to students.
 - G) evaluates and uses appropriate materials that feature multiple perspectives and authentic information and that are free of bias.
 - H) implements instructional experiences that facilitate students' adaptation to U.S. society while validating and maintaining the students' own cultures.
- d) Planning and Instruction – The competent ENL teacher understands instructional planning and designs instruction based upon knowledge of the discipline, educational materials, technology, diversity of the community, and curriculum goals.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands the Illinois Learning Standards (see 23 Ill. Adm. Code 1.Appendix D), curriculum development, subject-area content, learning theory, language acquisition, and student development and knows how to incorporate this knowledge in planning and instruction.
 - B) understands how to develop short- and long-range plans consistent with curriculum goals, learners' diversity (including linguistic and cultural aspects), and learning theory.
 - C) understands how to take into account the students' language proficiency, interests, and career needs in planning instruction.

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- D) understands when and how to adjust plans based on students' responses and other contingencies, such as prior content-area knowledge and level of English proficiency.
 - E) understands how to integrate technology into classroom instruction and student assessment.
 - F) understands how to review and evaluate instructional materials.
 - G) understands that a student's native language is a valuable tool for advancing learning.
 - H) understands how to use the student's native language to advance learning (bilingual teacher).
- 2) Performance Indicators – The competent ENL teacher:
- A) establishes high expectations for students' learning in content areas, in English (ESL and bilingual teacher) and in the non-English language (bilingual teacher).
 - B) applies principles of scope and sequence when planning curriculum and instruction.
 - C) creates short- and long-term plans to achieve expectations for student learning.
 - D) creates multiple learning activities that allow for variation in students' learning styles, performance modes, and levels of English language proficiency.
 - E) incorporates students' multicultural experiences into instructional practices that relate to the students' current life experiences and to future career and work experiences.
 - F) creates approaches to learning that are interdisciplinary and address various modalities of learning.
 - G) develops plans based on students' responses and provides for different pathways based on students' needs.

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- H) uses teaching resources and materials that are inclusive and non-biased and that have been evaluated for accuracy and usefulness.
 - I) accesses and uses a wide range of information, instructional technologies, and approaches in assessment and instruction.
 - J) creates the opportunity for meaningful communication that allows students to interact with subject matter while building proficiency in English (ESL and bilingual teachers) and the non-English language (bilingual teachers).
 - K) uses content as a means for language learning and language development.
 - L) creates real-world experiences for students.
 - M) provides meaningful classroom experiences that are developmentally appropriate for ENL students who have exceptional needs.
- e) Learning Environment – The competent ENL teacher understands the use of individual and group motivation and behavior to establish a caring, inclusive, safe, and linguistically and culturally rich community of learning.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands principles of and strategies for effective classroom management by minimizing inter- and intra-group friction and fostering understanding and respect among all cultural groups.
 - B) understands how individuals influence groups and how groups function in a multicultural environment.
 - C) understands how to help students work cooperatively and productively in groups so that all students feel empowered.
 - D) understands cultural and linguistic factors that influence motivation and engagement in the learning process to help students become self-motivated.

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- 2) Performance Indicators – The competent ENL teacher:
 - A) creates an atmosphere where students from linguistically and culturally diverse backgrounds feel welcomed, valued, respected, confident, and challenged.
 - B) uses strategies to create a smoothly functioning learning community in which culturally and linguistically diverse students assume responsibility for themselves and one another, participate in decision making, work collaboratively and independently, use appropriate technology, and engage in purposeful learning activities.
 - C) analyzes the classroom environment to enhance social relationships, students' motivation, mutual respect, cooperation, and support for students from linguistically and culturally diverse backgrounds.
 - D) organizes, allocates, and manages time, materials, and physical space in order to engage all students in productive tasks.
- f) Instructional Delivery – The competent ENL teacher understands and uses a variety of instructional strategies to encourage students' development of critical thinking, problem solving and performance skills in the learning of both content and languages.
 - 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands the cognitive processes associated with various kinds of learning and how these processes can be encouraged in students for whom English is a new language.
 - B) understands principles, advantages, and limitations of various instructional strategies as applied to all content areas and learning styles.
 - C) understands how to facilitate learning through the use of a wide variety of materials as well as human and technological resources for ENL students.

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- D) understands the disciplinary and interdisciplinary approaches to learning as applied to individual instruction and how they relate to life and career experiences for ENL students.
- 2) Performance Indicators – The competent ENL teacher:
- A) evaluates how to achieve learning goals and make instructional modifications to meet students' needs.
 - B) uses appropriate teaching and learning strategies in English (ESL and bilingual teacher) and the students' native language (bilingual teacher) to engage students in active learning opportunities that promote the development of critical thinking, problem solving, and performance capabilities that help students assume responsibility for identifying and using learning resources.
 - C) monitors and adjusts strategies in response to learners' feedback.
 - D) varies his/her role in the instructional process as instructor, facilitator, coach, or audience in relation to the content and purposes of instruction and the needs of students.
 - E) diversifies instruction to meet the needs of a culturally and linguistically diverse student body.
 - F) uses a wide range of appropriate technologies to enhance students' learning and to build students' competencies and confidence in the use of [thesesueh](#) devices.
 - G) develops curriculum that demonstrates an interconnection among subject areas, English proficiency, and students' bilingualism that reflects life and career possibilities.
- g) Communications – The competent ENL teacher uses knowledge of effective written, verbal, nonverbal, and visual communication techniques to foster active inquiry, collaboration and supportive interaction in the classroom.
- 1) Knowledge Indicators – The competent ENL teacher:

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- A) understands communication theory, language development and the role of language learning as it pertains to first and second language acquisition.
 - B) understands how cultural and gender differences can affect communication in the classroom.
 - C) understands the social, intellectual, and political implications of language use.
 - D) understands the importance of audience and purpose when selecting ways to communicate appropriately in both academic and social settings.
 - E) understands that literacy is a developmental process and a necessary aspect of first and second language learning.
 - F) understands approaches, methodologies, and strategies that promote first and second language acquisition.
 - G) understands that language acquisition is a constructive process and that language learning is an interactive process.
- 2) Performance Indicators – The competent ENL teacher:
- A) models accurate, effective communication when conveying ideas and information and when asking questions and responding to students in the language of instruction.
 - B) develops and effectively uses appropriate levels of instruction.
 - C) uses effective questioning techniques and stimulates discussion using the language of instruction for specific instructional purposes.
 - D) creates and modifies the learning environment to enable linguistically diverse students to use effective written, verbal, nonverbal, and visual communication in English (ESL and bilingual teacher) and the non-English language (bilingual teacher).

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- E) models culturally sensitive behavior when practicing effective listening, conflict resolution, and group-facilitation skills.
 - F) uses a variety of communicative tools to make language comprehensible and to lower anxiety when eliciting student expression.
 - G) provides learning experiences that use conventional and technological means of communication.
- h) Assessment – The competent ENL teacher understands various formal and informal assessment strategies and uses them to support the continuous development of all students.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands how to assess how well students are meeting the Illinois Learning Standards (see 23 Ill. Adm. Code 1. Appendix D).
 - B) understands the purposes, characteristics, and limitations of different kinds of assessments for students for whom English is a new language.
 - C) understands measurement theory and assessment-related issues such as validity, reliability, bias, and scoring.
 - D) understands how to use assessment results to reflect on and modify teaching.
 - E) understands how to select, construct, and use assessment strategies and instruments for diagnosis and evaluation of learning and instruction in English (ESL and bilingual teacher) and the non-English language (bilingual teacher).
 - 2) Performance Indicators – The competent ENL teacher:
 - A) appropriately uses assessment results to diagnose learning difficulties and design teaching strategies to meet the learning needs of students for whom English is a new language.

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- B) uses a variety of formal and informal assessments to evaluate the understanding, progress, and performance of the individual student and the class as a whole.
 - C) involves students in self-assessment activities to help them become aware of their strengths and needs and encourage them to establish goals for learning.
 - D) maintains useful and accurate records of students' work and performance and communicates students' progress knowledgeably and responsibly to students, parents, and colleagues.
 - E) uses appropriate technologies to monitor and assess students' progress.
 - F) involves students in appropriate instructional activities that allow for the assessment and development of social skills.
- i) Collaborative Relationships – The competent ENL teacher understands the role of the community in education and develops and maintains collaborative relationships with colleagues, parents/guardians, and the community to support students' learning and well-being.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands the community the school serves to better communicate with parents.
 - B) understands the benefits, barriers, and techniques involved in establishing and fostering relationships with parents/families.
 - C) understands school- and work-based learning environments and the need for collaboration with community businesses and agencies to promote cooperation among educational partners.
 - D) understands collaborative skills that are necessary to interact on behalf of students.
 - 2) Performance Indicators – The competent ENL teacher:

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- A) fosters collaboration with others who affect the ways the system meets students' needs.
 - B) creates forums and two-way communication vehicles to foster home and school links that build effective learning climates for ENL students and their families.
 - C) seeks opportunities and develops relationships with parents, guardians, and extended family to acquire an understanding of the students' lives and culture.
 - D) joins collaborative groups that form partnerships with local businesses and agencies to seek equitable learning opportunities for students.
 - E) uses a variety of means to communicate educational goals, standards, and implications of instructional activities and student assessment results to parents, students, colleagues, collaborative partners, and the educational community at large.
 - F) works with colleagues in an interdisciplinary manner to develop an integrative, pluralistic learning environment that values the background of all students.
- j) Reflection and Professional Growth – The competent ENL teacher is a reflective practitioner who continually evaluates how his/her choices and actions affect culturally and linguistically diverse students and their parents and therefore seeks opportunities to grow professionally from interactions with students, their parents and other professionals.
- 1) Knowledge Indicators – The competent ENL teacher:
 - A) understands that reflection is an integral part of professional growth and improvement of instruction.
 - B) understands how his/her own philosophy, culture, and experiences affect the instruction of culturally and linguistically diverse learners.

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- C) understands a variety of self-assessment strategies.
 - D) understands the research in the field of ESL and bilingual education on language learning and on the cognitive/academic development of ENL learners.
 - E) understands where to find resources for professional development in the field.
 - F) understands the need to continually analyze, evaluate, and use research-based best practices.
- 2) Performance Indicators – The competent ENL teacher:
- A) uses classroom observation, ~~ongoing~~ ~~going~~ assessment, pedagogical knowledge, and research as sources for reflection, evaluation, and revision of practice.
 - B) examines and evaluates his/her own strengths and weaknesses and employs that knowledge in planning for instruction.
 - C) analyzes varied perspectives and keeps abreast of significant developments and debates in the field of teaching ENL learners.
 - D) interacts with other professionals, explores new resources, studies the professional literature, participates in advanced educational programs, and contributes to the advancement of the profession of teaching ENL learners.
- k) Professional Conduct and Leadership – The competent ENL teacher understands education as a profession, maintains standards of professional conduct, and provides leadership to improve the learning and well-being of students for whom English is a new language.
- 1) Knowledge Indicators – The competent ENL teacher:
- A) understands the unique characteristics of the bilingual/ESL education profession and the ethical considerations that apply to educators.

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- B) understands the goals of diverse programs and services, how they are organized, and how they operate within the local school context for ENL students.
 - C) understands school and district policies and procedures for serving ENL students.
 - D) understands the Illinois mandate for assessing and providing services to ENL learners.
 - E) understands the importance of active participation and leadership in professional education organizations.
- 2) Performance Indicators – The competent ENL teacher:
- A) provides leadership to administrators and instructional staff on ways to meet the needs of ENL learners for academic success and comfort in their new educational and social setting.
 - B) espouses the value of multilingualism and serves as an advocate for the appropriate use of the non-English language in the school setting.
 - C) seeks to ensure that proper identification, assessment, placement, referral, and reclassification procedures are followed and that ENL students receive appropriate and equitable services and meaningful instruction.
 - D) advocates for equal access to extracurricular and enrichment activities for ENL learners and participates in and leads student organizations.
 - E) engages families of ENL learners in ways that enable and empower them to advocate on their own behalf.
 - F) reviews existing structures and policies; challenges ideas, requirements, and curricular assumptions that may inhibit effectiveness, equity, school quality, and learning; and initiates and develops curricular and staff development projects and programs that enhance learning for ENL students.

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- G) contributes knowledge and expertise about teaching ENL learners to the profession and actively influences norms in the school, encouraging collaboration and professionalism within a multicultural context.
- H) meets with local education agencies, professional organizations, and/or community organizations to advocate for ENL learners.
- I) follows codes of professional conduct, school policy, and procedures, respecting the boundaries of professional responsibilities when working with students, families, colleagues, and community organizations.

(Source: Amended at 40 Ill. Reg. _____, effective _____)

Section 27.425 English as a Second Language (ESL) and Bilingual Education (Beginning September 1, 2018)

No later than September 1, 2018, all approved teacher preparation programs that offer coursework and clinical experiences leading to the receipt of an ESL/bilingual education endorsement shall submit the course of study for ESL and/or bilingual education with evidence that the program's or course's content is congruent with the standards identified in this Section. An application for approval of a new preparation program or course of study submitted on or after September 1, 2018 shall provide evidence of congruence with the standards identified in this Section.

- a) The standards set forth in this subsection (a) shall apply to ESL.
 - 1) ESL Language and Literacy Domain
 - A) Language as a System – The competent ESL teacher:
 - i) demonstrates an understanding of social and academic language to support English Learners (ELs) in their acquisition of English language and literacy across the content areas.

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- ii) demonstrates understanding of language as a system, including phonology, morphology, semantics, syntax, discourse and pragmatics.
 - B) Language Acquisition and Development – The competent ESL teacher understands and applies theories and research in first and second language acquisition to support his or her ELs' English language and literacy development across content areas.
 - C) Language in Society – The competent ESL teacher is reflective and responsive regarding both his or her own beliefs and common assumptions about how policies and power shape and mutually interact with language use, attitudes and societal norms, and ultimately affect education for ELs.
- 2) ESL Culture Domain
- A) Culture Research and Theory – The competent ESL teacher demonstrates and applies knowledge of current research, principles and theories of culture applied to the context of teaching and learning.
 - B) Cultural Awareness – The competent ESL teacher demonstrates an awareness of and reflects on his or her personal beliefs, socioeconomic and cultural background, and intercultural experiences.
 - C) Cultural Responsive Instruction – The competent ESL teacher understands the differences between home and school cultures and builds connections between them by implementing culturally and linguistically responsive strategies to support student achievement.
 - D) Culture and Language – The competent ESL teacher continually learns about his or her students' languages and the language variations and builds instruction on the cultural assets and backgrounds that students bring from their homes and communities.
 - E) Effects of Discrimination – The competent ESL teacher demonstrates and applies knowledge about the negative effects of

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prejudice, stereotyping and discrimination on teaching and learning.

3) ESL Instruction Domain

A) Planning for Standards-based ESL and Content Instruction – The competent ESL teacher:

- i) demonstrates knowledge of and applies concepts, research and best practices to plan classroom instruction in a supportive learning environment for ELs.
- ii) demonstrates understanding of diverse international approaches to teaching language and content.
- iii) plans instruction for classrooms with students of various language proficiency levels and diverse cultural and academic backgrounds.
- iv) utilizes appropriate pedagogy to plan instruction for students.
- v) demonstrates how to access and incorporate students' prior knowledge and experiences, including students' primary language, for instructional purposes.

B) Implementing and Managing Standards-based ESL and Content – The competent ESL teacher:

- i) Implements a variety of second language teaching strategies and approaches (guided by national and state ESL language learning standards) for developing and integrating academic English language in the listening, speaking, reading and writing domains.
- ii) Understands and provides access to the core curriculum, including through the use of the student's primary language.

C) Using Resources Effectively in ESL Instruction – The competent ESL teacher:

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- i) Evaluates, selects and adapts a wide range of materials, resources and technologies that meet the content and language needs of ELs.
 - ii) Uses materials, methods and approaches that are culturally responsive, linguistically and academically rigorous, and developmentally appropriate, including the use of primary language resources.
- 4) ESL Assessment Domain
 - A) Issues of Assessment for ELs – The competent ESL teacher demonstrates knowledge and understanding of various assessment issues that affect ELs, such as accountability, reliability, validity, bias, special education testing, primary and target language proficiency, language supports, and accommodations in all assessment situations.
 - B) Language Proficiency Assessment – The competent ESL teacher demonstrates knowledge, understanding and application of a variety of language proficiency assessments to document students' language development, to inform teacher instruction, and to identify, place and reclassify ELs.
 - C) Content Subject and Classroom-based Assessments – The competent ESL teacher demonstrates knowledge, understanding and application of a variety of assessment tools and techniques that are valid and reliable for ELs in order to measure students' academic achievement, including accommodations for ELs' language proficiency levels, and inform teachers' content and language instruction in the classroom.
- 5) ESL Professionalism Domain
 - A) ESL Research and History – The competent ESL teacher:
 - i) demonstrates knowledge of history, research and current policies and practices in the field of EL education and applies this knowledge to meeting the needs of ELs.

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- A) demonstrates the ability to properly assess content instruction in the primary and target language in order to make appropriate instructional decisions.
 - B) demonstrates knowledge, understanding and application of a variety of assessment tools and techniques that are valid and reliable in the primary language of the student.
 - C) knows and understands research-based models of bilingual education and their features, including components, goals, benefits, limitations, and factors that determine the implementation of a particular bilingual program in a school or district.
 - D) is able to teach literacy in the primary language while developing the learner's literacy in the target language by making appropriate instructional modifications across the curricula.
 - E) demonstrates knowledge of selection of instructional materials for the bilingual classroom and ensures materials and resources are appropriate for the program model and local context.
- 3) Bilingual Assessment Domain
Issues of Assessment for ELs – The competent bilingual education teacher:
- A) demonstrates the ability to properly assess content instruction in the primary and target language in order to make appropriate instructional decisions.
 - B) demonstrates knowledge, understanding and application of a variety of assessment tools and techniques that are valid and reliable in the primary language of the student.

(Source: Added at 40 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Attorney General's Procurement
- 2) Code Citation: 44 Ill. Adm. Code 1300
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1300.10	Amendment
1300.15	Amendment
1300.1540	New Section
1300.2560	Amendment
1300.4015	Amendment
1300.4020	Amendment
1300.4025	Amendment
1300.4545	Amendment
1300.5037	Amendment
1300.5060	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 1-30(a) of the Illinois Procurement Code [30 ILCS 500/1-30(a)]
- 5) Effective Date of Rules: February 11, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules including any incorporated by reference is on file and is available for public inspection in the Attorney General's principal office in Chicago (12th Floor, James R. Thompson Center).
- 9) Notice of Proposal Published in the *Illinois Register*: 39 Ill. Reg. 13542; October 16, 2015
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: There are no differences between the proposal and the final version.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.

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- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendments update and clarify the Attorney General's Procurement rules to make them consistent with the amendments made to the Illinois Procurement Code [30 ILCS 500] by PA 98-1076, effective January 1, 2015.
- 16) Information and questions regarding these adopted rules shall be directed to:

Melissa Mahoney
Deputy Chief of Staff, Administration
Office of the Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601

312/814-3950

Rocco LaSalvia
Senior Operations Director
Office of the Attorney General
100 West Randolph, 11th Floor
Chicago IL 60601

312/814-3667

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, GRANTMAKING,
PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER XX: ATTORNEY GENERAL

PART 1300
ATTORNEY GENERAL'S PROCUREMENT

SUBPART A: GENERAL

Section	
1300.01	Title
1300.05	Policy
1300.08	Illinois Procurement Code
1300.10	Application
1300.15	Definitions of Terms Used in This Part
1300.25	Property Rights
1300.30	Contracts Necessary to Prepare for Anticipated Litigation

SUBPART B: PROCUREMENT RULES

Section	
1300.525	Procurement by DCMS Rules

SUBPART C: PROCUREMENT AUTHORITY

Section	
1300.1002	Conduct and Oversight of Procurements
1300.1010	Construction

SUBPART D: PUBLICIZING PROCUREMENT ACTIONS

Section	
1300.1510	Publicizing Procurement Actions
1300.1540	Method of Notices and Reports
1300.1560	Supplemental Notice
1300.1570	Error in Notice
1300.1580	Direct Solicitation

SUBPART E: SOURCE SELECTION AND CONTRACT FORMATION – GENERAL

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Section

- 1300.2005 General Provisions
- 1300.2010 Competitive Sealed Bidding
- 1300.2012 Multi-Step Sealed Bidding
- 1300.2015 Competitive Sealed Proposals
- 1300.2020 Small Purchases
- 1300.2025 Sole Source Procurement
- 1300.2030 Emergency Procurements
- 1300.2035 Competitive Selection Procedures for Professional and Artistic Services
- 1300.2036 Other Methods of Source Selection
- 1300.2037 Tie Bids and Proposals
- 1300.2038 Mistakes
- 1300.2040 Cancellation of Solicitations; Rejection of Bids or Proposals

SUBPART F: SUPPLIERS, PREQUALIFICATION AND RESPONSIBILITY

Section

- 1300.2043 Suppliers
- 1300.2044 Vendor List/Required Use
- 1300.2045 Prequalification
- 1300.2046 Responsibility

SUBPART G: BID, PROPOSAL AND PERFORMANCE SECURITY

Section

- 1300.2047 Security Requirements

SUBPART H: SPECIFICATIONS AND SAMPLES

Section

- 1300.2050 Specifications and Samples

SUBPART I: CONTRACT TYPE

Section

- 1300.2055 Types of Contracts

SUBPART J: DURATION OF CONTRACTS

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Section
1300.2060 Duration of Contracts – General

SUBPART K: CONTRACT MATTERS

Section
1300.2560 Prevailing Wage
1300.2580 Subcontractors

SUBPART L: CONTRACT PRICING

Section
1300.2800 All Costs Included

SUBPART N: REAL PROPERTY LEASES AND CAPITAL IMPROVEMENT LEASES

Section
1300.4005 Real Property Leases and Capital Improvement Leases
1300.4010 Renewal
1300.4015 Method of Source Selection
1300.4020 Request for Information and Review of Proposed Leases
1300.4025 Lease Requirements
1300.4045 Emergency Lease Requirements

SUBPART O: PREFERENCES

Section
1300.4505 Procurement Preferences
1300.4510 Resident Bidder Preference
1300.4530 Correctional Industries
1300.4535 Sheltered Workshops for the Disabled
1300.4540 Gas Mileage
1300.4545 Small Business

SUBPART P: ETHICS

Section
1300.5013 Conflicts of Interest
1300.5015 Negotiations for Future Employment
1300.5020 Exemptions

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1300.5030	Revolving Door
1300.5035	Disclosure of Financial Interests and Potential Conflicts of Interest
1300.5037	Vendor Registration, Certification and Prohibition on Political Contributions
1300.5039	Communications Related to Procurement
1300.5060	Voidable Contracts

SUBPART Q: CONCESSIONS

Section	
1300.5310	Concessions

SUBPART R: COMPLAINTS, PROTESTS AND REMEDIES

Section	
1300.5510	Complaints Against Vendors or Subcontractors
1300.5520	Suspension
1300.5530	Settlement and Resolution of Contract and Breach of Contract Controversies
1300.5540	Violation of Law or Rule
1300.5550	Protests
1300.5555	Hearings and Decisions

SUBPART S: SUPPLY MANAGEMENT AND DISPOSITIONS

Section	
1300.6010	Supply Management and Dispositions

SUBPART T: GOVERNMENTAL JOINT PURCHASING

Section	
1300.6500	General
1300.6510	OAG Use of Other Contracts
1300.6520	No Agency Relationship

SUBPART U: MISCELLANEOUS PROVISIONS OF GENERAL APPLICABILITY

Section	
1300.7000	Severability
1300.7010	Government Furnished Property
1300.7015	Inspections
1300.7020	Records and Audits

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1300.7025 Written Determinations
1300.7030 No Waiver of Sovereign Immunity

AUTHORITY: Implementing and authorized by Section 1-30(a) of the Illinois Procurement Code [30 ILCS 500/1-30(a)].

SOURCE: Adopted by emergency rule at 22 Ill. Reg. 12013, effective July 1, 1998, for a maximum of 150 days; adopted at 22 Ill. Reg. 15192, effective August 15, 1998; amended at 23 Ill. Reg. 8971, effective July 28, 1999; amended at 36 Ill. Reg. 11974, effective July 13, 2012; amended at 37 Ill. Reg. 19316, effective November 12, 2013; recodified Title heading at 39 Ill. Reg. 5903; amended at 40 Ill. Reg. 3401, effective February 11, 2016.

SUBPART A: GENERAL

Section 1300.10 Application

- a) The Code and this Part apply to those procurements for which bidders, offerors, potential contractors or ~~the~~ contractors were first solicited on or after July 1, 1998.
- b) Procurements for which bidders, offerors, potential contractors or contractors were first solicited on or before June 30, 1998, shall be conducted pursuant to legal requirements in effect at the time of the solicitation. The terms and conditions and the rights and obligations under contracts resulting from ~~thesesuch~~ procurements shall not be impaired.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

Section 1300.15 Definitions of Terms Used in This Part

As used throughout this Part, terms defined in the Illinois Procurement Code shall have the same meaning as in the Code and as further defined in this Section, and each term listed in this Section shall have the meaning set forth in this Section unless its use clearly requires a different meaning. Terms may be defined in particular Sections for use in that Section.

"Amendment" – A written unilateral or bilateral modification to a contract term, as permitted by the original contract. These modifications shall alter the performance and completion of the contract, including but not limited to such matters as extra work, ~~and~~ increases or decreases in quantities of goods not included within the scope of the original contract, and increases or decreases in the cost of the contract or the time for completion of the contract.

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"Award" – The selection of a vendor for a contract.

"Bid" – The *response submitted by a bidder in a competitive sealed bidding process, in response to an Invitation for Bids, or to a multi-step sealed bidding process [30 ILCS 500/1-15.01]*.

"Bidder" – Any person, other than an individual acting as a sole proprietor, who submits a bid. The terms "bidder" and "offeror" are used interchangeably for purposes of this Part.

"Bidder or Offeror Authorized to Transact Business or Conduct Affairs~~do Business~~ in Illinois" or "Qualified Bidder" – A person, other than an individual acting as a sole proprietor, that is a legal entity authorized to transact business or conduct affairs~~do business~~ in Illinois as evidenced by its registration with the Secretary of State Department of Business Services.

"Brand Name or Equal Specification" – A specification ~~that~~which uses one or more manufacturer's names or catalogue numbers to describe the standard of quality, performance, and other characteristics needed to meet State requirements, and ~~that~~which allows the submission of equivalent products.

"Brand Name Specification" – A specification limited to one or more items by manufacturers' names or catalogue numbers.

"Bulletin" – The Illinois Procurement Bulletin.

"Change Order" – A change order shall have the same meaning as an "amendment".

"Code" – The Illinois Procurement Code [30 ILCS 500].

"Concession" – The right or a lease to engage in a certain activity for profit on the lessor's premises (e.g., a refreshment or parking concession).

"Consulting Services" – Services provided by a business or person as an independent contractor to advise and assist the OAG in solving specific management or programmatic problems involving the organization, planning, direction, control or operations of the OAG. The services may or may not rise to the level of professional and artistic as defined in the Code and this Part.

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"Contract" – A contract may be in written or oral form. The term contract as used in the Code and this Part does not include: goods or services the terms governing which are established by tariff of the Illinois Commerce Commission or the Federal Communications Commission, bonds issued by or on behalf of any State agency, or contracts, other than for "concessions", ~~that where~~ the State agency signs, but has no financial obligation to the other parties.

"Contractor" or "Vendor" – A person or entity having a contract with the OAG. The terms "contractor" and "vendor" are used interchangeably for purposes of the Code and this Part.

"Day" – Calendar day. In computing any period of time, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a State holiday, in which event the period shall run to the end of the next business day.

"DCMS" or "CMS" – The Department of Central Management Services.

"Items" – Anything that may be procured under the Code or this Part.

"Invitation for Bids" or "IFB" – *the process by which a purchasing agent requests information from bidders, including all documents, whether attached or incorporated by reference, used for soliciting bids* [30 ILCS 500/1-15.45].

"Multi-Year Contract" – A multi-year contract is a contract with a performance term of more than 12 months.

"OAG" – The Office of the Attorney General.

"Offer" – a response submitted by an offeror in a competitive sealed proposal process or in response to a Request for Proposal [30 ILCS 500/1-15.51]. The terms "offer" and "proposal" are used interchangeably for purposes of this Part.

"Offeror" – A person who responds to an Invitation for Bids, Request for Proposals or other form of solicitation. The terms "offeror" and "bidder" are used interchangeably for purposes of this Part.

"Procurement Officer" – The Chief Procurement Officer (CPO) or appropriate

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State Purchasing Officer (SPO) who conducts a particular procurement, or a designee of either.

"Proposal" – The response to a Request for Proposals. The terms "proposal" and "offer" are used interchangeably for purposes of this Part.

"Protest Review Office" – The office address of the person designated in the solicitation documents to which protests must be directed. The person designated in the solicitation documents will respond to or coordinate the response to the protest.

"Purchase of Care" – *Purchase of care means a contract with a person for the furnishing of medical, educational, psychiatric, vocational, rehabilitative, social, or human services directly to a recipient of a State aid program.* [30 ILCS 500/1-15.68] Services provided to a recipient include those that are a necessary adjunct to the provision of the State aid program services (e.g., obtaining intake information prior to commencement of medical treatment). Services provided to an applicant for a State aid program necessary to determine eligibility for the program are included within this definition.

"Qualified Products List" – An approved list of supplies, services, or construction items described by model or catalogue numbers that, which, prior to competitive solicitation, the State has determined will meet the applicable specification requirements.

"Renewal" – An extension of an original contract with materially identical terms to the original contract.

"Request for Information" or "RFI" – The process by which the OAG requests information from offerors for OAG contracts for leases of real property or capital improvements.

"Request for Proposals" or "RFP" – The process by which the OAG requests information from offerors, including all documents, whether attached or incorporated by reference, used for soliciting proposals.

"Responsible Bidder", "Potential Contractor" or "Offeror" – A person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability that will assure good faith performance. A responsible bidder, potential contractor or offeror shall not include a business or other entity

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that does not exist as a legal entity at the time the bid or proposal was submitted in response to an OAG solicitation for OAG contract. The terms "responsible bidder", "potential contractor" and "offeror" are used interchangeably for purposes of this Part.

"Services" – *The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end product other than reports or supplies that are incidental to the required performance* [30 ILCS 500/1-15.90], and the financing thereof.

"Solicitation" – An Invitation for Bids, a Request for Proposals or other request to one or more vendors to respond to a procurement need expressed by the OAG.

"Specification" – Any description of the physical, functional, or performance characteristics, or of the nature of supply, service, or construction items. A specification includes, as appropriate, requirements for inspecting, testing, or preparing a supply, service, or construction item for delivery. Unless the context requires otherwise, the terms "specification" and "purchase description" are used interchangeably throughout this Part.

"Specification for a Common or General Use Item" – A specification that has been developed and approved for repeated use in procurements.

"Subcontract" – A contract between one person and another person who has or is seeking a contract subject to this Part~~the Code~~, pursuant to which the subcontractor provides to the contractor some or all of the goods, services, property, remuneration or other forms of consideration that are the subject of the primary contract and includes, among other things, subleases from a lessee of a State agency. A "subcontract" does not include purchases of goods or supplies that are incidental to the performance of a contract by a person who has a contract subject to this Part [30 ILCS 500/1-15.107].

"Subcontractor" – A person or entity that enters into a contractual agreement, for an amount greater than the small purchases limits set by Section 20-20 of the Code (or an amount set by rule pursuant to Section 20-20(c) of the Code) or Section 35-35 of the Code or Section 45 of the Architectural, Engineering and Land Surveying Qualifications Based Selection Act [30 ILCS 535/45], with a contractor who has or is seeking a contract subject to the Code and this Part, to provide the contractor with some or all of the goods, services, property, remuneration or other forms of consideration that are the contractor's contractual

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obligations. *A person or entity is not a "subcontractor" if that person only provides goods or supplies that are incidental to the performance of a contract by a person who has a contract subject to this Part [30 ILCS 500/1-15.108].*

"Unsolicited Offer" – Any offer other than one submitted in response to a solicitation.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

SUBPART D: PUBLICIZING PROCUREMENT ACTIONS

Section 1300.1540 Method of Notices and Reports

Notices and reports required under the Code or this Part may be made by either paper or electronic means.

(Source: Added at 40 Ill. Reg. 3401, effective February 11, 2016)

SUBPART K: CONTRACT MATTERS

Section 1300.2560 Prevailing Wage

- a) For the following classifications and if competition exists, no bidder, offeror, potential contractor or contractor will be awarded a contract unless its employees are paid wages and benefits and are working under conditions prevalent in the location where the work is to be performed.
 - 1) Public works
 - 2) Printing
 - 3) Janitorial cleaning, window washing, food and security guard services having a monthly contract price of \$200 or more or a yearly price of \$2,000 or more.
- b) Prevailing wage and conditions prevalent means the hourly wage rate, overtime, holiday pay, pension, welfare, premium differential, vacation pay and other benefits received by employees and the environmental conditions under which they work.

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- c) Prevailing wage rates, benefits and conditions will be those in effect on the first date of the contract, provided that if the rate changes during the contract term and the amount of change is known before execution of the contract, then the contract rate will vary in like amount. If the increase cannot be determined in advance, the contract will be increased by the amount of the rate change or the agency may cancel the contract. The amount that may vary includes all components of price that are dependent on the usage rate, provided that profit shall not increase due to prevailing wage increases. If the initial prevailing wage, etc., cannot be determined prior to execution, contracts may be entered into and will remain valid for the stated term.
- d) If a collective bargaining agreement is in effect governing the type of printing, janitorial cleaning, window washing, food or security guard service sought, that agreement will define minimum wages, benefits and conditions that must be paid in order for a bidder, offeror, potential contractor or contractor to be considered responsible.
- e) For Public Works, location means the county where the physical work upon public works is performed, except that if there is not available in the county a sufficient number of competent skilled laborers, workers and mechanics to construct the public works efficiently and properly, "locality" includes any other county nearest the one in which the work or construction is to be performed and from which such persons may be obtained in sufficient numbers to perform the work.
- f) For Printing Contracts, location means one of the following areas:
- 1) Cook County
 - 2) Boone, Bureau, Carroll, Champaign, DeKalb, DeWitt, DuPage, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Logan, Marshall, Mason, McDonough, McHenry, McLean, Mercer, Ogle, Peoria, Piatt, Putnam, Rock Island, Schuyler, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, Will, Winnebago, Woodford.
 - 3) Adams, Alexander, Bond, Brown, Calhoun, Cass, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macon, Macoupin,

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Madison, Marion, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Pike, Pope, Pulaski, Randolph, Richland, Saline, Sangamon, Scott, Shelby, St. Clair, Union, Wabash, Washington, Wayne, White, Williamson.

- 4) Where the printing is performed in a plant outside the jurisdiction of this State, it shall be deemed produced in the Illinois locality in which delivery of the printing ordered is required to be made. ~~When the~~ ~~Where such~~ printing is required to be delivered to more than one Illinois locality, ~~that such~~ printing shall be deemed produced in the Illinois locality to which the largest dollar volume of printing under the contract is to be delivered.
- g) For janitorial cleaning, window washing, food and security guard services, location means the county in which the work is to be performed.
- h) Prevailing wages, benefits and conditions will be determined by the Director of the Illinois Department of Labor.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

SUBPART N: REAL PROPERTY LEASES AND CAPITAL IMPROVEMENT LEASES

Section 1300.4015 Method of Source Selection

- a) Leases shall be procured by using a Request for Information process, except as provided in subsection (b).
- b) The RFI process is not required in the following circumstances.
 - 1) *Property of less than 10,000 square feet with rent of less than \$100,000 per year.*
 - 2) *Duration of less than one year that cannot be renewed.*
 - 3) *Specialized space available at only one location.*
 - 4) *Renewal or extension of leases provided that:*
 - A) *The CPO determines in writing that the renewal or extension is in the best interest of the OAG and the State;*

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- B) *The CPO submits the written determination and the renewal or extension to the OAG PPCMB;*
 - C) *The OAG PPCMB does not object in writing to the renewal or extension within 30 calendar days after its submission;*
 - D) *The CPO publishes notice of the renewal or extension in the Bulletin; and*
 - E) *The length of the lease, including renewals, does not exceed 10 years.*
- 5) *Leases with other governmental units may be negotiated without using the RFI process when deemed by the CPO to be in the best interest of the OAG and the State. [30 ILCS 500/40-15]*
- c) *Leases acquired under these exceptions shall be selected and entered into by negotiation. Written summaries of all negotiations shall be maintained in lease files.*

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

Section 1300.4020 Request for Information and Review of Proposed Leases

- a) An RFI will contain at a minimum the following information:
 - 1) A description of the general *type of property to be leased*;
 - 2) *The proposed use of the property*;
 - 3) The proposed term of the lease;
 - 4) The *preferred location of the property* [30 ILCS 500/40-20(b)];
 - 5) General information such as size of space, configuration desired and any other appropriate requirements;
 - 6) The address to which responses to the RFI may be sent; and

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- 7) The date on which responses are due.
- b) Notice of the RFI shall be:
 - 1) Published at least 14 days prior to the deadline for responding in both the Illinois Procurement Bulletin and a newspaper having general circulation in the area in which the space is being sought; and
 - 2) Of an appropriate size to draw attention and shall be placed in the legal advertisement section.
- c) The RFI response shall consist of *written confirmation sufficient to show that the respondent can meet the minimum criteria set forth in the RFI.* [30 ILCS 500/40-20(d)]
- d) All responses to the RFI will be publicly opened on the announced opening date. Names of all parties submitting proposals will be made available to the public.
- e) The SPO may conduct discussions with respondents of the RFI *for the purpose of clarifying the needs of the OAG and the information supplied by the respondents.* [30 ILCS 500/40-20(d)]
- f) On the basis of the responses to the RFI, the SPO *shall make a written determination of which RFI responses meet the minimum criteria set forth in the RFI.* [30 ILCS 500/40-20(d)]
- g) The SPO will enter into negotiations *with all qualified respondents for the purpose of securing a lease that is in the best interest of the State.* [30 ILCS 500/40-20(d)] A written record of all negotiations will be maintained by the Attorney General.
- h) The SPO shall review all relevant information and shall recommend to the CPO which proposal should be accepted. *The lease shall be reduced to writing.* [30 ILCS 500/40-20(d)]
- i) The OAG PPCMB *shall review any proposed lease of real property of more than 10,000 square feet or any proposed lease of real property with annual rent payments of \$100,000 or more. The OAG PPCMB shall have 30 calendar~~10~~ days to review a proposed lease.* No contract may be entered into until the 30~~10~~-day period has expired, unless the CPO requests in writing that the OAG PPCMB

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waive the period and the OAG PPCMB grants the waiver in writing. *If the OAG PPCMB does not object in writing within 30 calendar~~10~~ days, then the proposed lease shall become effective according to its terms as submitted.* [30 ILCS 500/40-20(e)]

- j) The CPO will make the final award, which will be announced in the Illinois Procurement Bulletin. The lease shall be executed by all parties. *One copy of the lease will be filed with the Comptroller.* [30 ILCS 500/40-20(d)]
- k) *Should the lowest response by price not be selected*, a written report of the negotiation shall be retained in the lease files and shall include the reasons for the final selection. *The CPO shall publish notice, along with the reasons for such selection, in the next available volume of the Illinois Procurement Bulletin.* [30 ILCS 500/40-20(d)]
- l) The CPO reserves the right to reject any and all proposals and to request and evaluate "best and final" proposals. All decisions on compliance, evaluations, terms and conditions shall be made solely at the CPO's discretion and made to favor the State.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

Section 1300.4025 Lease Requirements

- a) Length of Leases
 - 1) **Maximum Term.** Except when a longer term is authorized by law, *leases shall be for a term not to exceed 10 years inclusive of proposed contract renewals and shall include a termination option in favor of the OAG after 5 years.* [30 ILCS 500/40-25(a)]
 - 2) **Renewal Option.** *Leases may include a renewal option. An option to renew may be exercised only when the CPO determines in writing that renewal is in the best interest of the State and notice of the exercise of the option is published in the next available issue of the Illinois Procurement Bulletin.* [30 ILCS 500/40-25(b)]
 - 3) **Holdover.** *No lease may continue on a month-to-month or other holdover basis for a total of more than 6 months.* [30 ILCS 500/40-25(d)]

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- b) *Subject to Appropriation*
All leases shall recite that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the lease. [30 ILCS 500/40-25(c)]
- c) *Lessor's Failure to Make Improvements*
Each lease must provide for actual or liquidated damages ~~a penalty~~ upon the lessor's failure to make improvements agreed upon in the lease. The actual or liquidated damages ~~penalty~~ shall consist of a reduction in lease payments equal to the corresponding percentage of the improvement value to the lease value. The actual or liquidated damages ~~penalty~~ shall continue until the lessor complies with the lease and the improvements are accepted by the OAG. [30 ILCS 500/40-55]

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

SUBPART O: PREFERENCES

Section 1300.4545 Small Business

- a) **Set-Aside**
The CPO for DCMS may determine categories of goods or service procurements that will be set-aside for small business. The Procurement Officer may contact DCMS to determine whether a particular procurement has been set-aside for small business, and if so, the OAG may honor the set-aside to the extent practicable.
- b) **Small Business List**
The OAG may avail itself of the list of responsible vendors that meet the criteria of small business maintained by DCMS. A business that fits the definition of small on the day of bid or proposal opening will be considered small for the duration of the contract.
- c) **Required Use**
If the Procurement Officer wishes to make a procurement covered by a set-aside designation, the solicitation must note responses are limited to those from responsible small businesses. Bids or proposals received from large businesses will be rejected as nonresponsive.
- d) **Withdrawal of Set-Aside**
If the Procurement Officer determines that acceptance of the best bid or proposal will result in the payment of an unreasonable price, the Procurement Officer shall

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reject all bids or proposals and withdraw the designation of small business set-aside for the procurement in question. When a small business set-aside is withdrawn, notification shall be published in the Illinois Procurement Bulletin with an explanation. After withdrawal of the small business set-aside, the procurement shall be conducted in accordance with the limitations of the Code and this Part.

e) Criteria for Small Business

Unless the CPO provides a definition for a particular procurement that reflects industrial characteristics, a small business is one:

- 1) Independently owned and operated.
- 2) Not dominant in its field of operations. This means the business does not exercise a controlling or major influence in a kind of business activity in which a number of business concerns are primarily engaged. In determining dominance, consideration shall be given to all appropriate factors, including volume of business, number of employees, financial resources, competitive status or position, ownership or control of materials, processes, patents, license agreements, facilities, sales territory, and nature of business activity.
- 3) With annual sales for most recently ended fiscal year no greater than:
 - A) ~~\$13,000,000~~\$10,000,000 for wholesale business;
 - B) ~~\$14,000,000~~\$10,000,000 for construction business; or
 - C) ~~\$8,000,000~~\$6,000,000 for retail business.
- 4) With no more than 250 employees if a manufacturing business.
 - A) A manufacturing business shall calculate how many people it employs by determining its average full-time equivalent employment, based on the number of persons employed on a full-time, part-time, temporary or other basis for its most recently ended fiscal year.
 - B) If a manufacturing business has been in existence for less than a full fiscal year, its average employment should be calculated for

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the period through one month prior to the bid or proposal due date.

- 5) If the business is any combination of retailer, wholesaler or construction business, then the annual sales for each component may not exceed the amounts shown in subsection (e)(3). For example, a business that is both a retailer and a wholesaler may not have total sales exceeding \$16,000,000, the retail component may not exceed \$6,000,000 and the wholesale component may not exceed \$10,000,000. If the business is also a manufacturer, in addition to meeting the annual sales requirement, the number of manufacturing employees may not exceed the number shown in subsection (e)(4).
- 6) When computing the size status of a vendor, the number of employees and annual sales and receipts, as applicable, of the vendor and all affiliates shall be included. Concerns are affiliates when either one directly or indirectly controls or has the power to control the other, or when a third party or parties control or have the power to control both. In determining whether concerns are independently owned and operated and whether affiliation exists, consideration shall be given to all appropriate factors, including use of common facilities, common ownership and management and contractual arrangements. However, a franchise relationship shall not affect small business status if the franchise has the right to profit commensurate with ownership and bears the risk of loss or failure.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

SUBPART P: ETHICS

Section 1300.5037 Vendor Registration, Certification and Prohibition on Political Contributions

- a) Introduction
Illinois law [10 ILCS 5/9-35 and 30 ILCS 500/20-160 and 50-37] (the statutes) restricts political contributions by vendors and affiliated entities; requires registration with the State Board of Elections (SBEL); ~~requires a copy of the registration certificate stamped by SBEL (Registration Certificate) to be submitted with bids/proposals and contracts;~~ and requires solicitation and contract certifications relative to the requirements of the law. This Section supplements requirements found in the statutes and does not excuse compliance with any of those requirements.

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- b) General Registration Requirements
- 1) These requirements apply to contracts, bids and proposals that are subject to the Code and this Part;
 - A) Bids/proposals referenced in this Section are those submitted in response to a competitive solicitation that is posted to the Bulletin on or after January 1, 2009, regardless of the value assigned to the procurement.
 - B) Bids and proposals include pending bids and proposals.
 - C) These requirements generally apply to a vendor whose existing State contracts have an aggregate value in excess of \$50,000, whose aggregate value of bids/proposals for State contracts exceeds \$50,000, or whose aggregate value of State contracts and bids/proposals exceeds \$50,000.
 - D) This value is calculated on a calendar-year basis.
 - 2) On a calendar-year basis, each vendor or potential vendor must keep track of the value of contracts and bids/proposals. Vendors must register with SBEL when the vendor determines that the value of the contracts and bids/proposals meets the threshold for registration.
 - 3) An "executive employee" means:
 - A) the President, Chairman of the Board, or Chief Executive Officer of a business entity and any other individual that fulfills equivalent duties as the President, Chairman of the Board, or Chief Executive Officer of a business entity.
 - B) any employee of a business entity whose compensation is determined directly, in whole or in part, by the award or payment of contracts by a State agency to the entity employing the employee, irrespective of the employee's title or status in the business entity. For the purposes of this subsection (b)(3)(B), compensation determined directly by award or payment of

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contracts means a payment over and above regular salary that would not be made if it were not for the award of the contract.

c) Bids and Proposals

- 1) The CPO, or his or her designee, shall determine whether a business entity is required to register with SBEL and, if so, whether the business entity is in compliance with the registration requirements on the date the bid or proposal is due.
- 2) If the CPO determines that a business entity is required to register with SBEL and the business entity is not in compliance with the registration requirements, then the CPO shall not accept the business entity's bid or proposal.

d) Contracts

A copy of the Registration Certificate must be in the procurement file as set forth in this subsection (d), unless the vendor certifies it is not required to register.

- 1) For contract renewals and extensions, if the value of the renewal or extension by itself, or in combination with the contract being renewed/extended and other contracts and bids/proposals exceeds \$50,000, the vendor must provide the Registration Certificate and make the appropriate contract certification, if it has not already done so.
- 2) For indefinite quantity/estimated value contracts, a vendor who is otherwise not required to register shall register with SBEL when the value of orders placed pursuant to an indefinite/estimated value contract plus all other contracts and bids/proposals exceeds \$50,000.
- 3) For contract amendments, if the value of the amendment, by itself or in combination with the contract being renewed plus other contracts and bids/proposals, exceeds \$50,000, the vendor must provide the Registration Certificate and make the appropriate contract certification, if it has not already done so.
- 4) Any contracts mistakenly executed in violation of this Section must be amended to include the contract certifications, ~~and the vendor must supply the Registration Certificate~~. If any violation by the vendor is not cured

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within ~~75 business~~ days after receipt of notification of the violation, the contract is voidable by the State without penalty.

- 5) Contract certification required by the statutes shall be included in or added to each contract that must be filed with the State Comptroller pursuant to Section 20-80 of the Code and those written, two-party contracts that need not be filed with the Comptroller. The OAG may require written confirmation of the rule-imposed certification at any time.

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

Section 1300.5060 Voidable Contracts

If the CPO identifies, discovers, or reasonably suspects that a false certification or inaccurate, incomplete, or misleading disclosure has been made by a contractor or a subcontractor for any of the certifications or disclosures required under Article 50 of the Code, the CPO shall notify the OAG PPCMB and provide it with a copy of the contract or other procurement document in question. If the OAG PPCMB *finds evidence of a false certification or inaccurate, incomplete, or misleading disclosure*, the OAG PPCMB *shall provide written notice to the bidder, offeror, potential contractor, contractor or subcontractor that is identified, discovered, or reasonably suspected of making the false certification or inaccurate, incomplete, or misleading disclosure. The bidder, offeror, potential contractor, contractor or subcontractor shall have 15 days to respond in writing to the OAG PPCMB. Upon consideration, the OAG PPCMB shall recommend, in writing, whether to allow or void the contract, bid, offer, or subcontract weighing the best interest of the State of Illinois. All recommendations shall be submitted to the Attorney General, or his or her designee, for final review and to the Inspector General and the CPO.*

(Source: Amended at 40 Ill. Reg. 3401, effective February 11, 2016)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of February 9, 2016 through February 16, 2016. The rulemakings are scheduled for review at the Committee's March 8, 2016 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
3/26/16	<u>Illinois Court of Claims</u> , Court of Claims Regulations (74 Ill. Adm. Code 790)	12/11/15 39 Ill. Reg.15649	3/8/16
3/26/16	<u>Department of Transportation</u> , Prequalification of Contractors, Authorization to Bid, and Subcontractor Registration (44 Ill. Adm. Code 650)	11/20/15 39 Ill. Reg.15061	3/8/16

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 40, Issue 9 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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